

PUBLIC SERVICE COMMISSION OF WEST VIRGINIA

CASE NO. 09-0770-E-CN

PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC;
PATH ALLEGHENY TRANSMISSION COMPANY, LLC;
PATH-WV LAND ACQUISITION COMPANY; and
PATH-ALLEGHENY LAND ACQUISITION COMPANY

**SIERRA CLUB, INC. AND WEST VIRGINIA HIGHLANDS CONSERVANCY
THIRD SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF
DOCUMENTS DIRECTED TO APPLICANT**

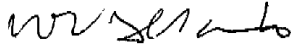
Pursuant to Rule 13.6 of the Rules of Practice and Procedure of the West Virginia Public Service Commission (“the Commission”), and the Commission Order entered in this proceeding on August 4, 2009, the Sierra Club, Inc. and the West Virginia Highlands Conservancy, by their counsel, William V. DePaulo, Esq., hereby propound the following Interrogatories and Requests for Production of Documents Directed to the Applicant.

INSTRUCTIONS AND DIRECTIONS

The Instructions and Directions from Sierra Club’s First Set of Interrogatories and Request for Production of Documents are incorporated herein by reference.

**THE SIERRA CLUB and
WEST VIRGINIA HIGHLANDS CONSERVANCY**

By Counsel


William V. DePaulo, Esq. #995
179 Summers Street, Suite 232
Charleston, West Virginia 25301
Tel: 304-342-5588
Fax: 304-342-5505
william.depaulo@gmail.com

INTERROGATORIES

1. Please identify, describe and produce all rate filings, rate Orders, FERC filings and FERC Orders in connection with the proposed PATH line and/or related facilities.

ANSWER:

2. Please identify and describe the Applicant's demand reduction, conservation and peak management programs, and the penetration of these programs into its service territory for businesses and individuals.

ANSWER:

3. Please identify, describe, and produce the load forecast used in PJM's 2006 Regional Transmission Expansion Plan ("RTEP").

ANSWER:

4. Please identify, describe, and produce the load forecast used in PJM's 2007

RTEP.

ANSWER:

5. Please identify, describe, and produce the load forecast used in PJM's 2008

RTEP.

ANSWER:

6. Please identify, describe, and produce the load forecast used in PJM's 2009

RTEP.

ANSWER:

7. Please identify, describe, and produce the most recent PJM load forecast.

ANSWER:

8. Please identify, describe and produce documents identifying large generator retirements, or expected retirements, in eastern PJM assumed during the 2006 RTEP process, including expected retirement dates and sizes of the facilities, and describe if any of these actual or projected retirements has been postponed, delayed or canceled since that time.

ANSWER:

9. Please identify, describe and produce documents identifying large generator retirements, or expected retirements, in eastern PJM assumed during the 2007 RTEP process, including expected retirement dates and sizes of the facilities, and describe if any of these actual or projected retirements has been postponed, delayed or canceled since that time.

ANSWER:

10. Please identify, describe and produce documents identifying large generator retirements, or expected retirements, in eastern PJM assumed during the 2008 RTEP process, including expected retirement dates and sizes of the facilities, and describe if any of these actual or projected retirements has been postponed, delayed or canceled since that time.

ANSWER:

11. Please identify, describe and produce documents identifying large generator retirements, or expected retirements, in eastern PJM assumed after the 2008 RTEP process, including expected retirement dates and sizes of the facilities, and describe if any of these actual or projected retirements has been postponed, delayed or canceled since that time.

ANSWER:

12. Please identify, describe and produce all documents submitted by the Applicant, or any affiliated companies, to or from PJM in connection with Project Mountaineer.

ANSWER:

13. Please identify, describe and produce all documents in the possession or control of the Applicant that refer to Project Mountaineer.

ANSWER:

14. Please identify, describe and produce all documents submitted to or from PJM in connection with any prior versions of the currently-proposed PATH line.

ANSWER:

15. Please identify, describe and produce all documents submitted to the Department of Energy or FERC in connection with proposed, draft or final National Interest Electric Transmission Corridors, or any version of the PATH line.

ANSWER:

16. Identify, describe and produce documents indicating the differences between the different reliability tests you rely upon in concluding that there is a “need” for the PATH line.

ANSWER:

17. Regarding the 2007 RTEP , at Section 3.3.2, where it indicates that with the proposed 502 Junction to Loudoun 500 kV line in service, the 2006 RTEP modeling showed that there were “no remaining reliability criteria violations in that area for the 2012-2021 time frame” please describe what is meant by “in that area”.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

18. Regarding the 2007 RTEP, at Section 3.3.2, where it indicates that the 2007 RTEP identified additional multiple 500 kV overloads between 2012 and 2021 as shown on table 3.4 and MAP 3.4, please identify and describe all such overloads, the tests used in determining whether there was an overload, the specific load forecast (and date of the forecast) used for such an analysis, what was overloaded, the percent of overload, and produce all documents regarding said overloads and tests. In addition,

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

19. Regarding the 2007 RTEP, at Section 3.3.2, identify, describe, and produce documents relating to the “load forecast changes” from the 2006 RTEP.
- a. If you rely upon any documents in support of your response, please identify the documents.
 - b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

20. Regarding the 2007 RTEP, at Section 3.3.2, identify, describe, and produce documents relating to the “re-distribution of aggregate Dominion load such that load in northern Virginia has increased the integration of the 1,000 MW firm transmission service from MISO to PJM”.

21. Please identify, describe and produce all materials given to or shown to the PJM board during the approval process for the 2006 RTEP baseline upgrades.

ANSWER:

22. Please identify, describe and produce all materials given to or shown to the PJM board during the approval process for the 2007 RTEP baseline upgrades.

ANSWER:

23. Please identify, describe and produce all materials given to or shown to the PJM board during the approval process for the 2008 RTEP baseline upgrades.

ANSWER:

24. Please identify the dates that the PJM board met to approve the 2007 RTEP baseline upgrades, the presenters, the subject matter of the presentations, and the members of the board who were present at the meetings.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

25. Please identify, describe and produce any documents that refer or relate to criticisms, complaints, or concerns from PJM members or stakeholders in connection with the approved 2007 RTEP baseline upgrades, the 2007 RTEP modeling or assumptions, or the TEAC committee meetings, recommendations and/or analyses relating to the 2007 RTEP.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

26. Were the load flow cases used in determining the alleged “reliability criteria violations” conducted with forecasted 50/50 summer peak loads, or at a different load level?

Please describe what was used for each test that you are relying upon.

ANSWER:

27. For the load flow cases used in determining the alleged “reliability criteria violations”:
- a. What new generating units were assumed to be in service in the PJM area?
 - b. Where is each in the PJM queue?
 - c. Where is each in the approval / construction process?
 - d. Provide the expected summer maximum capacity (MW) of each.
 - e. Provide the MW output of each in the “criteria violation” load flow cases.
 - e. Describe the geographical location of each.
 - f. Describe where and how each is connected to the transmission system.

ANSWER:

28. For each of the load flow cases used in determining the alleged “reliability criteria violations”, please provide a spreadsheet showing:
- a. What generating units were assumed to be in service in the PJM area?
 - b. Where is each in the PJM queue?
 - c. Where is each in the approval / construction process?
 - d. Provide the expected summer maximum capacity (MW) of each.
 - e. Provide the MW output of each in the different load flow cases.
 - e. Please also provide a map or maps showing the location of each generator.
 - f. Please also provide a map showing how each is connected to the transmission system.
 - g. Indicate how much was dispatched, and under what circumstances it was dispatched, in each of the load flow cases and modeling tests you rely upon.

ANSWER:

29. For the load flow cases used in determining the alleged “reliability criteria violations”:

a. Did all of the tests start with the same base case? If so, which base case was used? If not, describe which base cases were used in each test, and how the base cases differed.

b. Were any generators included in the modeling for purposes of resolving reliability criteria violations that did not have signed Interconnection Services Agreements? If so, identify them, where they were in the queue, the tests they were used in, their maximum summer capacity, and the capacity at which they were dispatched.

c. Describe the criteria for including and/or not including generation in the different modeling tests, including a description of the different ways that generators are treated in the different tests that have signed interconnection services agreements, and signed facilities study agreements?

d. Were any generators excluded from the testing, or not dispatched in any of the tests, that had signed interconnection agreements with Dominion but not with PJM? Please identify the generators, their capacity, and their locations.

e. Were the CPV Warren or CPV St. Charles, or both, generators included in the modeling? If so, in which tests? For which years? Describe what MW levels they were dispatched at in each test and in the base case, and their capacity.

ANSWER:

30. Why does PJM wait until a generator progresses through PJM's queue until it has a signed *Interconnection Services Agreement* before counting them in the modeling for purposes of providing solutions? Where does this requirement come from? Please produce the document.

ANSWER:

31. For *each year* from 2000 – present, describe whether PJM or the Applicant have information on what percentage of generation has dropped out of PJM’s queue, or not been built, after having a signed Interconnection Services Agreement? State whether the percentage differs by type of generation - such as coal fired, wind, hydro, gas-fired, or nuclear – and if so, explain the differences with respect to each type of generation.

ANSWER:

32. For *each year* from 2000 – present, describe whether PJM or the Applicant have information on what percentage of generation has dropped out of PJM’s queue, or not been built, after having a signed Facilities Study Agreement, and if so state whether the percentage differ by type of generation - such as coal fired, wind, hydro, gas-fired, or nuclear – and explain the differences by generation type.

ANSWER:

33. Provide the percentage of generation that has dropped out of PJM's queue, or not been built, after having a signed Interconnection Services Agreement in aggregate from 2000 to present in total and by fuel type, and percentage per year if available.

ANSWER:

34. Provide the percentage of generation that has dropped out of PJM's queue, or not been built, after having a signed Facilities Study Agreement in aggregate from 2000 to present in total and by fuel type, and percentage per year if available.

ANSWER:

35. Are generators with signed Interconnection Services Agreements allowed to contribute to, and help resolve, reliability violations in PJM's tests?

ANSWER:

36. Is generation with a signed *Facilities Study Agreement* modeled off-line (or not dispatched) in PJM's planning tests? What about the other reliability tests you rely upon?

ANSWER:

37. In PJM's generator deliverability test, is generation with a signed *Facilities Study Agreement* allowed to *contribute to problems but not solutions*? Why is this? Please explain, and produce the document where this requirement comes from.

ANSWER:

38. Please identify the number of different zones used in PJM's load deliverability test, and produce a map showing each of these zones.

ANSWER:

39. Was the PATH line approved by PJM in the 2007 RTEP process solely for reliability reasons?

ANSWER:

40. Was the PATH line approved by PJM in the 2007 RTEP process to get wind generation to the market? If so, please list the specific generation.

ANSWER:

41.

42. Was the PATH line approved by PJM in the 2007 RTEP process to get renewable generation to the market? If so, please list the specific generation.

ANSWER:

43. Did PJM have the authority to approve proposed facilities in the 2007 RTEP process that were not solely intended to address reliability issues? Please explain.

ANSWER:

44. Was transmission or security constrained dispatch used in any of the planning tests you rely upon to justify a reliability need for the PATH line? If so, please explain and produce the documents and/or models showing or discussing such tests.

ANSWER:

45. Please describe the process followed, and provide copies of each base case used, in developing the 2007 RTEP. In addition, identify and describe and produce documents discussing all substantive changes made to the base case used in developing the 2007 RTEP.

ANSWER:

46. How many different versions of the base case were used in connection with the 2007 RTEP? Please identify them by name, produce them, and describe any substantive differences or changes between them.

ANSWER:

47. Which RPM auctions included the TrAIL line in them? Which included the Susquehanna to Roseland line? Were the PATH or MAPP lines assumed to be in service for any of the RPM auctions to date? Please explain.

ANSWER:

48. During the 2007 RTEP process, which RPM auctions were included in the modeling? Which RPM auctions (continuing through the present) were not included in the 2007 RTEP process?

ANSWER:

49. Explain how the different RPM auctions affected the “need” evaluation for the TrAIL, PATH, MAPP or Susquehanna to Roseland lines, or the expected in-service dates for the lines. Please explain.

ANSWER:

50. What was the effect of the latest RPM auction? Please describe the date of the auction and produce the results. Did it change the necessary in-service date, or the need analysis, for the PATH line? Has it been factored into the “need” analysis for the PATH line? Please explain how if it was used, how and where it was used, and how the latest RPM auction affected the modeling tests, alleged reliability violations, and projected in service date for PATH.

ANSWER:

51. Why did the route and construction of the PATH line change? Please explain and produce documents regarding the reasons for that change.

ANSWER:

52. Was the revised PATH line (that is now all 765 kV) included in the 2007 RTEP modeling? The 2008 RTEP modeling? How do the changes to the PATH line route or construction affect the need for the Susquehanna to Roseland line, or its expected in-service date? Please explain.

ANSWER:

53. Relative to the PATH line:

- a) Did the change in the route of the PATH line affect the need for the Susquehanna-Roseland line or the MAPP line?
- b) Was the currently proposed PATH line, that is now all 765 kV, approved in the 2007 RTEP process? Why not?
- c) Did the alteration in the configuration of the PATH line from a double circuit 500kV to a single circuit 765 kV affect the need for the Susquehanna-Roseland line or the MAPP line and if so please explain how?

ANSWER:

54. What modeling year was the revised PATH line (the currently-proposed line) reflected in PJM's RTEP analyses?

ANSWER:

55. Relative to the MAPP line:

- a) Has there been any change in the in service date, or configuration of the MAPP line? Why? Please produce all documents describing the reasons for these changes.
- b) Is the application for the MAPP line going to be withdrawn in Maryland, or any other state? Or amended? Please describe how and why and produce the documents discussing the reasons for these decisions.
- c) Did the change in the configuration of the MAPP affect the need for the PATH line? How? Please describe, quantify and produce the documents that show these changes.
- d) Was the revised MAPP line included in the 2008 RTEP?
- e) Did the alteration in the configuration of the MAPP line affect the need for the PATH, the in-service date for the PATH line, or the type or severity of the alleged reliability violations justifying the alleged need for the PATH line and if so please describe, quantify and produce the documents showing the differences and explanations?

ANSWER:

56. Why has the in-service date for the Susquehanna – Roseland line not changed, when the in-service date for the PATH line has changed twice? Please produce all documents that describe why the in-service date for the PATH line has changed.

ANSWER:

57. Please describe and produce all presentations by AEP, Applicant, or any affiliated companies to Wall Street, investors, and/or shareholders from 2006 to present, that discuss or include the financial or other impacts of the PATH line, or discuss transmission line construction.

ANSWER:

58. Please identify the number of different zones used in PJM's generator deliverability test, and produce a map showing each of these zones. If the zones change, explain how and why.

ANSWER:

59. What effect did the upcoming removal of the rate caps in Virginia have, if any, on the load forecasts used in the modeling? Or the upcoming removal of the rate caps in Pennsylvania? Please produce the documents that show the expected effect, if any, of these events.

ANSWER:

60. Are there currently any demand side management (DSM) or load management programs in PEPCo? Describe these programs, their effectiveness, and penetration levels of such programs into homes and businesses in Pennsylvania and other states serviced by PEPCo. Are they changing? If so, how? Since 2005, how have they changed, and when? Please describe and produce the documents that show how these changes affected the need for the PATH line, the severity of violations, or the expected in service date.

ANSWER:

61. Are any additional demand side management programs planned for the mid-Atlantic region, eastern Pennsylvania, or New Jersey? Please describe them in detail and their expected effect on the alleged reliability violations justifying the need for the PATH line. Were they factored into the modeling? If so, how, when and where?

ANSWER:

62. Were any demand side management reductions assumed in the load flow cases used in determining the alleged “reliability criteria violations?” Please explain, describe, and also produce the documents showing how it was used.

ANSWER:

63. What type of NERC violations are listed in table 3.4 from the 2007 RTEP? Are they A or B or C1 or C2 or C3 violations, or something else? Please explain what type of alleged NERC violations exists for each alleged reliability issue.

ANSWER:

64. Did the load flow studies of Category C3 contingencies use generation schedules based on the PJM Load Deliverability and Generation Deliverability Procedures? Did the load flow studies of Category C3 contingencies include manual system adjustments between the first and second contingencies? If so, what were they? If not, why were they not included?

65. Do the PJM Load Deliverability and Generation Deliverability Procedures require Category C3 contingency testing?

ANSWER:

66. Please identify all pesticides that will be used in the maintenance, construction, and/or upgrade of the line proposed in this PSC proceeding, including, but not limited to, a description of the specific types of pesticides, the frequency of use, strength of dosage, MSDS sheets, and any other relevant information pertaining to the used pesticides.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

67. Please produce all maps showing the proposed route of the PATH line in West Virginia, Virginia and Maryland including all affected parcels of land within 1000 feet of the proposed center line or within 1000 feet of the outside boundary of any proposed substation.

ANSWER:

68. Please provide a list, separately for each state, of all affected property owners in West Virginia, Virginia, Maryland, including name, address and phone numbers, within 1000 feet of the proposed center line or within 1000 feet of the outside boundary of any proposed substation.

ANSWER:

69. For each proposed substation, please provide all drawings and maps showing the proposed substations, their planned locations, the planned layout, potential future equipment or lines, and the planned equipment to be located in the substations.

ANSWER:

70. Please identify and describe separately for each state all parcels of land on the proposed route, including cleared rights of ways, within West Virginia, Virginia, and Maryland that the Company currently does not have existing rights-of ways.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

71. Please identify and describe all air pollution studies, analyses, and/or documents pertaining to air pollution which refer or relate to the PATH line, or generation facilities that will send power through the proposed PATH line.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

72. Please identify and describe the existing generating facilities that will be able to send power through the proposed PATH line, and the ten largest generators (and their summer peak capacity) that will benefit the most from the line.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

73. Please identify and describe all environmental evaluations pertaining to endangered species along the proposed power line.
- a. If you rely upon any documents in support of your response, please identify the documents.
 - b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

74. Please identify and describe all environmental consultants that you have retained to perform any surveys, evaluations, and/or environmental assessments pertaining to the proposed routing of the PATH line.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

75. Please identify any portions of the proposed PATH line, or specific areas where the PATH line or facilities cross, where the Applicant or any affiliated companies or consultants, plans or is required to complete an environmental assessment or environmental impact statement pursuant to NEPA, and produce all documents pertaining to that environmental assessment or environmental impact statement, and describe what needs to be completed and the time frames when the work is expected to be done.

ANSWER:

76. Identify any endangered species habitat affected by or located within the corridor requested by the Applicant for the proposed power line? Please identify and describe all endangered species that you must survey for in connection with the proposed facilities, produce all correspondence regarding same, and all studies, evaluations, and/or analyses pertaining to endangered species that may inhabit any portion of the proposed PATH line.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

77. Please identify, describe and produce all documents and studies that refer or relate to any portion of the proposed PATH line and the 2007 transmission expansion advisory committee (“TEAC”) meeting(s).

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

78. Please identify and describe all documents that refer or relate to the RTEP for 2007 and any portion of the PATH line.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

79. Please identify and describe all data, documentation, studies, evaluations, and/or other items that refer or relate to the alleged need, business case, and/or other justification for any portion of the proposed PATH line or related facilities.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

80. Will the building of the PATH line allow for the construction of additional generation facilities? If so, please describe how many additional facilities can be built, their generating capacity (in megawatts), what types of facilities are being considered, and produce all documents that refer or relate to such additional generation.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

81. What effect will the PATH line have on the Applicant's generating facilities in western PJM? Please identify, describe and produce all documents relating to the expansion of the Applicant's generating facilities, or increased production at existing facilities, as a result of the PATH line, and also the effect of the proposed new line and facilities on the Applicant's ability to get new generating capacity, or additional capacity from existing generation, to eastern loads.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

82. What effect will the PATH line have on AEP's generating facilities in western PJM? Please identify, describe and produce all documents relating to the expansion of AEP's generating facilities, or increased production at existing facilities, as a result of the PATH line, and also the effect of the proposed new line and facilities on AEP's ability to get new generating capacity, or additional capacity from existing generation, to eastern loads.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

83. Will the building of the PATH line allow for the increased generation at existing generating facilities? If so, please describe how much additional capacity can be used at each facility, their generating capacity (in megawatts), what facilities are currently underutilized and could increase their capacity, and produce all documents that refer or relate to such additional generation.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

84. Please identify and describe the amount of power, in megawatts, that can flow through the proposed new 765 kV lines.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

85. What is the increase in transfer capability, from western PJM to eastern PJM, as a result of the PATH project (in MW)?

ANSWER:

86. Please identify and describe the transformers that will be installed, their locations, and how many megawatts can be transferred to the lines that are proposed to be connected to the new proposed 765 kV lines.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

87. Please identify and describe all potential uses for the fiber optic line proposed as part of the PATH line.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

88. Separately for each of Allegheny Energy and AEP provide a general description of the current methods of communications used between substations located in the Applicant's service zones, identifying which of these methods are currently used between substations that will be connected by the PATH line, and what methods of communications are proposed to be installed in conjunction with the PATH line.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

89. Please identify, describe, and produce documents showing the capacity factors for the power plants that will benefit from installation of the PATH line, from 2004 to present.

ANSWER:

90. Please identify, describe, and produce documents showing the capacity factors for the Allegheny Energy and AEP power plants that will benefit from installation of the PATH line, from 2004 to present.

ANSWER:

91. Please identify, describe, and produce documents showing the capacity factors for the Allegheny Energy and AEP power plants in West Virginia, Kentucky, Ohio and Pennsylvania, for each year from 2004 to present.

ANSWER:

92. Please identify, describe, and produce documents showing the capacity factors for the power plants that will benefit from installation of these lines from 2004 to present.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

93. Please produce copies of all filings at the Maryland PSC, and Orders or opinions issued, relating to or referring to the PATH or TrAIL lines, other than filings in case No. 9198.

ANSWER:

94. Please identify and describe and produce copies of all current grid maps showing existing and planned generation capabilities in Pennsylvania, West Virginia, Ohio, Kentucky, Maryland, Delaware, New York, and New Jersey.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

95. Please identify and describe and produce copies of all current grid maps showing transmission facilities and/or capabilities (separately identifying such facilities and/or capabilities by relevant rating or other limiting factor) in Pennsylvania, West Virginia, Ohio, Kentucky, Maryland, Delaware, New York, and New Jersey.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

96. Please identify and describe the amount of line loss, in megawatts and as a percentage of overall load, for electricity that would flow across the proposed 765 kV lines running from Amos to Kemptown.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

97. Please identify and describe the amount of total losses, in megawatts and as a percentage of overall load, for electricity that would flow across the proposed 765 kV lines from Amos to Kemptown.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

98. Please identify and describe any operational procedures that were put into place, or implemented during operation of the system, that specifically refer or relate to the alleged need for the PATH line or the reliability issues allegedly driving the need for the PATH line.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.
- c. Was it a 90/10 peak occurrence? Something else? What does a 90/10 peak and a 50/50 peak mean? What about 80/20? Which were used in the different base cases and modeling tests?

ANSWER:

99. Please identify and describe and produce any internal report to company management or others that analyzes, discusses, and/or comments on the alleged need, use, or justification for any portion of the proposed line, and/or the underlying data or studies regarding the alleged need, reason, or justification for the line.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

100. Please identify, describe and produce a copy of any employee compensation, bonus, or reward plan in effect at the Applicant or any affiliated companies that refers or relates to the design, construction, or installation of any transmission lines or the revenue received from any additional transmission lines.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

101. Please identify, describe and produce copies of any evaluation conducted by the Applicant, or any related entity or consultant, regarding the projected growth in demand from 2000 forward, or the actual demand, projected demand and/or load requirements or needs for PJM, or the Applicant's service territory from 2004 forward.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

102. Please identify and describe and produce all documents that are referenced in your Maryland PSC proceeding that have not already been produced.

ANSWER:

103. Please identify, describe and produce all documents that were relied upon while answering, or are referenced in your answers to, the Sierra Club's Interrogatories.

ANSWER:

104. Please identify and describe and produce all documents obtained from third parties that refer or relate to the proposed PATH line, including documents produced by any party or participant in this proceeding.

ANSWER:

105. Please identify and describe and produce all documents used by and/or referred to by your witnesses to prepare their written or oral testimony to the extent not identified in their written testimony.

ANSWER:

106. Please identify and describe and produce all documents and/or materials that refer or relate to, and/or are maintained by PJM, the Applicant, and/or any other entity that refers or relates to the “need” for the proposed power line.

ANSWER:

107. Please identify, describe and produce all documents that refer or relate to the alleged “need” for the power line that were used at the public meetings held by the Applicant.

ANSWER:

108. Please identify and describe all documents relied upon by your witnesses and experts to develop specific positions addressed in their written testimony, to the extent not identified in their written testimony.

ANSWER:

109. Please identify, describe and produce all documents that refer or relate to consideration of or studies on upgrading, retensioning, reconductoring, or replacing existing 100 kV or larger power lines in the Applicant's service territories from 2000 forward.

- a. If you rely upon any documents in support of your response, please identify the documents.
- b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

110. Please identify, describe and produce meeting minutes and documents provided in conjunction with board presentations or board meetings (or department meetings regarding any internal approvals needed for the line that refer) that relate to the proposed line, or were provided in conjunction with such meetings or approvals, and management memos related to such approvals relative to the need for the proposed power line or the decision to try and build the proposed power line.


ANSWER:

111. Please describe all board or department or other internal approvals at the Applicant that relate to the proposed power line.
- a. If you rely upon any documents in support of your response, please identify the documents.
 - b. If you rely upon the statement or expected testimony of any person in support of your response, please identify the person and describe their statement or expected testimony.

ANSWER:

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **THIRD DISCOVERY REQUEST TO APPLICANT FROM THE SIERRA CLUB AND WEST VIRGINIA HIGHLANDS CONSERVANCY** was filed with the Executive Secretary of the Commission, and that an original copy was served upon the Applicant by email to Christopher Callas, Esq. <ccallas@jacksonkelly.com>, and J. Philip Melick, Esq. <pmelick@jacksonkelly.com>, this 19th day of August, 2009.



William V. DePaulo