

**BEFORE THE OHIO POWER SITING BOARD**

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

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**NOTICE OF FILING APPLICANT’S FIRST SUPPLEMENTAL RESPONSE TO  
INTERVENORS’ FIRST SET OF INTERROGATORIES**

Champaign Wind LLC (the “Applicant”) hereby gives notice that on November 7, 2012, it served its supplemental response to Interrogatory No. 13 on Intervenor Union Neighbors United, Robert McConnell, Diane McConnell, and Julia Johnson’s (collectively “UNU”) First Set of Interrogatories to Applicant Champaign Wind LLC. A copy of the Applicant’s supplemental response is attached for filing on the docket.

Respectfully submitted,

/s/ Miranda R. Leppla  
\_\_\_\_\_  
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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 on this 7th day of November, 2012.

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/s/ Miranda Leppla

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of )	
Champaign Wind LLC, for a )	
Certificate to Install Electricity )	Case No. 12-0160-EL-BGN
Generating Wind Turbines in )	
Champaign County )	

**CHAMPAIGN WIND LLC'S FIRST SUPPLEMENTAL RESPONSES TO UNION  
NEIGHBORS UNITED'S FIRST SET OF INTERROGATORIES**

Pursuant to Rule 4906-7-07(D) of the Ohio Administrative Code, Champaign Wind LLC ("Champaign Wind") provides these responses to the First Set of Interrogatories from Intervenor Union Neighbors United, Inc., Robert McConnell, Diane McConnell and Julia Johnson (collectively "UNU").

**GENERAL OBJECTIONS**

1. Champaign Wind objects to the Interrogatories to the extent that they do not comply with OAC 4906-7-07, or otherwise seek to impose duties or obligations upon Champaign Wind that are greater than or inconsistent with that rule.
2. No objection made herein, or lack thereof, shall be deemed an admission by Champaign Wind as to the existence or non-existence of any documents and/or information.
3. Champaign Wind objects to each Interrogatory herein to the extent that it seeks to define terms and/or to characterize certain matters. To the extent Champaign Wind responds to Interrogatories, such response is neither an express nor implied agreement or admission as to the meaning of a term or characterization of certain matters.
4. Champaign Wind objects to each Interrogatory to the extent that it seeks documents and/or information protected by the attorney-client privilege, the attorney work product privilege, or any other legally recognized privilege, protection, or immunity. No

privileged materials or information will be produced or disclosed. Inadvertent disclosure of any such protected information or production of any documents containing such protected information shall not constitute a waiver of Champaign Wind's right to assert the applicability of any privilege or immunity and all copies or images thereof shall be returned to counsel for Champaign Wind upon discovery thereof.

5. Champaign Wind objects to these Interrogatories to the extent they seek confidential business information proprietary to Champaign Wind or any affiliate and persons with whom Champaign Wind does business.

6. Champaign Wind objects to these Interrogatories to the extent that they purport to obligate Champaign Wind to provide information or documentation from persons or entities not subject to the control of Champaign Wind.

7. Champaign Wind objects to any Interrogatory, definition or instruction that seeks to require Champaign Wind to take extraordinary measures to perform a search for responsive documents, including searching electronic information stored on back-up media, on the grounds that such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

8. With respect to Interrogatories which utilize terms or words that inherently may be construed unreasonably broadly, Champaign Wind objects on the grounds of vagueness, overbreadth, undue burden, and that such Interrogatories are not reasonably calculated to lead to the discovery of admissible evidence.

9. To the extent Champaign Wind asserts an objection of vagueness, overbreadth, or undue burden, it asserts a further objection that the Interrogatory is not reasonably calculated to lead to the discovery of admissible evidence.

10. Champaign Wind objects to these Interrogatories to the extent they go beyond the scope of discovery that is relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence.

11. To the extent a response is made to an Interrogatory to which there is one or more specific objection(s), said response is made notwithstanding and without waiving any of the general objections.

12. In making these objections, Champaign Wind does not in any way waive or intend to waive, but rather intends to preserve and is preserving, should it become appropriate:

- a. all objections to the competency, relevancy, materiality, and admissibility of any information that may be produced and disclosed in response to these Interrogatories;
- b. all rights to object on any ground to the use of any information that may be produced or disclosed in response to these Interrogatories, or the subject matter thereof, in any subsequent proceedings, including the trial of this action;
- c. all rights to object on any ground to any request for further responses to these Interrogatories or any other discovery requests from UNU; and
- d. all rights to supplement its responses to these Interrogatories.

13. Champaign Wind has made reasonable efforts to respond to each and every Interrogatory as Champaign Wind understands and interprets the Interrogatory. If Intervenor subsequently assert an interpretation of an Interrogatory that differs from that of Champaign Wind, Champaign Wind reserves the right to supplement its response.

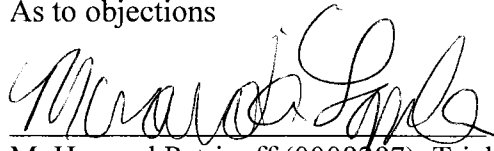
14. As formal discovery has not been completed, Champaign Wind reserves the right to rely upon any facts, documents or other evidence which may develop or come to its attention later.

**SUPPLEMENTAL RESPONSES AND OBJECTIONS TO INTERROGATORIES**

INTERROGATORY NO. 13: Provide the parcel number and acreage for each parcel of real property within the Project Area that is under lease or lease option with Champaign Wind LLC, EverPower, EverPower Renewables Corp, or any affiliate.

**Supplemental Response**: Champaign Wind objects to Interrogatory No. 13 as being unduly burdensome and seeking information not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the specific objection and general objections, Champaign Wind produced documents responsive to this request. *See* CW07681 – CW07703.

As to objections



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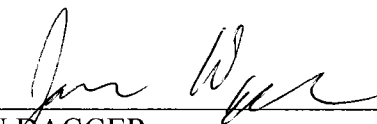
Attorneys for Champaign Wind LLC

STATE OF OHIO                    )  
  )  
COUNTY OF CHAMPAIGN        )

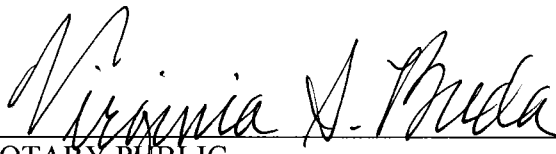
**VERIFICATION**

Jason Dagger, being first duly sworn according to law, deposes and states that he is an authorized representative of Champaign Wind LLC and that he has read the answers to the foregoing Interrogatories, and that the facts and statements contained herein are true and accurate to the best of his knowledge.

Further affiant sayeth naught.

  
\_\_\_\_\_  
JASON DAGGER

SWORN TO BEFORE ME and subscribed in my presence this 7th day of October,  
2012.

  
\_\_\_\_\_  
NOTARY PUBLIC



VIRGINIA S. BUDA  
Notary Public, State of Ohio  
My Commission Expires  
August 25, 2013

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I hereby certify that a copy of the foregoing document was served upon the following parties of record via e-mail on this 7th day of November, 2012.

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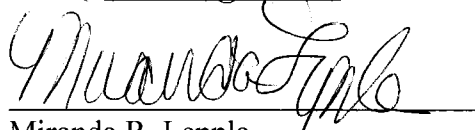
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Miranda R. Leppla



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

**Commission of Ohio Docketing Information System on**

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**in**

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

Summary: Notice of Filing Applicant's First Supplemental Response to Intervenor's First Set of Interrogatories electronically filed by Ms. Miranda R Leppla on behalf of Champaign Wind LLC