

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Filing by Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company of a Grid Modernization Business Plan)	
)	
)	Case No. 16-481-EL-UNC
)	
)	
In the Matter of the Filing by Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company Application for Approval of a Distribution Platform Modernization Plan)	
)	
)	Case No. 17-2436-EL-UNC
)	
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)	
In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company to Implement Matters Relating to the Tax Cuts and Jobs Act of 2017)	
)	
)	Case No. 18-1604-EL-UNC
)	
)	
)	
In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Approval of a Tariff Change)	
)	
)	Case No. 18-1656-EL-ATA
)	

**MOTION TO COMPEL DISCOVERY AND FOR AN EXPEDITED RULING BY THE
ENVIRONMENTAL LAW & POLICY CENTER**

Pursuant to Ohio Adm. Code 4901-1-12, 4901-1-14, and 4901-1-23, the Environmental Law & Policy Center (“ELPC”), an intervenor in the above captioned proceedings before the Public Utilities Commission of Ohio (“PUCO” or “Commission”), hereby files this motion to compel discovery responses from Interstate Gas Supply, Inc. (“IGS”). As explained in the attached memorandum in support, ELPC served limited discovery requests on IGS seeking information related to important issues raised by the proposed Stipulation and Recommendation

(“Stipulation”) filed in this case on November 9, 2018 as well as testimony filed in support of that Stipulation. IGS has refused to answer two of ELPC’s interrogatories regarding purported customer benefits of the grid modernization investment proposed in the Stipulation, and has not offered any proper objections to those discovery requests that would excuse IGS from its obligation under Ohio Admin. Code 4901-1-16(B) to provide the information sought. Therefore, ELPC respectfully requests an order compelling IGS to respond to the interrogatories at issue. ELPC also seeks an expedited ruling on this Motion in order to ensure IGS provides any responses before cross-examination of relevant witnesses, with any memorandum contra to be filed by Tuesday, January 29, 2019, for a ruling as soon as possible thereafter.

Respectfully submitted,

January 25, 2019

/s/ Madeline Fleisher
Madeline Fleisher
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**MEMORANDUM IN SUPPORT OF MOTION TO COMPEL DISCOVERY AND FOR
AN EXPEDITED RULING BY THE
ENVIRONMENTAL LAW & POLICY CENTER**

The Environmental Law & Policy Center (“ELPC”), an intervenor in the above-captioned case, timely served Interstate Gas Supply, Inc. (“IGS”) with discovery requests that seek information relevant to important issues raised by the proposed Stipulation and Recommendation (“Stipulation”) filed in this case on November 9, 2018, as well as the testimony filed in support.

The Stipulation and the testimony offered in support by IGS and Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, “FirstEnergy”) assert that customers will receive net benefits from the significant investment in grid modernization proposed in the Stipulation, including an advanced metering infrastructure (“AMI”) deployment of 700,000 smart meters.¹ The validity of this cost-benefit analysis will be a central issue at hearing in light of the Commission’s statement in its August 29, 2018 report *PowerForward: A Roadmap to Ohio’s Electricity Future* (“Roadmap”) that any utility proposal for grid modernization investment “should demonstrate that benefits generated by the project will exceed costs on a net present value basis.”² ELPC intends to argue that FirstEnergy’s cost-benefit analysis is not in fact valid, in part because it rests on unreasonable assumptions about customer benefits from smart meters without the necessary supporting information regarding availability of AMI-enabled products or customer adoption of such products. IGS has asserted in its own testimony in support of the Stipulation that it may provide such products. Nevertheless, IGS has refused to respond to ELPC’s narrowly targeted interrogatories aimed at discovering information about the facts underlying IGS’s assertions.

IGS witness Childers specifically asserts that customers will benefit from AMI technology because that technology will allow competitive retail electric suppliers (“CRES providers”) to offer “innovative products.”³ According to him, that includes the option to “employ a variety of demand side management solutions to better shape a customer’s load,”

¹ Stipulation at 1-3, 10, Att. B; Direct Test. of Santino L. Fanelli (Nov. 9, 2018) at 9-10; Direct Test. of Brandon Childers (Dec. 11, 2018) at 5-6.

² Roadmap at 27.

³ Childers Test. at 6.

including “internet connected devices that control load, such as smart thermostats, water heaters, and smart appliances.”⁴

Accordingly, on December 21, 2018, ELPC served a set of discovery requests to IGS that included two interrogatories aimed at gathering information regarding their existing offerings of “demand-side management solutions” and the prevalence of smart thermostats among their Ohio customers, which IGS responded to as follows:

INT-1-8. [#1]

Please refer to page 6 of the Childers Direct Testimony.

- a. Identify all products You offer to residential customers in any utility territory as of December 1, 2018, that use “demand side management solutions to better shape a customer’s load.”
- b. For any product listed in response to subpart (a), please identify how many customers are enrolled in that product as of December 1, 2018.

RESPONSE:

a. Objection. This overbroad, vague, unduly burdensome, and unlikely to lead to the discovery of admissible evidence. Additionally, the term “products” is undefined and not clear. Notwithstanding these objections, IGS has offered demand response/load shifting products in Illinois and Texas.

b. Objection. This request calls for potentially proprietary information.

INT-1-8. [#2]

Please identify how many Ohio residential customers You provided a smart thermostat to (with or without charge) in each year since 2013. For each year, specify how many smart thermostats You provided with the cost offset by a utility rebate.

RESPONSE:

Objection. This request calls for potentially proprietary information. Additionally, the request is not relevant to this proceeding and unlikely to lead to the discovery of admissible evidence. Moreover, the amount of

⁴ *Id.*

thermostats that IGS has deployed in the FirstEnergy service territory is not relevant in a vacuum. The total amount of thermostat rebates that have been distributed may be obtained from FirstEnergy.⁵

ELPC made reasonable efforts to resolve the objections to Interrogatories 1-8 (#1)(b) and 1-8 (#2) through email and telephone communications, as further detailed in the attached Affidavit of Madeline Fleisher. However, those efforts were unavailing and IGS continues to assert relevance objections to both requests.

These interrogatories are well within the bounds of permissible discovery under Commission rules allowing a party to “obtain discovery of *any* matter, not privileged, which is relevant to the subject matter of the proceeding.” Ohio Admin. Code 4901-1-16(B) (emphasis added). The Commission has noted that its “rules are designed to allow broad discovery of material that is relevant to the proceeding in question and to allow the parties to prepare thoroughly and adequately for hearing.” *In the Matter of the Application of Duke Energy Ohio, Inc., for Approval of an Electric Security Plan*, Case Nos. 08-920-EL-SSO *et al.*, Entry (Oct.1, 2008) at 3. In this case, the two disputed interrogatories seek relevant information regarding potential customer benefits that IGS itself has asserted will result from the Stipulation.

With respect to access to “demand side management solutions to better shape a customer’s load,” ELPC seeks information regarding customer enrollment levels in other jurisdictions in order to determine whether IGS has a basis to claim that, if such products were offered in Ohio, significant numbers of customers would enroll in and benefit from them. There is no requirement that this information on its own must definitively answer the question of whether customers will benefit from the Stipulation, merely that it be relevant. Information about whether AMI deployment has enabled customers of other utilities to realize such benefits

⁵ Exhibit A at 7-8. ELPC’s original discovery requests served on IGS are attached as Exhibit B.

certainly clears that low bar. If IGS believes that such evidence is not informative regarding the expected results of AMI deployment in FirstEnergy's territory, it may offer arguments or evidence to the contrary at hearing and on brief, but cannot attempt to decide the question for the Commission by refusing to provide that information in the first place.

Similarly, the question of whether IGS has provided smart thermostats to its customers is relevant given that IGS specifically identifies smart thermostats as a technology it may rely on in providing "demand side management solutions." If IGS has already provided smart thermostats to large numbers of customers, benefits from such "demand side management solutions" may be more likely. If not, it would be relevant to any claim by IGS or others that FirstEnergy customers already have smart thermostats and are thus poised to immediately benefit from "demand side management solutions."

The Stipulation rises and falls on the question of whether the benefits of the proposed grid modernization investment for customers will be greater than their cost. IGS decided to file testimony asserting specific benefits from smart thermostats. IGS must now provide evidence relevant to the validity of those assertions. ELPC therefore respectfully requests that the Commission grant this Motion to Compel. Because the hearing in this proceeding is scheduled to begin on February 4, 2019, and cross-examination of IGS witness Childers will likely occur soon thereafter, ELPC also respectfully requests that the Commission consider this Motion on an expedited basis. ELPC proposes that any memorandum contra be filed by Tuesday, January 29, with a decision by the Commission following as soon as possible thereafter. Should ELPC prevail on this Motion, we also request that IGS provide supplemental responses at least two calendar days before any scheduled cross-examination for Mr. Childers.

Respectfully submitted,

/s/ Madeline Fleisher

Madeline Fleisher

Senior Attorney

Environmental Law & Policy Center

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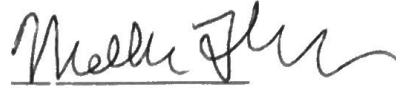
AFFIDAVIT OF MADELINE FLEISHER

I, Madeline Fleisher, swear that I made the following efforts to resolve any differences with Interstate Gas Supply, Inc. ("IGS") regarding the discovery requests described in the foregoing Motion to Compel and Memorandum in Support.

1. On January 14, 2019, I emailed IGS counsel Bethany Allen regarding IGS's objections to Environmental Law & Policy Center ("ELPC") Interrogatories 1-8 (#1)(b) and 1-8 (#2). In that email, I offered to sign a protective agreement "to allow for disclosure of that information with any potentially necessary confidentiality protections" in order to address any confidentiality issue regarding disclosure of the information requested in Interrogatory 1-8 (#1)(b). I also explained our belief that the information requested in Interrogatory 1-8 (#2) "is relevant with respect to the issue of whether smart thermostat deployment is important to support customers' ability to benefit from time-varying or other AMI-related rates."
2. Ms. Allen replied via an email sent January 21, 2019, asserting that "we maintain our objections" and elaborating on IGS's confidentiality objection to Interrogatory 1-8 (#1)(b) and relevance objection to Interrogatory 1-8 (#2).
3. After additional phone conversations regarding a protective agreement that would allow for the release of confidential information in response to Interrogatory 1-8 (#1)(b), Ms. Allen sent me an additional email on January 24, 2019, further explaining that IGS also asserted a relevance objection to that interrogatory subpart.
4. Also on January 24, 2019, I communicated with Ms. Allen via phone and email to explain ELPC's position that with IGS's relevance objection to either interrogatory, and

that I would plan to file a motion to compel responses on January 25, 2019 absent an agreement to provide the requested information.

5. A full record of the email exchanges between myself and Ms. Allen is attached as Exhibit C to the foregoing Motion to Compel.



Madeline Fleisher
Senior Attorney
Environmental Law & Policy Center

Sworn to before me and subscribed in my presence on 1/25, 2019, in Columbus, OH.


Notary Public

Exhibit A

**BEFORE
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In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Approval of a Tariff Change.))	Case No. 18-1656-EL-ATA
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INTERSTATE GAS SUPPLY, INC.'S RESPONSE TO THE ENVIRONMENTAL LAW & POLICY CENTER'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

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INTERROGATORIES

INT-1-1.

Please refer to the Stipulation at pages 17-18.

- a. Identify all types of rates, products, and programs (including, if applicable, real-time pricing, critical peak pricing, peak time rebates, or demand response programs) that You consider to be a “time-varying rate.”
- b. Identify all utility territories in which you provide retail electric service within the United States where AMI meters have been partially or fully deployed.
- c. Identify any utility territory listed in Your response to subpart (b) in which You offer any type of time-varying rate as of December 1, 2018.
- d. Identify any type of time-varying rate that You offer in any utility territory listed in Your response to subpart (c), including whether you offer the rate to residential or commercial/industrial customers or both.
- e. How many customers were enrolled in each of Your rate products identified in response to subpart (d) as of December 1, 2018? Please specify whether the customers are residential or commercial/industrial.
- f. Identify all types of time-varying rates that You plan to offer to FirstEnergy residential customers once the AMI functionalities described on pages 14-18 of the Stipulation are available.
- g. Identify all types of time-varying rates that You plan to offer to FirstEnergy commercial or industrial customers once the AMI functionalities described on pages 14-18 of the Stipulation are available.

RESPONSE:

- a. **Objection. This request is over broad, vague, unduly burdensome, and unlikely to lead to the discovery of admissible evidence. Additionally, this request calls for potentially proprietary information.**
- b. **Objection. This request over broad, unduly burdensome, and not likely to lead to the discovery of admissible evidence. Additionally, the terms “provide,” “AMI meters,” “partially,” and “deployed” are not defined and unclear. Further, this request calls for potentially proprietary information. Notwithstanding these objections, assuming “AMI meters” means “meters that measure and record usage data, at a minimum, in hourly intervals and provide usage data at least daily to energy companies and may also provide data to consumers,” AMI meter totals for every electric utility territory is publicly available through the U.S. Energy Information Administration website.**

- c. Objection. This request is overly broad, unduly burdensome, and unlikely to lead to the discover of admissible evidence. Additionally, this request calls for potentially proprietary information. Further, the term “offer” is undefined and not clear. Notwithstanding these objections, IGS has offered such rates to customers in Ohio, Illinois, and Texas.**
- d. Objection. This request is overly broad, unduly burdensome, and not likely to lead to the discovery of admissible evidence. Additionally, this request calls for potentially proprietary information. Notwithstanding these objections, IGS does offer time-varying products to commercial customers in Ohio service territories. Although many Ohio utilities are in the process of modernizing their metering and billing systems, no Ohio utility currently performs wholesale market settlements utilizing granular customer usage information to the extent required to enable IGS to offer such products to residential customers.**
- e. Objection. This request is overly broad, vague, unduly burdensome, and unlikely to lead to the discovery of admissible evidence. Moreover, the product offerings of one market participant is not relevant in a vacuum. Additionally, this request calls for potentially proprietary information.**
- f. Objection. This request is overly broad, vague, unduly burdensome, and unlikely to lead to the discovery of admissible evidence. Additionally, “AMI functionalities” and “available” are undefined and not clear. Further, this request calls for potentially proprietary information. Notwithstanding these objections, IGS has not determined “all types of time-varying rates” it plans to offer in the FirstEnergy service territories at this time.**
- g. Objection. This request is overly broad, vague, unduly burdensome, and unlikely to lead to the discovery of admissible evidence. Additionally, “AMI functionalities” and “available” are undefined and not clear. Further, this request calls for potentially proprietary information. Notwithstanding these objections, IGS has not determined “all types of time-varying rates” it plans to offer in the FirstEnergy service territories at this time.**

INT-1-2.

Please refer to the Stipulation at page 18.

- a. Identify all types of retail electric products that You consider to be “products utilizing AMI data.”
- b. If not specified in response to subpart (a), do you consider “customized fixed rate products based on customer-specific energy usage,” as referenced on page 6 of the Childers Direct Testimony, to be “products utilizing AMI data”?

RESPONSE:

- a. **Objection. This request is overly broad, unduly burdensome, and unlikely to lead the discovery of admissible evidence. Additionally, the term “retail electric products” is undefined and not clear. Further, as used on Page 18 of the Stipulation, the Commission determines what products would qualify as “products utilizing AMI data.” Notwithstanding these objections, Page 6, Lines 92-95 of Mr. Childer’s testimony provides examples of products that could utilize AMI data.**
- b. **Objection. This request is overbroad, vague, and unlikely to lead to the discovery of admissible evidence. Additionally, as used on Page 18 of the Stipulation, the Commission determines what products would qualify as “products utilizing AMI data.” Notwithstanding these objections, Lines 119 to 125 on Pages 7 & 8 of Mr. Childer’s testimony provide an example of how IGS could use a customer’s actual usage pattern from AMI data to determine a customized fixed price offer.**

INT-1-3.

Please refer to page 4 of the Childers Direct Testimony. Identify what criteria You consider relevant to determining whether “products utilizing AMI data” are “readily available in the competitive market.”

RESPONSE:

Page 4, Lines 54-56 of Mr. Childer’s testimony expresses IGS’ support for Section (V)(C)(d)(v) of the Stipulation. Thus, IGS would consider “products utilizing AMI data” are “readily available in the competitive market” when the Commission determines there are at least three suppliers offering products utilizing AMI data, or at least three different types of time-varying products utilizing AMI data.

INT-1-4.

Please identify Your 2018 budget for marketing and education regarding time-varying rates.

RESPONSE:

Objection. This request is overly broad, vague, unduly burdensome, and unlikely to lead to the discovery of admissible evidence. Additionally, “for marketing and education” and “time-varying rates” are undefined and not clear. Further, this request calls for potentially proprietary information. Notwithstanding these objections, IGS does not have a “2018 budget for marketing and education regarding time-varying rates.”

INT-1-5.

Please refer to page 6 of the Childers Direct Testimony. Identify which of the time-varying rates listed in response to ELPC Interrogatory 1-1(a) will “incentivize customers to manage their usage in accordance with market-based price signals.”

RESPONSE:

Objection. See response to INT-1-1(a). Notwithstanding these objections, a time-varying rate offer that aligns the retail price of energy charged to a customer with the actual cost of energy at the time it is produced will incentivize customers to manage their usage through lower electricity prices during off peak hours and higher prices during peak hours.

INT-1-6.

Please refer to page 6 of the Childers Direct Testimony.

- a. Identify which of the time-varying rates listed in response to ELPC Interrogatory 1-1(a) will result in “less stress on the electric grid during peak periods.”
- b. With respect to “customized fixed rate products based on customer-specific energy usage,” will such rates result in “less stress on the electric grid during peak periods”?

RESPONSE:

- a. **Objection. See response to INT-1-1(a). Additionally, this request is over broad, vague, unduly burdensome, and unlikely to lead to the discovery of admissible evidence. Notwithstanding these objections, a time-varying rate offer that aligns the retail price of energy charged to a customer with the actual cost of energy at the time it is produced may result in less stress on the electric grid during peak hours because the customer will be incentivized to use less electricity during peak hours when the price of electricity is high.**
- b. **Objection. This request is overly broad and vague. Notwithstanding this objection, a “customized fixed rate products based on customer-specific energy usage” could result in less stress on the electric grid during peak periods.**

INT-1-7.

Please refer to page 6 of the Childers Direct Testimony. Identify each of the time-varying rates listed in response to ELPC Interrogatory 1-1(a) that may have the result that “customers see a reduction in their electric bills,” and identify how.

RESPONSE:

Objection. See response to INT-1-1(a). Notwithstanding these objections, time-varying rates will empower customers to have a choice of the rate structure that best aligns to their needs and behavior. Calculating wholesale market settlements based upon actual customer usage information will send a more efficient price signal to customers consistent with principles of cost causation. Customers served under a time-varying rate may see a reduction in their electric bills by reducing their usage during peak times when the price of electricity is typically higher.

INT-1-8. [#1]

Please refer to page 6 of the Childers Direct Testimony.

- a. Identify all products You offer to residential customers in any utility territory as of December 1, 2018, that use “demand side management solutions to better shape a customer’s load.”
- b. For any product listed in response to subpart (a), please identify how many customers are enrolled in that product as of December 1, 2018.

RESPONSE:

- a. **Objection. This overbroad, vague, unduly burdensome, and unlikely to lead to the discovery of admissible evidence. Additionally, the term “products” is undefined and not clear. Notwithstanding these objections, IGS has offered demand response/load shifting products in Illinois and Texas.**
- b. **Objection. This request calls for potentially proprietary information.**

INT-1-8. [#2]

Please identify how many Ohio residential customers You provided a smart thermostat to (with or without charge) in each year since 2013. For each year, specify how many smart thermostats You provided with the cost offset by a utility rebate.

RESPONSE:

Objection. This request calls for potentially proprietary information. Additionally, the request is not relevant to this proceeding and unlikely to lead to the discovery of admissible evidence. Moreover, the amount of thermostats that IGS has deployed in the FirstEnergy service territory is not relevant in a vacuum. The total amount of thermostat rebates that have been distributed may be obtained from FirstEnergy.

INT-1-9.

Please refer to page 17 of the Stipulation. Please identify how many of Your Ohio customers had “enabling devices” such as a smart thermostat as of December 1, 2018.

RESPONSE:

Objection. This request is overly broad, vague, and unduly burdensome and unlikely to lead to the discovery of admissible evidence. Additionally, “enabling devices” is undefined and not clear. Moreover, IGS customer base is only a portion of the customer base in the FirstEnergy service territory and is not relevant in a vacuum. Notwithstanding these objections, as “enabling devices” includes smart thermostats, IGS lacks personal knowledge to answer this interrogatory because customers are not required to inform IGS of “enabling devices” in their possession.

REQUESTS FOR PRODUCTION OF DOCUMENTS

RPD-1-1.

Please provide all documents that You relied upon in answering the above interrogatories.

RESPONSE: No documents have been identified or specifically relied upon to answer the foregoing interrogatories other than the Stipulation and Mr. Childer's testimony.

RPD-1-2.

Please provide any analyses, reports, or data in Your possession relating to customer energy or capacity savings through enrollment in any time-varying rate You identified in response to ELPC Interrogatory 1-1(d).

RESPONSE: Objection. This request is overly broad, vague, and unduly burdensome. Notwithstanding this objection, there are no responsive documents.

Exhibit B

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THE PUBLIC UTILITIES COMMISSION OF OHIO**

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)	

**ENVIRONMENTAL LAW & POLICY CENTER’S FIRST SET OF DISCOVERY
REQUESTS TO INTERSTATE GAS SUPPLY, INC.
(DECEMBER 21, 2018)**

The Environmental Law & Policy Center (“ELPC”), in the above captioned proceedings before the Public Utilities Commission of Ohio (“PUCO” or “Commission”), submits the following Interrogatories and Requests for Production of Documents pursuant to Ohio Administrative Code § 4901-1-16 through O.A.C. § 4901-1-20, and in accordance with the Ohio Rules of Civil Procedure 26, 33, and 34, for response from Interstate Gas Supply, Inc. (“IGS”). All responses should be provided to ELPC by electronic transmission at the following address:

Madeline Fleisher
Environmental Law & Policy Center
21 West Broad St., 8th Floor
Columbus, OH 43215
mfleisher@elpc.org

Additionally, all responses should be consistent with the instructions set forth below. Definitions are provided below that are used in ELPC's discovery.

DEFINITIONS

As used herein the following definitions apply:

1. "Document" or "Documentation" when used herein, is used in its customary broad sense, and means all originals of any nature whatsoever, identical copies, and all non-identical copies thereof, pertaining to any medium upon which intelligence or information is recorded in your possession, custody, or control regardless of where located; including any kind of printed, recorded, written, graphic, or photographic matter and things similar to any of the foregoing, regardless of their author or origin. The term specifically includes, without limiting the generality of the following: punch cards, printout sheets, movie film, slides, PowerPoint slides, phonograph records, photographs, memoranda, ledgers, work sheets, books, magazines, notebooks, diaries, calendars, appointment books, registers, charts, tables, papers, agreements, contracts, purchase orders, checks and drafts, acknowledgments, invoices, authorizations, budgets, analyses, projections, transcripts, minutes of meetings of any kind, telegrams, drafts, instructions, announcements, schedules, price lists, electronic copies, reports, studies, statistics, forecasts, decisions, and orders, intra-office and inter-office communications, correspondence, financial data, summaries or records of conversations or interviews,

statements, returns, diaries, work papers, maps, graphs, sketches, summaries or reports of investigations or negotiations, opinions or reports of consultants, brochures, bulletins, pamphlets, articles, advertisements, circulars, press releases, graphic records or representations or publications of any kind (including microfilm, videotape and records, however produced or reproduced), electronic (including e-mail), mechanical and electrical records of any kind and computer produced interpretations thereof (including, without limitation, tapes, tape cassettes, disks and records), other data compilations (including, source codes, object codes, program documentation, computer programs, computer printouts, cards, tapes, disks and recordings used in automated data processing together with the programming instructions and other material necessary to translate, understand or use the same), all drafts, prints, issues, alterations, modifications, changes, amendments, and mechanical or electric sound recordings and transcripts to the foregoing. A request for discovery concerning documents addressing, relating or referring to, or discussing a specified matter encompasses documents having a factual, contextual, or logical nexus to the matter, as well as documents making explicit or implicit reference thereto in the body of the documents. Originals and duplicates of the same document need not be separately identified or produced; however, drafts of a document or documents differing from one another by initials, interlineations, notations, erasures, file stamps, and the like shall be deemed to be distinct documents requiring separate identification or production. Copies of documents shall be legible.

2. "Communication" shall mean any transmission of information by oral, graphic, written, pictorial, or otherwise perceptible means, including, but not limited to, telephone conversations, letters, telegrams, and personal conversations. A request seeking the

identity of a communication addressing, relating or referring to, or discussing a specified matter encompasses documents having factual, contextual, or logical nexus to the matter, as well as communications in which explicit or implicit reference is made to the matter in the course of the communication.

3. “And” or “Or” shall be construed conjunctively or disjunctively as necessary to make any request inclusive rather than exclusive.
4. “You,” and “Your,” or “Yourself” refer to the party that is the subject of this discovery request, and any present or former director, officer, agent, contractor, consultant, advisor, employee, partner, or joint venturer of such party.
5. Each singular shall be construed to include its plural, and vice versa, so as to make the request inclusive rather than exclusive.
6. “Person” includes any firm, corporation, joint venture, association, entity, or group of natural individuals, unless the context clearly indicates that only a natural individual is referred to in the discovery request.
7. “Identify,” or “the identity of,” or “identified” means as follows:
 - A. When used in reference to an individual, to state his full name and present or last known position and business affiliation, and his position and business affiliation at the time in question;
 - B. When used in reference to a commercial or governmental entity, to state its full name, type of entity (e.g., corporation, partnership, single proprietorship), and its present or last known address;
 - C. When used in reference to a document, to state the date, author, title, type of document (e.g., letter, memorandum, photograph, tape recording, etc.), general

subject matter of the document, and its present or last known location and custodian;

- D. When used in reference to a communication, to state the type of communication (i.e., letter, personal conversation, etc.), the date thereof, and the parties thereto, and, in the case of a conversation, to state the substance, place, and approximate time thereof, and identity of other persons in the presence of each party thereto;
 - E. When used in reference to an act, to state the substance of the act, the date, time, and place of performance, and the identity of the actor and all other persons present.
 - F. When used in reference to a place, to state the name of the location and provide the name of a contact person at the location (including that person's telephone number), state the address, and state a defining physical location (for example: a room number, file cabinet, and/or file designation).
- 8. The terms "PUCO" and "Commission" refer to the Public Utilities Commission of Ohio, including its Commissioners, personnel (including Persons working for the PUCO Staff as well as in the Public Utilities Section of the Ohio Attorney General's Office), and offices.
 - 9. The term "e.g." connotes illustration by example, not limitation.
 - 10. The term "IGS" means Interstate Gas Supply, Inc., its parent companies, predecessors, successors, officers, directors, agents, employees, and any others acting on its behalf, but does not include any affiliates of IGS.
 - 11. The terms "FirstEnergy" or "Companies" mean the Ohio Edison Company, the Cleveland Electric Illuminating Company, and the Toledo Edison Company, their parent companies,

predecessors, successors, officers, directors, agents, employees, and any others acting on their behalf, but does not include any affiliates of the Companies.

12. The term “Stipulation” means the Stipulation and Recommendation filed in the above-captioned cases on November 9, 2018.
13. The term “Childers Direct Testimony” means the Direct Testimony of Brandon Childers filed by IGS in this proceeding on December 7, 2018.
14. The term “time-varying rates” means either “time-varying” or “time-of-use” rates as referenced on pages 17 and 18 of the Stipulation.
15. The term “AMI” means Advanced Metering Infrastructure.

INSTRUCTIONS FOR ANSWERING

1. All information is to be divulged which is in your possession or control, or within the possession or control of your attorney, agents, or other representatives of yours or your attorney.
2. Where an interrogatory calls for an answer in more than one part, each part should be separate in the answer so that the answer is clearly understandable.
3. Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer. The answers are to be signed by the person making them, and the objections are to be signed by the attorney making them.
4. If any answer requires more space than provided, continue the answer on the reverse side of the page or on an added page.

5. Your organization(s) is requested to produce responsive materials and information within its physical control or custody, as well as that physically controlled or possessed by any other person acting or purporting to act on your behalf, whether as an officer, director, employee, agent, independent contractor, attorney, consultant, witness, or otherwise.
6. Where these requests seek quantitative or computational information (e.g., models, analyses, databases, and formulas) stored by your organization(s) or its consultants in computer-readable form, in addition to providing hard copy (if an electronic response is not otherwise provided as requested), you are requested to produce such computer-readable information, in order of preference:
 - a. Microsoft Excel worksheet files on compact disk;
 - b. other Microsoft Windows or Excel compatible worksheet or database diskette files;
 - c. ASCII text diskette files;
 - d. and such other magnetic media files as your organization(s) may use.
7. Conversion from the units of measurement used by your organization(s) in the ordinary course of business need not be made in your response; e.g., data requested in kWh may be provided in mWh or gWh as long as the unit measure is made clear.
8. Responses must be complete when made, and must be supplemented with subsequently acquired information at the time such information is available.
9. In the event that a claim of privilege is invoked as the reason for not responding to discovery, the nature of the information with respect to which privilege is claimed shall be set forth in responses together with the type of privilege claimed and a statement of all circumstances upon which the respondent to discovery will rely to support such a claim

of privilege (i.e. provide a privilege log). Respondent to the discovery must (a) identify (see definition) the individual, entity, act, communication, and/or document that is the subject of the withheld information based upon the privilege claim, (b) identify all persons to whom the information has already been revealed, and (c) provide the basis upon which the information is being withheld and the reason that the information is not provided in discovery.

INTERROGATORIES

ELPC INT 1-1:

Please refer to the Stipulation at pages 17-18.

- a. Identify all types of rates, products, and programs (including, if applicable, real-time pricing, critical peak pricing, peak time rebates, or demand response programs) that You consider to be a “time-varying rate.”
- b. Identify all utility territories in which you provide retail electric service within the United States where AMI meters have been partially or fully deployed.
- c. Identify any utility territory listed in Your response to subpart (b) in which You offer any type of time-varying rate as of December 1, 2018.
- d. Identify any type of time-varying rate that You offer in any utility territory listed in Your response to subpart (c), including whether you offer the rate to residential or commercial/industrial customers or both.
- e. How many customers were enrolled in each of Your rate products identified in response to subpart (d) as of December 1, 2018? Please specify whether the customers are residential or commercial/industrial.
- f. Identify all types of time-varying rates that You plan to offer to FirstEnergy residential customers once the AMI functionalities described on pages 14-18 of the Stipulation are available.
- g. Identify all types of time-varying rates that You plan to offer to FirstEnergy commercial or industrial customers once the AMI functionalities described on pages 14-18 of the Stipulation are available.

RESPONSE:

ELPC INT 1-2:

Please refer to the Stipulation at page 18.

- a. Identify all types of retail electric products that You consider to be “products utilizing AMI data.”
- b. If not specified in response to subpart (a), do you consider “customized fixed rate products based on customer-specific energy usage,” as referenced on page 6 of the Childers Direct Testimony, to be “products utilizing AMI data”?

RESPONSE:

ELPC INT 1-3:

Please refer to page 4 of the Childers Direct Testimony. Identify what criteria You consider relevant to determining whether “products utilizing AMI data” are “readily available in the competitive market.”

RESPONSE:

ELPC INT 1-4:

Please identify Your 2018 budget for marketing and education regarding time-varying rates.

RESPONSE:

ELPC INT 1-5:

Please refer to page 6 of the Childers Direct Testimony. Identify which of the time-varying rates listed in response to ELPC Interrogatory 1-1(a) will “incentivize customers to manage their usage in accordance with market-based price signals.”

RESPONSE:

ELPC INT 1-6:

Please refer to page 6 of the Childers Direct Testimony.

- a. Identify which of the time-varying rates listed in response to ELPC Interrogatory 1-1(a) will result in “less stress on the electric grid during peak periods.”
- b. With respect to “customized fixed rate products based on customer-specific energy usage,” will such rates result in “less stress on the electric grid during peak periods”?

RESPONSE:

ELPC INT 1-7:

Please refer to page 6 of the Childers Direct Testimony. Identify each of the time-varying rates listed in response to ELPC Interrogatory 1-1(a) that may have the result that “customers see a reduction in their electric bills,” and identify how.

RESPONSE:

ELPC INT 1-8:

Please refer to page 6 of the Childers Direct Testimony.

- a. Identify all products You offer to residential customers in any utility territory as of December 1, 2018, that use “demand side management solutions to better shape a customer’s load.”
- b. For any product listed in response to subpart (a), please identify how many customers are enrolled in that product as of December 1, 2018.

RESPONSE:

ELPC INT 1-8:

Please identify how many Ohio residential customers You provided a smart thermostat to (with or without charge) in each year since 2013. For each year, specify how many smart thermostats You provided with the cost offset by a utility rebate.

RESPONSE:

ELPC INT 1-9:

Please refer to page 17 of the Stipulation. Please identify how many of Your Ohio customers had “enabling devices” such as a smart thermostat as of December 1, 2018.

RESPONSE:

REQUESTS FOR PRODUCTION OF DOCUMENTS

ELPC RPD 1-1:

Please provide all documents that You relied upon in answering the above interrogatories.

ELPC RPD 1-2:

Please provide any analyses, reports, or data in Your possession relating to customer energy or capacity savings through enrollment in any time-varying rate You identified in response to ELPC Interrogatory 1-1(d).

ELPC RPD 1-3:

Please provide any analyses, reports, or data in Your possession regarding numbers of residential customers enrolled in any time-varying rate You identified in response to ELPC Interrogatory 1-1(d) between 2013 and the present.

Sincerely,

/s/ Madeline Fleisher

Madeline Fleisher

Environmental Law & Policy Center

21 West Broad St., 8th Floor

Columbus, OH 43215

(614) 569-3827

mfleisher@elpc.org

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing First Set of Discovery Requests to IGS submitted on behalf of the Environmental Law & Policy Center was served by electronic mail upon IGS, with notice to all Parties of Record, on December 21, 2018.

/s/ Madeline Fleisher

Madeline Fleisher

Exhibit C

Madeline Fleisher

From: Bethany Allen <Bethany.Allen@igs.com>
Sent: Thursday, January 24, 2019 3:03 PM
To: Madeline Fleisher
Cc: Joe Olikar
Subject: RE: PUCO Case Nos. 16-481-EL-UNC et al. - First Set of Discovery Requests to IGS by the Environmental Law & Policy Center

Madeline,

Thank you for the response and an opportunity to provide clarity.

We do not believe we are adding a new objection. In our response to ELPC's discovery request, we responded that products we offer to residential customers in other utility territories is unlikely to lead to the discovery of admissible evidence. Under Ohio Adm.Code 4901-1-16(B), parties may object to providing information that would be inadmissible at the hearing, if it is unlikely to lead to the discovery of admissible evidence. Thus, the objection is that information is inadmissible at the hearing. In this case, the evidence is inadmissible because it lacks relevancy.

IGS asserts the products we offer in other territories is not relevant, and there is no basis that knowledge of these products or participation levels would lead to the discovery of admissible evidence in FirstEnergy's Grid Modernization Case because of the varying market structures and data sharing provisions of each territory. Each of the states we serve operate under different laws, policies, and Commissions, and each territory has its own path to grid modernization, including meter capabilities and data sharing provisions. Knowing the products and customer counts of IGS's offers in other states would simply lead to the discovery of more information about IGS's offers in other states, which continues to be unrelated to FirstEnergy's Grid Modernization Plan for northern Ohio. IGS cannot offer the same programs in each territory. Moreover, any intent to rely on this information would be misleading, because IGS represents one supplier out of many in each territory.

Further, while IGS did provide the fact that it has offered demand/response load shifting products in Texas and Illinois, it did so notwithstanding our objections. That does not change our objection that the products IGS offers in other territories is inadmissible at the hearing and is unlikely to lead to the discovery of admissible evidence. Should the Commission disagree with our objection, IGS asserts the actual customer count is proprietary information. My email on Monday was responding to your request for further explanation of our confidentiality claim. You responded via phone inquiring about the confidentiality agreement request, which alerted me to the failure to address that request in your email from the 14th. My reply this morning was to provide that response, namely, that IGS will not provide a confidentiality agreement because we do not believe the information is obtainable through discovery in this case. However, in this case, IGS is willing to disclose that it currently offers zero products to residential customers in Ohio that use demand side management solutions to better shape a customer's load. We are hopeful that this Stipulation will effectuate changes to FirstEnergy's metering and data sharing systems that will enable IGS to offer customized products to FirstEnergy's customers that improve their load shape.

Additionally, we continue to believe IGS specific information is not relevant and will not lead to the discovery of admissible evidence. IGS is just one supplier out of 40+ operating in the FirstEnergy territory. Utilizing information on one supplier out of many would be a misleading representation of the market. Further, the number of smart thermostats IGS has provided Ohio residential customers will not lead to admissible evidence regarding the projected customer benefits provided by FirstEnergy in this case. Regarding smart thermostats, a more appropriate metric could be the number of smart thermostat rebates that FirstEnergy has provided.

Respectfully, we maintain our position.

Bethany Allen

Regulatory Counsel

Direct (614) 659 5384

Mobile (561) 578 1958

IGS Energy :: 6100 Emerald Parkway :: Dublin, OH 43016

www.IGSenergy.com

From: Madeline Fleisher <MFleisher@elpc.org>

Sent: Thursday, January 24, 2019 10:07 AM

To: Bethany Allen <Bethany.Allen@igs.com>

Cc: Joe Olikier <Joe.Olikier@igs.com>

Subject: RE: PUCO Case Nos. 16-481-EL-UNC et al. - First Set of Discovery Requests to IGS by the Environmental Law & Policy Center

[External Email]-

Bethany,

Two responses, to commemorate our conversation just now:

First, I don't believe it's proper to supplement your original response with additional objections after the fact. Especially given the expedited timeframe for this case, it's very concerning to me that you're effectively making this issue a moving target and delaying any ability to resolve it through either informal discussion or a motion to compel. I therefore consider your failure to add the objection below until three weeks after your original responses to constitute a waiver of that objection.

Second, I simply disagree with any relevance objection on either front. Given the Commission's stated intent in the PowerForward Roadmap that any grid modernization proposal should rest on a net positive cost-benefit analysis, a key issue in this case is whether customers will benefit from the deployment of smart meters by being able to reduce their energy usage (as FirstEnergy asserts). Our view, and the argument we intend to make, is that it is not credible to assume that such benefits will come about without any supporting information or reasonable plan as to what new rate options and/or enabling technologies (including smart thermostats) will be available to customers in conjunction with the smart meter deployment and whether customer participation will be at sufficient levels to achieve the benefits projected by FirstEnergy. Therefore, information regarding what time-varying rate options IGS offers, and customer participation levels, is extremely relevant, as is the existing level of deployment of smart thermostats among your customers in Ohio.

As discussed, I plan to present our position to the attorney examiners in a motion to compel to be filed as soon as possible (likely tomorrow morning), unless I hear from you before then that your position has changed. Again, given the expedited timeline for this case, I will also be filing a motion for expedited consideration to ensure we receive your responses before the scheduled beginning of the hearing on February 4.

Sincerely,
Madeline

Madeline Fleisher
Senior Attorney
Environmental Law & Policy Center

21 W. Broad St., 8th Floor
Columbus, OH 43215
Office (614) 569-3827
Cell (857) 636-0371
mfleisher@elpc.org

From: Bethany Allen <Bethany.Allen@igs.com>

Sent: Thursday, January 24, 2019 9:31 AM

To: Madeline Fleisher <MFleisher@elpc.org>

Subject: RE: PUCO Case Nos. 16-481-EL-UNC et al. - First Set of Discovery Requests to IGS by the Environmental Law & Policy Center

Madeline,

After conferring with the team, I realized I did not fully justify our objection regarding your first question. My apologies.

IGS does not believe the products we offer residential customers in other territories are relevant to this proceeding, thus the number of customers on these rates would also not be relevant to this proceeding. Our activities in other states have no relevancy to FirstEnergy's Grid Modernization Plan (or TCJA Plan). The market rules and dynamics in other states, such as Texas and Illinois, are much different than those in Ohio and continue to evolve. For example, Texas has no capacity market and has a sophisticated CEUD data repository. We hope to offer products that shape a customer's load in the FirstEnergy territory, but that cannot happen until FE effectuates the infrastructure and data sharing provisions in this Stipulation.

Because our programs in other states are not relevant to this proceeding, we are unwilling to provide a confidentiality agreement for the data without a motion to compel. The same stance applies to the number of thermostats we have provided.

Thank you,
Bethany

From: Bethany Allen

Sent: Monday, January 21, 2019 12:58 PM

To: 'Madeline Fleisher' <MFleisher@elpc.org>

Subject: RE: PUCO Case Nos. 16-481-EL-UNC et al. - First Set of Discovery Requests to IGS by the Environmental Law & Policy Center

Madeline,

Below are our responses. Respectfully, we maintain our objections.

- 1) We believe the number of IGS residential customers enrolled in certain offers is competitively-sensitive information. By examining the confidential information, competitors could reasonably estimate IGS's market share and margins. Disclosure of the confidential information would allow IGS's competitors to use the confidential information to make strategic decisions whether to enter or exit the markets in the geographic regions in which IGS operates. Public disclosure of this information could jeopardize IGS's business position in negotiations with other parties and its ability to compete. Therefore, the confidential information derives independent economic value from not being generally known and or ascertainable by other persons.

Also, Direct's decision to disclose the information has no bearing on whether IGS's enrollment numbers are competitively-sensitive. Direct is free to disclose whatever information it would like, but that does not change,

for example, a competitor's ability to utilize IGS's now-public specific enrollment numbers as detailed insight into IGS' programs' successes or failures for its future endeavors.

- 2) We respectfully disagree with your relevancy justification. IGS does not believe the number of smart thermostats IGS specifically has provided to residential customers in Ohio is relevant to whether smart thermostat deployment is important to supporting customers' ability to benefit from time-varying rates. IGS specific thermostat numbers do not speak to the customer benefits provided by time-varying rates or the importance of a smart thermostat in providing those benefits. IGS has not offered time-varying rates to residential customers in Ohio. Additionally, an IGS specific number is not relevant because IGS is merely one source out of many for smart thermostats in the market, and it provides smart thermostats to beyond just its electric customers. In response to the first question, IGS was merely suggesting that FirstEnergy may be able to provide the total number of smart thermostat rebates FirstEnergy has distributed in its territory, because IGS' numbers alone are not relevant. Finally, IGS asserts this number is competitively-sensitive for similar reasons as 1-8 (#1).

Bethany Allen

Regulatory Counsel

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IGS Energy :: 6100 Emerald Parkway :: Dublin, OH 43016

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From: Madeline Fleisher <MFleisher@elpc.org>

Sent: Monday, January 14, 2019 6:59 PM

To: Bethany Allen <Bethany.Allen@igs.com>

Subject: RE: PUCO Case Nos. 16-481-EL-UNC et al. - First Set of Discovery Requests to IGS by the Environmental Law & Policy Center

[External Email]-

Appreciate the update. Just let me know once you have a better idea on response time, if you can do this week I think we're in okay shape.

Madeline Fleisher
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21 W. Broad St., 8th Floor
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mfleisher@elpc.org

From: Bethany Allen <Bethany.Allen@igs.com>

Sent: Monday, January 14, 2019 6:52 PM

To: Madeline Fleisher <MFleisher@elpc.org>

Subject: RE: PUCO Case Nos. 16-481-EL-UNC et al. - First Set of Discovery Requests to IGS by the Environmental Law & Policy Center

Hi Madeline,

I wanted to let you know that I have received this, and I have started working on a response. Unfortunately I cannot give you a precise timeline, but I am sensitive to the hearing date fast approaching.

Thanks,
Bethany

From: Madeline Fleisher <MFleisher@elpc.org>

Sent: Monday, January 14, 2019 1:19 PM

To: Bethany Allen <Bethany.Allen@igs.com>

Subject: RE: PUCO Case Nos. 16-481-EL-UNC et al. - First Set of Discovery Requests to IGS by the Environmental Law & Policy Center

[External Email]-

Bethany,

I'm emailing to follow up on your discovery responses of January 2, specifically your responses to Interrogatories 1-8 (#1) and 1-8 (#2) (apologies for the duplicative numbering).

For Interrogatory 1-8 (#1), subpart b, you objected that the request calls for proprietary information. I would like further explanation of the basis for that claim, especially given that Direct Energy did respond to the same request without any claims of confidentiality. In the meantime, I'd appreciate if you could provide a protective agreement to allow for disclosure of that information with any potentially necessary confidentiality protections.

For Interrogatory 1-8 (#2), are you claiming that you don't have the information about smart thermostats you've provided to customers? If not, please provide the information within your possession – whether or not FirstEnergy may have some duplicate information does not relieve you of the obligation to respond to discovery requests. To the extent you are standing on your relevance objection, we believe this is relevant with respect to the issue of whether smart thermostat deployment is important to support customers' ability to benefit from time-varying or other AMI-related rates, and are happy to bring that issue to the attorney examiners if needed.

I'd appreciate getting a response on both issues as soon as possible given the expedited nature of this case, so please let me know your timeline for doing so.

Thanks,
Madeline

Madeline Fleisher
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From: Bethany Allen <Bethany.Allen@igs.com>

Sent: Wednesday, January 2, 2019 4:15 PM

To: Madeline Fleisher <MFleisher@elpc.org>; Rob Kelter <RKelter@elpc.org>; Lang, Jim <JLang@Calfee.com>; fdarr@mwncmh.com; mpritchard@mwncmh.com; mkurtz@BKLawfirm.com; kboehm@BKLawfirm.com;

jkylercohn@BKLawfirm.com; gkrassen@bricker.com; dstinson@bricker.com; terry.etter@occ.ohio.gov; Christopher.healey@occ.ohio.gov; Bryce.mckenney@occ.ohio.gov; mleppla@theOEC.org; tdougherty@theOEC.org; mdortch@kravitzllc.com; dborchers@bricker.com; dparram@bricker.com; Joe Olier <Joe.Olier@igs.com>; Michael Nugent <Michael.Nugent@igs.com>; rdove@keglerbrown.com; whitt@whitt-sturtevant.com; campbell@whitt-sturtevant.com; glover@whitt-sturtevant.com; paul@carpenterlipps.com; bojko@carpenterlipps.com; Dressel@carpenterlipps.com; cmooney@ohiopartners.org; jfinnigan@edf.org; glpetrucci@vorys.com; Josh Eckert (FirstEnergy Legal) <jeckert@firstenergycorp.com>; Brian Knipe (FirstEnergy Legal) <bknipe@firstenergycorp.com>; Thomas.lindgren@puc.state.oh.us; jbowser@mwncmh.com; MWarnock@bricker.com; mpritchard@mwncmh.com; fdarr@mwncmh.com; selisar@mwncmh.com; trhayslaw@gmail.com; LeslieKovacik@toledo.oh.gov

Subject: RE: PUCO Case Nos. 16-481-EL-UNC et al. - First Set of Discovery Requests to IGS by the Environmental Law & Policy Center

All –

Attached is IGS' Response to ELPC's First Set of Discovery Requests.

Thanks!

Bethany Allen

Regulatory Counsel

Direct (614) 659 5384

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From: Madeline Fleisher <MFleisher@elpc.org>

Sent: Friday, December 21, 2018 1:35 PM

To: Rob Kelter <RKelter@elpc.org>; Lang, Jim <JLang@Calfee.com>; fdarr@mwncmh.com; mpritchard@mwncmh.com; mkurtz@BKLawfirm.com; kboehm@BKLawfirm.com; jkylercohn@BKLawfirm.com; gkrassen@bricker.com; dstinson@bricker.com; terry.etter@occ.ohio.gov; Christopher.healey@occ.ohio.gov; Bryce.mckenney@occ.ohio.gov; mleppla@theOEC.org; tdougherty@theOEC.org; mdortch@kravitzllc.com; dborchers@bricker.com; dparram@bricker.com; Joe Olier <Joe.Olier@igs.com>; Michael Nugent <Michael.Nugent@igs.com>; Bethany Allen <Bethany.Allen@igs.com>; rdove@keglerbrown.com; whitt@whitt-sturtevant.com; campbell@whitt-sturtevant.com; glover@whitt-sturtevant.com; paul@carpenterlipps.com; bojko@carpenterlipps.com; Dressel@carpenterlipps.com; cmooney@ohiopartners.org; jfinnigan@edf.org; glpetrucci@vorys.com; Josh Eckert (FirstEnergy Legal) <jeckert@firstenergycorp.com>; Brian Knipe (FirstEnergy Legal) <bknipe@firstenergycorp.com>; Thomas.lindgren@puc.state.oh.us; Bethany Allen <Bethany.Allen@igs.com>; jbowser@mwncmh.com; MWarnock@bricker.com; mpritchard@mwncmh.com; fdarr@mwncmh.com; selisar@mwncmh.com; trhayslaw@gmail.com; LeslieKovacik@toledo.oh.gov

Subject: PUCO Case Nos. 16-481-EL-UNC et al. - First Set of Discovery Requests to IGS by the Environmental Law & Policy Center

[External Email]-

Dear all,

Please find attached the First Set of Discovery Requests by the Environmental Law & Policy Center to IGS in the above-captioned cases.

Sincerely,

Madeline

Madeline Fleisher
Senior Attorney
Environmental Law & Policy Center
21 W. Broad St., 8th Floor
Columbus, OH 43215
mfleisher@elpc.org
Office: (614) 569-3827
Cell: (857) 636-0371

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion to Compel, Memorandum in Support, and Affidavit of Madeline Fleisher, submitted on behalf of the Environmental Law & Policy Center, was served by electronic mail upon all parties of record on January 25, 2019.

/s/ Madeline Fleisher
Madeline Fleisher

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/25/2019 10:32:47 AM

in

Case No(s). 17-2436-EL-UNC, 18-1604-EL-UNC, 16-0481-EL-UNC, 18-1656-EL-ATA

Summary: Motion Motion to Compel and Request for Expedited Consideration by the
Environmental Law & Policy Center electronically filed by Madeline Fleisher on behalf of
Environmental Law & Policy Center