

PUBLIC SERVICE COMMISSION  
OF WEST VIRGINIA  
CHARLESTON

CASE NO. 07-0508-E-CN

TRANS-ALLEGHENY INTERSTATE  
LINE COMPANY

Application of Trans-Allegheny Interstate Line Company for a certificate of public convenience and necessity under W. Va. Code § 24-2-11a authorizing the construction and operation of the West Virginia segments of a 500 kV electric transmission line and related facilities in Monongalia, Preston, Tucker, Grant, Hardy, and Hampshire Counties, and for related relief

**THE SIERRA CLUB'S FIRST DISCOVERY REQUEST TO  
TRANS-ALLEGHENY INTERSTATE LINE COMPANY**

The Sierra Club, Inc. respectfully requests that the Trans-Allegheny Interstate Line Company ("TrAILCo") respond to the following discovery requests in accord with the protocol agreed upon for expedited discovery.

Definitions and Instructions

"Communication" means the transmittal of information in the form of facts, ideas, inquiries, or otherwise.

"Concerning" means referring to, describing, evidencing, or constituting.

"Document" or "documents" shall include all matters defined as documents by Rule 1001, W. Va. Rules of Evidence, plus the original, or a copy of any kind, of written, typewritten, printed, or recorded material whatsoever, including, but not limited to any writing, drawing, graph, chart, photograph, video or audio record, whether stored electronically, magnetically or optically, including any other data compilation from which information can be obtained and translated, if necessary, into reasonably usable form.

“Electric transmission” means the planning, assessment, siting, design, engineering, construction, operation, maintenance, financing, accounting, and/or regulation of any “high voltage transmission line of two hundred thousand volts or over” as that latter phrase is used in W. Va. Code § 24-2-11a.

“Identify” when referring to persons means to give, to the extent known, the person’s full name and present or last known address and telephone number. “Identify” when referring to documents means to give, to the extent known, the document’s type and general subject matter, date(s) of preparation and dissemination, author(s), addressee(s), recipient(s), and present location and custodian.

“Person” means any natural person or any business, legal, or governmental entity or association.

“You” and “your” mean the person to whom these discovery requests are propounded or any person acting on that person’s behalf.

In addition to the requirements set forth in CSR § 150-1-13.6, the Sierra Club adopts by reference the protocol set forth in Commission Staff’s fourth set of discovery requests upon TrAILCo, filed September 24, 2007. In particular, please furnish all information available to you, including information in the possession of any person acting on your behalf. These interrogatories and requests are continuing; you should supplement your responses with additional information that you or any person acting on your behalf may later obtain.

### Interrogatories

1. Identify each person whom you expect to call as an expert witness at the hearing of this case, state the subject matter on which the person is expected to testify, and state the substance of the facts and opinions to which the person is expected to testify and a summary of the grounds for each opinion.

2. For each person who (a) has filed any statement with the Public Service Commission, in this proceeding, on behalf of TrAILCo, either in the initial application for certificate, any amendment to the application, in response to any discovery request or otherwise (but excluding Counsel of record in this proceeding), or (b) is identified in your response to Interrogatory # 1, identify by tribunal and case style or other comparable designation each civil action, regulatory proceeding, or administrative docket in which the person has opined (including in summaries prepared by counsel) or testified (including in prefiled testimony, whether or not ultimately sponsored) on (i) any of the subject matters identified in your response to Interrogatory # 1 or (ii) electric transmission.

3. For each person who (a) has filed any statement with the Public Service Commission, in this proceeding, on behalf of TrAILCo, either in the initial application for certificate, any amendment to the application, in response to any discovery request or otherwise (but excluding Counsel of record in this proceeding), or (b) is identified in your response to Interrogatory # 1, identify by publication name and date each article authored or co-authored by the person that concerns (i) any of the subject matters identified in your response to Interrogatory # 1 or (ii) electric transmission.

4. For each person who (a) has filed any statement with the Public Service Commission, in this proceeding, on behalf of TrAILCo, either in the initial application for

certificate, any amendment to the application, in response to any discovery request or otherwise (but excluding Counsel of record in this proceeding), or (b) is identified in your response to Interrogatory # 1, identify each document reviewed by the person that concerns each such opinion.

5. For each person who (a) has filed any statement with the Public Service Commission, in this proceeding, on behalf of TrAILCo, either in the initial application for certificate, any amendment to the application, in response to any discovery request or otherwise (but excluding Counsel of record in this proceeding), or (b) is identified in your response to Interrogatory # 1, identified in your response to Interrogatory # 1, identify each document relied upon by the person for each such opinion.

6. For each person who (a) has filed any statement with the Public Service Commission, in this proceeding, on behalf of TrAILCo, either in the initial application for certificate, any amendment to the application, in response to any discovery request or otherwise (but excluding Counsel of record in this proceeding), or (b) is identified in your response to Interrogatory # 1, provide a current *curriculum vitae* and, if not specified therein, specify the academic and other qualifications (including work history) (i) for each subject on which the person is expected to testify and (ii) with respect to electric transmission.

#### Requests for Production


Please provide copies of, or make available for inspection, the following documents in your possession, custody, or control:

1. Your communications with each person identified in your response to Interrogatory # 1 that concern the subject matter(s) to be addressed or the substance of any opinion(s) to be offered.

2. Each opinion or testimony identified in your response to Interrogatory # 2.
3. Each document identified in your response to Interrogatory # 3.
4. Each document identified in your response to Interrogatory # 4.
5. Each document identified in your response to Interrogatory # 5.
6. Each document identified in your response to Interrogatory # 6.

**THE SIERRA CLUB, INC.**

By Counsel

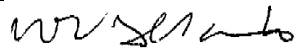


William V. DePaulo, Esq. #995  
179 Summers Street, Suite 232  
Charleston, WV 25301-2163  
Tel: 304-342-5588  
Fax: 304-342-5505  
william.depaulo@gmail.com

CERTIFICATE OF SERVICE

I certify service of this discovery request by email or US mail October 2, 2007, to the following:

Caryn Watson Short, Esq. John Auville, Esq. Carrie Freeman, Esq. Pub. Serv. Com'n of W. Va. Post Office Box 812 Charleston, WV 25322 <i>Commission Staff Counsel</i>	Billy Jack Gregg, Esq. Consumer Advocate Division 700 Union Building 723 Kanawha Boulevard, East Charleston, WV 25301 <i>Consumer Advocate Division</i>	Derrick Price Williamson, Esq. Adam L. Benshoff, Esq. McNees Wallace & Nurick LLC Post Office Box 1166 Harrisburg, PA 17108-1166 <i>West Virginia Energy Users Group</i>
Susan J. Riggs, Esq. Spilman Thomas & Battle, PLLC P. O. Box 273 Charleston, WV 25321-0273 <i>West Virginia Energy Users Group</i>	Elizabeth H. Rose, Esq. Rose Padden & Petty, L.C. Post Office Box 1307 Fairmont, WV 26555-1307 <i>Laurel Run Comm. W'shed Ass'n</i>	Mary Guy Dyer, Esq. Thomas G. Dyer, Esq. Dyer Law Offices Post Office Box 1332 Clarksburg, WV 26302-1332 <i>Peter Kent Thrush et al.</i>
John Philip Melick, Esq. #2522 Christopher L. Callas #5991) Jackson Kelly P O Box 553 Charleston, WV 25322-0553 <i>TrailCo</i>	Ladd and Angie Williams Route 2, Box 214C Tunnelton, WV 26444	Alan and Julie Sexstone 181 Paul Davis Road Independence, WV 26374
Susan C. Capelle, Samuel E. Dyke Route 1, Box 259 Independence, WV 26374	William Peterjohn, Susan Olcott 305 Paul Davis Road Independence, WV 26374	Mark and Julie Sullivan Route 1, Box 282 Independence, WV 26374
Letty Butcher Post Office Box 732 Reedsville, WV 26547	Timothy Hairston I.B.E.W. Local 2357 Post Office Box 346 Dellslow, WV 26531	Robert Lynn Rural Route #1 Box 18 Independence, WV 26374
Bradley W. Stephens, Esq. Compton & Associates, PLLC Mountainview Manor, Suite AB1 Morgantown, WV 26501 <i>Halleck-Triune Community</i>	Douglas Imbrogno, Member Patrick Hamilton, Member Bhavana Society Forest Monastery and Retreat Center 141 Hazelwood Place Huntington, WV 25705	J. Andrew Jackson, Esq. Larry F. Eisenstat, Esq. Cortney Madea, Esq. Michael Wentworth, Esq. Dickstein Shapiro LLP 1825 Eye Street, NW Washington, DC 20006-5403 <i>CPV Warren, LLC</i>
Larry and Roseann Willoughby PO Box 367 Amissville, VA 20106	Rosemarie Calvert Rt. 1 Box 29B Independence WV 26374	Thomas M. Hildebrand 392 Red Spruce Drive Moorefield, WV 26836
L. R. Dallas 676 West View Avenue Morgantown, WV 26505 <i>The Dallas Family</i>	Casey D. Stickley, Secretary Allegheny Club Inc. 126 South Gate Drive Fairmont, WV 26554	Robert R. Rodecker, Esq. P. O. Box 3713 Charleston, WV 25337-3713 <i>CPV Warren, LLC</i>
John Wilfred Haywood 15100 Interlochen Drive, # 604 Silver Spring, MD 20906	Charles K. Arnett 1160 Sugar Grove Road Morgantown, WV 26501	Steven Giessler 3927 River Road Morgantown, WV 26501
Bradley C. & Lynette D. Swiger Route 6, Box 345 Fairmont, WV 26554	Misty Garlow Route 4, Box 603-A Fairmont, WV 26554	Raman K. Jassal 519 Seneca Green Way Great Falls, VA 22066

  
William V. DePaulo