



155 East Broad Street
Columbus, Ohio 43215-3620

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PUCO

March 3, 2000

Public Utilities Commission of Ohio
Case Administrator
Docketing Department
180 East Broad Street 10th floor
Columbus, OH 43215

RE: OHA: The Association for Hospitals and Health Systems (ADBA the Ohio Hospital Association) Response to Cincinnati Gas & Electric Company's Second Combined Set of Interrogatories and Requests for Production of Documents Pursuant to Chapter 4928, Revised Code

¹⁶⁵⁸
Case No. 99-~~1687~~-EL-ETP

Dear Case Administrator;

Enclosed for filing in the above referenced matter is an original and 26 copies of the Response of OHA: The Association for Hospitals and Health Systems (also doing business as Ohio Hospital Association) regarding the above-referenced matter. Please note that copies of these preliminary objections have been mailed or sent electronically to the parties named on the attached service list. If you have any questions regarding this filing please call me at (614) 221-7614. Thank you for your attention to this matter.

Sincerely,

Richard L. Sites - #0019887
Staff Legal Counsel
OHA: The Association for Hospital and Health Systems

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
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BEFORE
THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Cincinnati)
Gas & Electric Company for Approval of its) Case No. 99-1658-EL-ETP
Transitions Plan and for Authorization to)
Collect Transition Revenues.)

**OHA: THE ASSOCIATION FOR HOSPITALS
AND HEALTH SYSTEMS, ADHA THE OHIO HOSPITAL ASSOCIATION
(OHA) RESPONSE TO THE CINCINNATI GAS & ELECTRIC COMPANY'S
SECOND COMBINED SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS**

OHA: The Association for Hospitals and Health Systems, adha the Ohio Hospital Association ("OHA") submits its responses to the second combined set of interrogatories and requests for production of documents of the Cincinnati Gas & Electric Company ("CG&E").

GENERAL OBJECTIONS

1. CG&E's interrogatories concerning OHA's preliminary objections envision detailed responses which may be overly burdensome to prepare. OHA will respond with brief categorical answers where appropriate with information that is readily available. OAC 4901-1-19(B).
2. OHA objects to each and every interrogatory and request for production of documents to the extent that such interrogatory or request is privileged or objectionable by statute or common law. OAC 4901-1-19(B).
3. All responses of OHA which follow are made subject to and without waiving these objections common to all interrogatories and requests for production of documents.

INTERROGATORIES

Interrogatory No. 1:

Identify any and all persons who have answered or furnished information or documents, or assisted in answering or in furnishing any information or documents, used in answering any of these interrogatories or requests for production of documents.

Response:

Richard L. Sites
Staff Legal Counsel,
OHA: The Association for Hospitals and Health
Systems adba the Ohio Hospital Association
155 East Broad Street, 15th Floor
Columbus, OH 43215-3620
Phone: (614) 221-7614
Fax: (614) 221-4771

Joseph Kubacki, Jr.
Vice President Electricity Consulting
Strategic Energy LLC
2 Gateway Center, 9th Floor
Pittsburgh, PA 15222
Phone: (412) 394-5603
Fax: (412) 394-6550

Interrogatory No. 2:

- a) Please state in detail the whole and complete basis for your contention on page 2 of the Preliminary Objections that “[f]or the vast majority of OHA accounts, the proposed shopping credits under the unbundled rates are insufficient to produce *any* savings in today’s competitive retail electric market.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness’s testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: For the vast majority of OHA accounts, it is OHA’s belief that CG&E’s unbundled shopping credits as proposed will be lower than what competitive electric suppliers will be able to offer members of OHA.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 3:

- a) Please state in detail the whole and complete basis for your contention on page 2 of the Preliminary Objections that "[w]ith the current annualized price of wholesale electricity and with anticipated additional costs to produce a retail electricity product, the delivered price of electricity from a competitive retail supplier will be significantly above what CG&E has proposed as shopping credits within the unbundled rates."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: Wholesale supply prices were developed from Cinergy futures contracts and over-the-counter forward price indicators. Inherently retail suppliers will have additional costs in order to sell electricity at retail to individual customers.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 4:

- a) Please state in detail the whole and complete basis for your contention on page 3 of the Preliminary Objections that "CG&E's projection of wholesale market rates is not appropriate for setting shopping credits."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: OHA's basis is fully explained on page three of its preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 5:

- a) Please state in detail the whole and complete basis for your contention on page 3 of the Preliminary Objections that "[t]hese generation credits as applied to OHA member's [sic] major accounts range between 2.5 and 3.0¢ per kWh, which is consistent with the table above."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: OHA's basis is fully explained on page three of its preliminary objections. Worksheets are provided at Attachment 1.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 6:

- a) Please state in detail the whole and complete basis for your contention on page 3 of the Preliminary Objections that "[t]his many economists equate with the theoretical spot market price of electricity, i.e., short run price should equal the marginal cost of producing that product for the marginal demand at that time."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: It is a basic theory of economics that price equals marginal cost.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 7:

- a) Please state in detail the whole and complete basis for your contention on page 3 of the Preliminary Objections that "... competitive suppliers cannot be expected to sell retail at below market prices."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: It is OHA's belief that suppliers will not sell electricity below cost on a long-term basis.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 8:

- a) Please state in detail the whole and complete basis for your contention on page 3 of the Preliminary Objections that "... any added innovation, such as consolidated billing services, could be sold separately from generation – and would be if the competitive supplier had to take a loss on the generation component."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This is OHA's opinion.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 9:

- a) Please state in detail the whole and complete basis for your contention on pages 3 and 4 of the Preliminary Objections that "... the competitive electric supplier must incur additional costs over market prices to shape and package the generation product for the retail consumer."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: It is self-evident that suppliers would incur added costs over and above their wholesale costs to package a generation product for sale at retail.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 10:

- a) Please state in detail the whole and complete basis for your contention on page 4 of the Preliminary Objections that "CG&E's assessment of market prices is low, and further that these prices will not reflect a competitive suppliers total cost of providing retail generation service."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis in provided on page four of OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 11:

- a) Please state in detail the whole and complete basis for your contention on page 4 of the Preliminary Objections that “[s]hort-run marginal cost or spot market prices are not indicative of what competitive suppliers will rely on when pricing their retail product.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness’s testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis in provided on page four of OHA’s preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 12:

- a) Please state in detail the whole and complete basis for your contention on page 4 of the Preliminary Objections that “[m]ost suppliers do not rely on the spot market to meet their total need.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness’s testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This is an opinion based on the risks associated with the price volatility of spot electricity markets and other facts indicated on page four of OHA’s preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 13:

- a) Please state in detail the whole and complete basis for your contention on page 4 of the Preliminary Objections that "... [suppliers] purchase a significant portion of their requirements in the forward markets."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, *including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.*

Response: This is an opinion based on the risks associated with the volatile pricing of spot electricity markets and other facts indicated on page four of OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 14:

- a) Please state in detail the whole and complete basis for your contention on page 4 of the Preliminary Objections that "... other costs over and above the electric commodity costs are incurred to service retail customers."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: See response to interrogatory number 9.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 15:

- a) Please state in detail the whole and complete basis for your contention on page 4 of the Preliminary Objections that “[a]nticipated retail market prices will exceed shopping credits.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness’s testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis for this statement is provided on pages four to eight of OHA’s preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 16:

- a) Please state in detail the whole and complete basis for your contention on page 4 of the Preliminary Objections that "[t]he Cinergy future prices are representative of bulk wholesale pricing in the Ohio market area."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: Since Cinergy is an Ohio-based utility, the "into Cinergy" market is indicative of Ohio prices.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 17:

- a) Please state in detail the whole and complete basis for your contention on page 4 of the Preliminary Objections that “[w]holesale pricing applies to 100% load factor, high volume trades.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness’s testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This statement was made in the context of on-peak futures contract pricing and spot trades which typically are for 100% load factor loads.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 18:

- a) Please state in detail the whole and complete basis for your contention on page 4 of the Preliminary Objections that “[a] recent 12-month futures strip indicates an annual average value of 4.8¢ per kWh, with the summer months considerably higher than other months.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness’s testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, *including without limitation, all expert reports, statements, and/or notes or other documents*, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: Reference the footnote provided on page four of OHA’s preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 19:

- a) Please state in detail the whole and complete basis for your contention on pages 4 and 5 of the Preliminary Objections that “[o]ff peak pricing of the wholesale spot market in 1999 averaged to about 1.5¢ per kWh.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness’s testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: Reference the footnote provided on page five of OHA’s preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 20:

- a) Please state in detail the whole and complete basis for your contention on page 5 of the Preliminary Objections that “[r]ecent calendar year 2000 wholesale pricing for off-peak purchases ranged between 1.7¢ and 1.9¢ per kWh.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness’s testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: Reference the footnote provided on page five of OHA’s preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 21:

- a) Please state in detail the whole and complete basis for your contention on page 5 of the Preliminary Objections that "... a wholesale trader could expect to pay between 3.0¢ and 3.3¢ per kWh for a 100% load factor product, i.e., for a very large load that is perfectly consistent throughout the day."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis is indicated on pages four and five of OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 22:

- a) Please state in detail the whole and complete basis for your contention on page 5 of the Preliminary Objections that “[i]f the CG&E rate schedules highlighted in the table above were assumed to apply to a 100% load-factor load, the shopping credits would be considerable [sic] smaller, and clearly would be substantially below the commensurate wholesale electric prices existing today.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness’s testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis for the statement is provided on pages four and five of OHA’s preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 23:

- a) Please state in detail the whole and complete basis for your contention on page 5 of the Preliminary Objections that "[CG&E's] shopping credits are substantially below the corresponding wholesale bulk prices of 3.0¢ to 3.3¢ per kWh described above."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The attached worksheets, representative of many of OHA member loads, show resultant shopping credits. These credits are below wholesale prices as estimated from futures contracts and historical spot market prices.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 24:

- a) Please state in detail the whole and complete basis for your contention on pages 5 and 6 of the Preliminary Objections that "[l]ower load factor consumers generally use more on-peak electricity, and therefore overall electric commodity costs to serve them would be skewed closer to the on-peak prices."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This is based on the assumption that lower load factor customers use relatively more electricity during on-peak periods than off-peak periods. For example, this is logical when observing residential and small commercial users who use electricity during on-peak periods.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 25:

- a) Please state in detail the whole and complete basis for your contention on page 5 of the Preliminary Objections that "[o]ther price factors over and above wholesale electric commodity costs include any applicable transmission and distribution losses, load shaping costs, costs associated with profiling customer loads, scheduling electricity, balancing, potential balancing penalties, administrative costs, and some profit margin."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis for the statement is self-evident that these added services would result in additional costs.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 26:

- a) Please state in detail the whole and complete basis for your contention on page 6 of the Preliminary Objections that "[e]stimated values for the added costs raise the *retail* competitive price significantly above wholesale prices and substantially above the applicable shopping credits."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis for the statement is provided on pages four to eight of OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 27:

- a) Please state in detail the whole and complete basis for your contention on page 6 of the Preliminary Objections that "... delivered annualized retail electric supply prices will generally exceed 4.0¢ per kWh."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis for the statement is provided on page six of OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 28:

- a) Please state in detail the whole and complete basis for your contention on page 6 of the Preliminary Objections that "... the market prices estimated by CG&E may be understated."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis for the statement is provided on pages four to six of OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 29:

- a) Please state in detail the whole and complete basis for your contention on page 6 of the Preliminary Objections that "... little or no switching will occur because competitive suppliers will not be able to offer prices even close to the proposed shopping credits."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This an opinion based on the logic expressed in OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 30:

- a) Please state in detail the whole and complete basis for your contention on page 6 of the Preliminary Objections that "[c]onsumers accepting such prices would incur significant losses."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: It is a logical statement that consumers accepting prices higher than proposed shopping credits would incur significant losses.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 31:

- a) Please state in detail the whole and complete basis for your contention on page 7 of the Preliminary Objections that "... lessons of competition in other states could lead to different conclusions."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: The basis for the statement is provided on pages seven and eight of OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 32:

- a) Please state in detail the whole and complete basis for your contention on page 7 of the Preliminary Objections that “. . . because on a national basis competition has matured, few if any suppliers will be willing to lose money in Ohio to gain market share.”
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, *including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.*

Response: This statement is an opinion.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 33:

- a) Please state in detail the whole and complete basis for your contention on page 7 of the Preliminary Objections that "Ohio will experience similar results if CG&E's shopping credits are left at their proposed levels."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This statement is an opinion.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 34:

- a) Please state in detail the whole and complete basis for your contention on page 8 of the Preliminary Objections that "... even at those higher levels, market prices have risen and diminished in the incentive to switch."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, *including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.*

Response: Historic pricing data derived from Power Markets Week data; and forward prices from futures contracts and OTC indicators.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 35:

- a) Please state in detail the whole and complete basis for your contention on page 8 of the Preliminary Objections that "[b]ased on the OHA's assessment of (a) the proposed CG&E shopping credits applicable to its members and (b) estimated competitive retail market electric prices for 2001, it is unlikely that any of its members will switch to alternative suppliers even by the midpoint of the transition period, because to do so would result in *substantially* greater electric costs."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This basis of the statement is self-evident.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 36:

- a) Please state in detail the whole and complete basis for your contention on page 8 of the Preliminary Objections that "[t]he proposed CG&E shopping credits do not comply with state law."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This statement is an opinion with the basis described at pages 8 to 10 of OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 37:

- a) Please state in detail the whole and complete basis for your contention on page 8 of the Preliminary Objections that "CG&E's proposed shopping credits are inadequate to create savings, to induce switching to competitive suppliers, and generally not in compliance with the Ohio restructuring law."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This statement is an opinion with the basis described throughout OHA's preliminary objections.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

Interrogatory No. 38:

- a) Please state in detail the whole and complete basis for your contention on page 9 of the Preliminary Objections that "... this change may result in higher price levels for RTP customers in that they will lose the benefit of pricing based on CG&E's hourly marginal operating and capacity costs when that is lower than market prices."
- b) Please specifically identify any and all documents relating to or supporting your response in subsection a) above.
- c) Please specifically identify each and every OHA witness whose testimony relates to or supports your response in subsection a) above and state for each: (i) the subject matter upon which each is expected to testify; (ii) the substance of the facts to which each is expected to testify; (iii) a summary of the witness qualifications to provide the testimony; and (iv) a summary of the basis of each witness's testimony.
- d) For each witness identified in response to subsection c) above who may testify as an expert, please specifically identify all documents relating to the anticipated expert testimony, including without limitation, all expert reports, statements, and/or notes or other documents, and any correspondence, communication, or other documents exchanges between OHA and the expert.

Response: This statement voices the concern of OHA that this switch in pricing methodology "may" result in higher price levels for RTP customers. It is an opinion with the basis described at pages eight and nine of OHA's preliminary objections, which present a logic that indeed RTP prices may increase under this new methodology in violation of state law.

OHA has not yet determined if it will sponsor expert testimony. When OHA makes this determination it will promptly notify CG&E.

REQUESTS FOR PRODUCTION OF DOCUMENTS

CG&E requests that OHA produce the following documents:

1. Any and all documents identified or referenced in response to any of the foregoing interrogatories;

Response: See Attachment 1.

2. Any and all documents which contain any information whatsoever used, reviewed, or referenced in preparing OHA's responses to any of the foregoing interrogatories;

Response: See OHA's General Objections

3. Any and all documents prepared by, for, or on behalf of OHA or any of its members relating to deregulation in Ohio, Amended Substitute Senate Bill No. 3, corporate separation, unbundling, consumer education, employee assistance, transition costs, transition charges, transition revenues, shopping credits, and/or shopping incentives.

Response: See OHA's General Objections

4. Any and all documents relating to or supporting any of the Preliminary Objections.

Response: See OHA's General Objections

Respectfully submitted,



Richard L. Sites - #0019887
Staff Legal Counsel,
OHA: The Association for Hospital and Health
Systems also doing business as the
Ohio Hospital Association
155 East Broad Street, 15th Floor
Columbus, OH 43215-3620
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The Cincinnati Gas and Electric Company

Rate DS - Service at Secondary Distribution Voltage

Typical OHA Load:

kW:	2,331
kWh/mo:	1,134,659
LF	67%

Distribution Charges	Rate	Quantity	Amount		
Customer Charge			\$10		
Demand Charges					
All kW	\$3.05500	2,331	\$7,121		
Distribution Total			\$7,131	\$0.0063	13.5%

Transmission Charges	Rate	Quantity	Amount		
Demand Charge					
All kW	\$1.02300	2,331	\$2,385		
Transmission Total			\$2,385	\$0.0021	4.5%

Ancillary Services	Rate	Quantity	Amount		
Scheduling, System Control and Dispat	\$0.01800	2,331	\$42		
Reactive and Voltage Control	\$0.23000	2,331	\$536		
Regulation and Frequency Response	\$0.07000	2,331	\$163		
Spinning Reserve	\$0.10600	2,331	\$247		
Supplemental Reserve	\$0.10000	2,331	\$233		
Ancillary Services Total			\$1,221	\$0.0011	2.3%

Generation Transition	Rate	Quantity	Amount		
GTC Rider Charge, per kWh	\$0.009082	1,134,659	\$10,305		
Generation Transition Total			\$10,305	\$0.0091	19.5%

Regulatory Transition	Rate	Quantity	Amount		
RTC Rider Charge, per kWh	\$0.002923	1,134,659	\$3,317		
Regulatory Transition Total			\$3,317	\$0.0029	6.3%

Generation	Rate	Quantity	Amount		
Demand Charges					
First 1,000 kW	\$7.50750	1,000	\$7,508		
Additional kW	\$5.90750	1,331	\$7,862		
Energy Charge					
Billing Demand times 300	\$0.028128	699,270	\$19,669		
Additional kWh	\$0.016095	435,389	\$7,008		
Sub-total			\$42,046	\$0.0371	
Less RTC and GTC			\$13,622	\$0.0120	
Generation Total			\$28,425	\$0.0251	53.9%

Total Monthly Charge:			\$52,783	\$0.0465	100.0%
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Attachment 1-a

CERTIFICATE OF SERVICE

I hereby certify that a copy of OHA: The Association for Hospitals and Health Systems , ADBA The Ohio Hospital Association (OHA) Response to The Cincinnati Gas & Electric Company's Second Combined Set of Interrogatories and Requests for Production of Documents was served upon the following via first class U.S. mail this 3 day of March, 2000:

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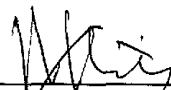
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