

EXHIBIT “E”



American Electric Power
1 Riverside Plaza
Columbus, OH 43215-2373
AEP.com

Daniel C. Theveny, Esq.
Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103

August 27, 2012

Re: Federal Insurance Company v. American Electric Power Company
Case no. 12-1750-EL-CSS

Sophia L. Chang
Legal Department
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Dear Mr. Theveny:

Enclosed please find a copy of Respondent Ohio Power Company's Objections and Responses to Complainant's First Set of Interrogatories and Requests for Production. Please feel free to call or email me should you have any questions. Thanks.

Very truly yours,

A handwritten signature in black ink, appearing to be "SLC", written over a horizontal line.

Sophia L. Chang
Legal Department

encl.

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

Federal Insurance Company,)	
As subrogee of Genesis Healthcare System,)	
)	
Complainant,)	
)	
v.)	Case No. 12-1750-EL-CSS
)	
American Electric Power Company, Inc.)	
)	
Respondent.)	

**RESPONDENT OHIO POWER COMPANY'S OBJECTIONS AND
RESPONSES TO COMPLAINANT'S FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION**

Respondent Ohio Power Company d/b/a American Electric Power Company, Inc. (hereinafter "AEP") hereby responds to Complainant's First Set of Interrogatories and Requests for Production.

GENERAL OBJECTIONS

1. AEP has not completed its investigation of the facts and circumstances relating to this action, has not completed its search for documents, records, and information, and has not completed discovery in this action. All of the responses set forth below are based solely upon the information and documents presently available to AEP. Discovery will continue as long as permitted and the investigation by AEP, AEP's attorneys, and AEP's agents will continue throughout this proceeding. As the investigation and discovery proceed, witnesses, facts, documents, and evidence may be discovered that are not set forth herein but that may be responsive to the Interrogatories and Requests for Production of Documents. The following responses are given without prejudice to AEP's right to alter or amend these responses as the result of subsequently discovered evidence and to present such evidence in any proceeding,

including, but not limited to, expert testimony, discovered or obtained after the date of these responses.

2. Nothing herein shall be construed as an admission by AEP with respect to the admissibility or relevance of any documents produced. Further, AEP's responses are made without in any way waiving:

a. The right to object on the grounds of competency, relevancy, materiality, hearsay or on any other proper ground to the use of any such information for any purpose, in whole or in part, in any subsequent stage of proceeding in this action or any other action; or

b. The right to object on any and all grounds, at anytime, to any other discovery procedure relating to the subject matter of these discovery requests.

3. AEP objects to the discovery requests to the extent they seek documents in the public domain and/or to which complainant has equal or greater access.

4. AEP objects to the discovery requests to the extent they seek disclosure or production of confidential, proprietary, trade secret, and/or constitutionally protected business information.

5. AEP objects to the discovery requests to the extent they seek the production of information that is protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege or protection.

6. AEP incorporates the foregoing General Objections into each and every objection and/or individualized response contained herein and set forth below and into each and every amendment, supplement or modification to these responses hereinafter provided to the specific request. AEP does not waive any General Objections in response to any specific Request propounded.

7. Because discovery in this matter is still ongoing, AEP expressly reserves the right to supplement and amend its responses.

Subject to the foregoing objections, AEP responds to the discovery requests as follows:

INTERROGATORIES

1. Identify the person or persons preparing or assisting in the preparation of the answers to these Interrogatories, or who was relied upon for same, or contributed to the preparation of the answers, or who otherwise supplied information in preparing the answers to these Interrogatories.

Answer: Responses to these Interrogatories were done by counsel upon consultation with Eugene Campbell (Station Manager I), Christopher Miracle (Claims Adjuster I), David Sullivan (Engineering Technologist II), Michele Jeunelot (Manager Regulatory Operations), Robert Hall (Senior Equipment Specialist), William Dagpin (Customer Services Account Manager III), Carlos Brewer (Station Supervisor), and Gary Parker (Station Servicer).

2. Identify all witnesses with knowledge or information about the incident including, but not limited to, any witnesses with knowledge or information about the tap changer that went into full boost resulting in a power surge and shut down of the HVAC system at the subject property on the date of the incident. The terms "subject property" and "incident" are defined within paragraphs 1 and 2 of the Definitions and Instructions section above.

Answer: AEP objects to this Interrogatory to the extent that it is vague and does not define "witnesses." Subject to and without waiving this objection, AEP is not aware of any witnesses to the incident as alleged or otherwise described. To the extent that this Interrogatory seeks the identity of AEP employees who are familiar with the incident that

is the subject of the Complaint, or involved in the repairs, please see the response to Interrogatory No. 1.

3. Identify all witnesses with knowledge or information about the tap changer that went into full boost on the date of the incident, including, but not limited to, all witnesses with knowledge or information about why the tap changer went into full boost. The terms "incident" is defined within paragraph 2 of the Definitions and Instructions section above.

Answer: Please see the response to Interrogatory No. 2.

4. State why the tap changer went into full boost on the date of the incident and identify all facts in support of the reason why it went into full boost. The term "incident" is defined within paragraph 2 of the Definitions and Instructions section above.

Answer: AEP objects to this interrogatory to the extent it calls for speculation as to the details surrounding the incident. Subject to and without waiving this objection, the tap changer may have malfunctioned due to a failure with the control.

5. State whether you contend the owner of the subject property has comparative fault in this matter and, if so, state the factual basis for this contention. The term "subject property" is defined within paragraph 1 of the Definitions and Instructions section above.

Answer: AEP objects to this Interrogatory because comparative fault is not properly before the Commission as it has no jurisdiction to decide negligence or comparative fault issues but only service-related Complaints. Without waiving this objection, AEP contends that the owner of the subject property is at fault in this matter because it did not mitigate its damages by fulfilling its obligations under the language of the tariff by maintaining proper surge protection devices. Additionally, it is believed that the owner of the subject

property did not take reasonable precautions—outside of its obligations under the tariff—to protect its sensitive equipment through the use of warning devices or back-up systems.

6. Identify any other person, company, or entity you contend has comparative fault in this matter and, if so, state the factual basis for this contention as to each such person, company, or entity.

Answer: AEP objects to this Interrogatory because comparative fault is not properly before the Commission as it has no jurisdiction to decide negligence or comparative fault issues but only service-related Complaints. Without waiving this objection, at this time, AEP is not aware of any third party entity that has comparative fault in this matter.

7. For the five (5) year period prior to the date of the incident on June 15, 2010, identify the employee or employees of the Respondent who performed Work on any equipment at the substation and, for each employee, describe the work performed and the dates the Work was performed. The terms “substation”, “equipment”, and “Work” are defined within paragraphs 3, 4 and 5 of the Definitions and Instructions section above.

Answer: The responsive information to this Interrogatory is provided in Respondent’s answer to Request for Production No. 1.

8. Identify and state the current location of any and all service tickets, job notes, field journal, reports, work orders, documents, electronic communication and any other records of any kind which relate to the Work identified and described in response to Interrogatory number 7 above. The term “Work” is defined within paragraph 5 of the Definitions and Instructions section above.

Answer: See Response to Interrogatory No. 7.

9. Describe the purpose of a tap changer and include in your description an explanation of how it functions.

Answer: The responsive information to this Interrogatory is provided in Respondent's answer to Request for Production No. 9.

10. Identify the age of the tap changer that went into full boost on the date of the incident. The term "incident" is defined within paragraph 2 of the Definitions and Instructions section above.

Answer: The exact age of the tap changer is unknown.

11. State the date that the tap changer involved in the incident was acquired by the Respondent, the date that it was first placed into service, the identity of the seller or supplier of this tap changer, and the identity of the manufacturer including, if applicable, the identity of the manufacturers of each component part. The term "incident" is defined within paragraph 2 of the Definitions and Instructions section above.

Answer: The tap changer was acquired and put into service around 1970. The transformer was manufactured by General Electric.

12. Identify and state the current location of any and all purchase orders, receipts, invoices, sales records, or any other documents related to the acquisition, supply, sale or manufacture of the tap changer involved in the incident. The term "incident" is defined within paragraph 2 of the Definitions and Instructions section above.

Answer: AEP objects to this Interrogatory to the extent that it seeks information that is not relevant to any issue in this action. Subject to and without waiving these objections, the responsive documents to this Interrogatory are provided in Respondent's answer to Request for Production No. 7.

13. State all reasons why a tap changer will go into full boost.

Answer: AEP objects to this interrogatory to the extent it is overly broad, vague, and calls for speculation as to any possible reason a tap changer can go into full boost. Subject to and without waiving this objection, a tap changer can go into full boost due to a control failure.

14. For the five (5) year period prior to the date of the incident on June 15, 2010, describe in detail any work of any kind on the tap changer that went into full boost on the date of the incident, including, but not limited to, any replacement of any component parts of the tap changer, or any maintenance work, service work, repair, or refurbishment of the tap changer. The term "incident" is defined within paragraph 2 of the Definitions and Instructions section above.

Answer: The responsive information to this Interrogatory is provided in Respondent's answer to Request for Production No. 7.

15. Identify and state the current location of any and all service tickets, job notes, field journals, reports, work orders, documents, electronic communication and any other records of any kind which relate to the work identified and described in response to Interrogatory number 14 above.

Answer: See Response to Interrogatory No. 14.

16. If you contend that another person, contractor, company, entity, condition, event, or factor caused or contributed to the tap changer going into full boost on the date of the incident, identify that person, contractor, company, entity, condition, event, or other factor and describe how that person, contractor, company, entity, condition, event, or other factor caused or

contributed to the tap changer going into full boost on the date of the incident. The term "incident" is defined within paragraph 2 of the Definitions and Instructions section above.

Answer: AEP objects to this Interrogatory to the extent that it implies fault on the part of AEP. Subject to and without waiving this objection, AEP does not contend that any third party entity contributed to the tap changer failure.

17. State whether any other claim or lawsuit has been made or filed against you on the basis that property damage was caused by a power surge as a result of a tap changer that went into full boost, including, but not limited to, any claim asserted against you in any proceedings before the Public Utilities Commission of Ohio ("PUCO"). If so, provide the name of each claimant or Complainant, the address of the involved property, the identity of the lawsuit or PUCO proceeding, and a complete description of the claim, lawsuit, or PUCO proceeding.

Answer: AEP has no knowledge of any claim or lawsuit.

18. State whether an investigation was made by you or your representatives related to the tap changer that went into full boost at the substation on the date of the incident. If such an investigation occurred, identify the date of such investigation, the names and addresses of the individuals who conducted the investigation, and state whether a written report detailing the investigation was produced. The term "incident" and "substation" are defined within paragraphs 2 and 3 of the Definitions and Instructions section above.

Answer: AEP objects to this Interrogatory to the extent that it seeks information which is work product and/or attorney-client privileged.

19. Identify by name, address, employer, occupation and profession, each and every expert witness who will offer any opinions on your behalf about either the cause of the incident, the reasons why the tap changer at the substation went into full boost on the date of the incident, the

reasons why the tap changer at the substation went into full boost on the date of the incident, the cause of the damages claimed by Complainant, and/or the scope or recoverability of the claimed damages. For each expert witness identified, state a summary of his or her opinions, the factual bases for the opinions, the grounds for the opinions, and a list or summary of all data and information considered in formulating his or her opinions. The terms "incident" and "substation" are defined within paragraphs 2 and 3 of the Definitions and Instructions section above.

Answer: AEP has not made a determination regarding experts at this time but will supplement its answer in accordance with the Ohio Administrative Code.

REQUESTS FOR PRODUCTION

1. Produce all documents which support any of your answers to Complainant's Interrogatories, or which you identified in any of your answers to Complainant's Interrogatories and, for each document, identify the specific Interrogatory answer which is supported by the document or documents.

Response: See attached.

2. Identify and produce all documentation referred to and/or reviewed in preparing your answers to Complainant's Interrogatories, except documents protected by an attorney-client or work product privilege.

Response: AEP objects to this Request to the extent it is redundant of other requests and therefore has been asked and answered. Subject to and without waiving this objection, see response to Request for Production No. 1.

3. Identify and produce all documents, including any investigative reports, related to the facts and circumstances surrounding the incident, except documents protected by an attorney-

client or work product privilege. The term "incident" is defined within paragraph 2 of the Definitions section above.

Response: AEP objects to this Request to the extent it is redundant of other requests and therefore has been asked and answered.

4. Identify and produce all documents, including any investigative reports related to the facts and circumstances surrounding the tap changer that went into full boost at the substation on the date of the incident, except documents protected by an attorney-client or work product privilege. The terms "incident" and "substation" are defined within paragraphs 2 and 3 of the Definitions section above.

Response: AEP objects to this Request to the extent it is redundant of other requests and therefore has been asked and answered.

5. Identify and produce all contracts, notes, memoranda, documents, correspondence, letters, or communications, whether oral, electronic, or written, between Respondent, or any of the Respondent's employees, subcontractors, or representatives, and the owner of the subject property, including any representative of the owner of the subject property. The term "subject property" is defined within paragraph 1 of the Definitions section above.

Response: AEP objects to this Request to the extent that Complainant has equal access to these documents. Subject to and without waiving this objection, see attached.

6. Produce all documents related to any Work on any equipment at the substation for the five (5) year period prior to the date of the incident. The terms "incident", "substation", "equipment", and "Work" are defined within paragraphs 2, 3, 4, and 5 of the Definitions section above.

Response: AEP objects to this Request to the extent that this Request is overly broad, vague, and places an undue burden and expense upon AEP to provide a response. As written, this Request also seeks information which is not relevant to any claim in this action.

7. For the five (5) year period prior to the date of the incident, produce all documents related to any inspections, maintenance, service, repair, or any other work of any kind involving the tap changer that went into full boost on the date of the incident. The term "incident" is defined within paragraph 2 of the Definitions section above.

Response: See attached.

8. For the five (5) year period prior to the date of the incident, produce all documents, records, data, recordings or any other information related to, or generated by, all control boards or control panels at or within the substation or any control boards or control panels for the substation at another location. The terms "incident" and "substation" are defined within paragraphs 2 and 3 of the Definitions section above.

Response: AEP objects to this Request to the extent that this Request is overly broad, vague, and places an undue burden and expense upon AEP to provide a response. As written, this Request also seeks information which is not relevant to any claim in this action.

9. Produce any training manuals, instruction manuals, guidelines, procedures manuals, or standards applicable to the service, inspection, maintenance, or repair of tap changers.

Response: See attached.

10. Produce any guidelines, checklists, procedures manuals, or operating procedures you provide to your employees for service, inspection, maintenance, or repair of tap changers.

Response: See Response to Request for Production No. 9.

11. For the five (5) year period prior to the date of the incident, produce any reports, documents, memoranda, field notes, job journals, checklists, or forms prepared, authored, taken, recorded, kept, or completed by your employees in connection with any inspections, maintenance, service, repair, or any other work of any kind involving the tap changer that went into full boost on the date of the incident. The term "incident" is defined within paragraph 2 of the Definitions section above.

Response: AEP objects to this Request to the extent it is redundant of other requests and therefore has been asked and answered. Subject to and without waiving this objection, see response to Request for Production No. 7.

12. Produce any work orders, purchase orders, contracts, agreements, or other documents or writings of any kind related to any work performed by an independent contractor, manufacturer, service company, or repair company for any inspections, maintenance, service, repair, or any other work of any kind involving the tap changer that went into full boost on the date of the incident. The term "incident" is defined within paragraph 2 of the Definitions section above.

Response: AEP objects to this Request to the extent it is redundant of other requests and therefore has been asked and answered. Subject to and without waiving this objection, see response to Request for Production No. 7.

13. Identify and produce all reports prepared by an expert witness expected to testify on your behalf in this matter.

Response: AEP has not made a determination as to expert witnesses at this time. AEP will supplement this Interrogatory in accordance with the Ohio Administrative Code.

14. Identify and produce a copy of any testifying expert's curriculum vitae or resume.

Response: AEP has not made a determination as to expert witnesses at this time. AEP will supplement this Interrogatory in accordance with the Ohio Administrative Code.

15. Identify and produce any materials reviewed by an expert witness.

Response: AEP has not made a determination as to expert witnesses at this time. AEP will supplement this Interrogatory in accordance with the Ohio Administrative Code.

16. Identify and produce a copy of any reports or other documents you received from any individual or entity related to the incident or the tap changer that went into full boost on the date of the incident. The term "incident" is defined within paragraph 2 of the Definitions section above.

Response: AEP objects to this Request to the extent it seeks documents which are work product and/or attorney-client privileged. AEP also objects to this Request to the extent it is redundant of other requests and therefore has been asked and answered.

17. Identify and produce all insurance policies, including primary, excess or umbrella policies that may provide you with coverage or a defense for the claims asserted against you in this lawsuit.

Response: AEP objects to this Request as to its relevancy. The Commission has no jurisdiction to decide negligence or damage, but only service-related complaints.

18. Identify and produce any and all written reservation of rights documents, non-waiver agreements or other memoranda, correspondence, agreements or documents under and pursuant to the terms and conditions of any policy or policies of insurance identified in response to the Request for Production above.

Response: AEP objects to this Request as to its relevancy. The Commission has no jurisdiction to decide negligence or damage issues, but only service-related complaints.

19. Produce all exhibits you intend to use in this proceeding.

Response: AEP has not made a determination as to exhibits at this time. AEP will supplement this Interrogatory in accordance with the Ohio Administrative Code.

20. Identify and produce all documents in support of your contention that the owner of the subject property and/or any other person, company, or entity has comparative fault or fault in this matter. The term "subject property" is defined within paragraph 1 of the Definitions section above.

Response: AEP objects to this Request to the extent it is irrelevant. The Commission has no jurisdiction to decide negligence or damage issues, but only service-related Complaints. AEP also objects to this Request to the extent that it seeks documents which are work product and/or attorney-client privileged. Subject to and without waiving these objections, see the attached tariff language.

21. Identify and produce a copy of all statements that you have obtained from any witness concerning the incident or the damages as a result of the incident. The term "incident" is defined within paragraph 2 of the Definitions section above.

Response: AEP objects to this Request to the extent it seeks information which is work product and/or protected by the attorney-client privilege. Subject to and without waiving this objection, AEP has no statements responsive to this request.

22. Identify and produce a copy of all photographs or videotapes that you have of the subject property or the tap changer that went into full boost on the date of the incident. The terms "subject property" and "incident" are defined within paragraphs 1 and 2 of the Definitions section above.

Response: AEP has no photographs or videotapes responsive to this request.

Respectfully submitted,

/s// Marilyn McConnell

Marilyn McConnell (0031190)

Sophia Chang (0086258)

American Electric Power Service Corporation

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Counsel for Respondent

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Respondent Ohio Power Company's Objections and Responses to Complainant's First Set of Interrogatories and Requests for Production was served by electronic mail upon counsel for Complainant at the address listed below on this 27th day of August 2012.

/s// Marilyn McConnell

Marilyn McConnell

Daniel C. Theveny, Esq.

Cozen O'Connor

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