

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application of )  
Champaign Wind LLC, for a Certificate )  
to Construct a Wind-Powered Electric ) Case No. 12-0160-EL-BGN  
Generating Facility in Champaign )  
County, Ohio )

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**NOTICE OF FILING APPLICANT'S THIRD REQUEST FOR PRODUCTION OF  
DOCUMENTS TO UNION NEIGHBORS UNITED, INC.**

Champaign Wind LLC (the "Applicant") hereby gives notice that on October 26, 2012, it served its Third Request for Production of Documents on Union Neighbors United, Inc. A copy of the Applicant's third request for production of documents is attached hereto for filing on the docket.

Respectfully submitted,

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*Attorneys for Champaign Wind LLC*

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon the following parties of record via e-mail this 26<sup>th</sup> day of October, 2012.

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s/ Miranda Leppla  
Miranda R. Leppla

**BEFORE THE OHIO POWER SITING BOARD**

<b>In the Matter of the Application of ) Champaign Wind LLC, for a Certificate ) to Construct a Wind-Powered Electric ) Generating Facility in Champaign ) County, Ohio )</b>	<b>Case No. 12-0160-EL-BGN</b>
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**CHAMPAIGN WIND LLC’S THIRD REQUEST FOR PRODUCTION  
OF DOCUMENTS TO UNION NEIGHBORS UNITED, INC.**

Pursuant to Rule 4906-7-07 of the Ohio Administrative Code, Champaign Wind LLC (“Champaign Wind”) serves this Third Request for Production of Documents on Union Neighbors United, Inc. Responses and responsive documents are to be produced within ten days of the date appearing on the Certificate of Service and should be supplemented pursuant to Rule 4906-7-07 of the Ohio Administrative Code.

**Definitions and Instructions**

1. With respect to each discovery request, all information is to be divulged that is within the knowledge, possession or control of the parties to whom it is addressed, including their agents, employees, attorneys, and/or investigators.
2. Where an interrogatory calls for an answer in more than one part, each part should be separated in the answer so that the answer is clearly understandable.
3. All answers must be separately and fully stated in writing under oath.
4. Pursuant to Rules 4906-7-07 of the Ohio Administrative Code, you are under a continuing duty to seasonably supplement all discovery responses with respect to any question directly addressed to the identity and location of persons having knowledge of discoverable

matters, the identity of each person expected to be called as an expert witness at the hearing, and the subject matter on which the expert is expected to testify. Further, a party who knows or later learns that a response is incorrect is under a duty to seasonably correct the response.

5. For purposes of these discovery requests, the following terms shall have meanings set forth below:

- (a) As used herein, “document”, “documentation” and/or “record” whether stated as the singular or the plural, means any course of binders, book, pamphlet, periodical, letter, correspondence, memoranda, e-mail, including but not limited to any memorandum or report of a meeting or telephone or other conversation, invoice, account, credit memo, debit memo, financial statement, general ledger, ledger, journal, work papers, account work papers, report, diary, telegram, record, contract, agreement, study, draft, telex, handwritten or other note, sketch, picture, photograph, plan, chart, paper, graph, index, tape, data processing card, data processing disc, data cells or sheet, check acceptance draft, e-mail, studies, analyses, contracts, estimates, summaries, statistical statements, analytic records, reports and/or summaries of investigations, opinions or reports of consultants, opinions or reports of consultants, opinions or reports of accountants, trade letters, comparisons, brochures, pamphlets, circulars, bulletins, notices, forecasts, electronic communication, printouts, all other data compilations from which information can be obtained (translated if necessary into useable form), any preliminary versions, drafts, or revisions of any of the foregoing, and/or any other written, recorded, transcribed, punched, taped, filmed, or graphic matter, however produced or reproduced and regardless of origin or location, in the possession, custody and/or control of the defendant and/or their agents, accountants, employees, representatives and/or attorneys. “Document” and “record” also mean all copies of documents by whatever means made, if the copy bears any other markings or notations not found on the original.
- (b) The terms “relating to”, “referring to”, “referred to”, “pertaining to”, “pertained to” and “relates to” means referring to, reporting, embodying, establishing, evidencing, compromising, connected with, commenting on, responding to, showing, describing, analyzing, reflecting, presenting and/or constituting, and/or in any way involving.
- (c) The terms “and”, “or” and “and/or” within the meaning of this document shall include each other and shall be both inclusive and

disjunctive and shall be construed to require production of all documents as above described, in the broadest possible fashion and manner.

- (d) “Corporation” or “UNU” shall mean Union Neighbors United, Inc., and includes but is not limited to each and every agent, employee, servant, insurer and/or attorney of the Corporation.
- (e) To “identify” shall mean:
  - (1) With respect to a document, to state its date, its author, its type (for example, letter, memorandum, chart, photograph, sound reproduction, etc.), its subject matter, its present location, and the name of its present custodian. The document may be produced in lieu of supplying the foregoing information. For each document which contains information as privileged or otherwise excludable from discovery, there shall be included a statement as to the basis for such claim of privileged or other grounds for exclusion.
  - (2) With regard to a natural person, to state his or her full name, last known employer or business affiliation, title and last known home address.
  - (3) With regard to a person other than a natural person, state the title of that person, any trade name, or corporate name or partnership name used by that person, and the principle business of that person.
- (f) To “produce” or to “identify and produce”, shall mean that the Corporation shall produce each document or otherwise requested intangible thing. For each tangible thing which the Corporation contends is privileged or otherwise excludable from discovery, there shall be included a statement as to the basis for such claim of privilege or other grounds for exclusion.

### **REQUEST FOR PRODUCTION OF DOCUMENTS**

REQUEST NO. 13: Please provide copies of all documents from UNU’s website

[www.safesetbacks.com](http://www.safesetbacks.com), and any other website run by UNU.

Response:

REQUEST NO. 14: Please provide copies of all correspondence to and from UNU's website, [www.safesetbacks.com](http://www.safesetbacks.com), and any other website run by UNU.

Response:

REQUEST NO. 15: Please provide the full name of each person who is a member of UNU.

Response:

Respectfully submitted,

/s/Miranda R. Leppla

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

**Commission of Ohio Docketing Information System on**

**10/26/2012 5:07:39 PM**

**in**

**Case No(s). 12-0160-EL-BGN**

Summary: Notice of Filing Applicant's Third Request for Production of Documents to Union Neighbors United, Inc. electronically filed by Ms. Miranda R Leppla on behalf of Champaign Wind LLC