

## **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 FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS DIRECTED TO APPLICANT**

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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**

1. In answering these Interrogatories furnish such information as is available to you and to your agents, servants, employees and representatives, including information in the possession or control of your attorneys, investigators, insurers, witnesses, and any other agent or representative, and information available to you upon request from PJM.
  
2. If you maintain that any document or record upon which you rely, or to which you refer, in answering these Interrogatories has been lost or destroyed, please set forth the contents of said document, the date of its destruction, and the name of the person who ordered or authorized such destruction.

3. In the event that you decline to answer any Interrogatory on the grounds of an asserted privilege or for some other reason, please state with particularity the basis for the asserted privilege or other grounds for your refusal to answer the Interrogatory.

4. Answer each request on a separate sheet of paper which contains, with respect to each separate response: (a) a restatement of the question, (b) the name and title of the person or persons who prepared the response, (c) the name of all persons who could testify regarding the response, (d) the date the response was prepared, and (e) the response.

5. These Interrogatories shall be deemed to be continuing in nature so as to require supplemental answers under oath if you obtain further information after the answers are served or filed.

6. Whenever an objection is made to any numbered or lettered paragraph of any Interrogatory, please furnish an answer to any other numbered or lettered paragraph of such Interrogatory to which there is no objection.

7. Provide a verification by the responsible witness that all facts contained in the response are true and correct to the best of the witnesses knowledge, information and belief.

## **DEFINITIONS**

1. "Applicant", "you" and "yours" means Path West Virginia Transmission Company, LLC; Path Allegheny Transmission Company, LLC; Path-WV Land Acquisition Company; and Path-Allegheny Land Acquisition Company and any parent of the foregoing, American Electric Power Co., Inc., Allegheny Energy, Inc., and any subsidiary or affiliated companies of all companies identified herein, including, but not limited to, all companies either listed in paragraphs 1 through 10 on pages 3 through 6 of the May 15, 2009 application filed in this matter, or that are intended to own, operate, maintain, and/or control any portion of the

proposed PATH line, and any of their current or former agents, servants, employees, representatives, officers, directors, consultants, accountants and attorneys.

2. The word "Application" as used in these Interrogatories shall mean the Application filed by the Applicant in this action on May 15, 2009.
3. "Person" or "party" shall mean an individual, firm, corporation, proprietorship, partnership, sole proprietorship, union, federation, association or any other kind of entity, including business or governmental entities or subdivision, or trade associations.
4. "Identify", when referring to a person, shall mean that you shall set forth the name, present or last known address, and if a corporation or other entity, its principal place of business, or if an individual, his or her title or titles and by whom employed. Once an individual, or other entity, has been identified in any Answer, it shall be sufficient thereafter when identifying that individual, corporation other entity to merely state his, her or its name.
5. The conjunctive "and" shall include the disjunctive "or" and vice versa.
6. "PATH power line," "power line," or "line" refers to the 765 kV power lines and related facilities that the Applicant and its parents, subsidiaries and/or affiliates seek permission to install in Maryland, and Virginia and West Virginia, a portion of which is the subject of this proceeding.
7. The word "document" or "documents" means any writings, recordings, photographs, whether original or duplicate, as defined by Rule 1001 of the West Virginia Rules of Evidence, and includes, without limitation to the foregoing, and regardless of the manner in which (hand, typewriter, printer or otherwise), or medium on which (paper, magnetic disk or tape, optical media or any other machine retrievable medium), the document was created :

- (a) agreements, state and federal hearings and reports, letters, memoranda, charges, pleadings, telegrams, notes, emails, maps, summaries and records of investigations, opinions and reports of consultants, catalogues, brochures, diaries, records, reports, studies, calendars, inter-office communications, intra-office communications, work papers, statements, records of telephone calls or other conversations, announcements, minutes of meetings, computer or other printouts, drawings, graphs, charts, photographs, tape recordings, ledgers, phone records or data compilations and
- (b) any documents on which marginal comments appear, and all non-identical copies of each document, whether non-identical because of written or any other type of annotations thereon.

8. The term "2007 RTEP" shall mean the Regional Transmission Expansion Plan issued in 2007, and published by PJM.

Do not retain a response to a particular question until all responses are available, but instead forward all responses as they become available, sending an original to the undersigned counsel, and a copy to the Executive Secretary of the Commission.

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

By Counsel

WV DePaulo  
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](mailto:wiliam.depaulo@gmail.com)

**INTERROGATORY 1:**

Regarding the 2007 RTEP, does Section 3.3 set forth all of the reasons why the PATH line is needed?

- a. If your response is anything other than an unqualified “yes,” state any and all reasons why the PATH line is needed that do not appear in Section 3.3.
- b. Please identify and produce all documents upon which you rely for your response.
- c. 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:

**INTERROGATORY 2:**

Regarding the 2007 RTEP, does Section 3.2 (pages 57-62) set forth all of the reasons why the proposed Susquehanna to Roseland line is needed?

- a. If your response is anything other than an unqualified “yes,” state any and all reasons why the PATH line is needed that do not appear in Section 3.2.
- b. Please identify and produce all documents upon which you rely for your response.
- c. 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:

**INTERROGATORY 3:**

Regarding the 2007 RTEP, at section 3.2.2, please identify and describe all the “load deliverability and generator deliverability violations … identified in northern New Jersey in the 2006 RTEP”, including a description of the pages in the 2006 RTEP where these alleged overloads were discussed, the tests used, the highest overloads, and the contingencies that led to the alleged overloads.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 4:**

Regarding the 2007 RTEP, at section 3.2.2, please identify and describe the base case and load forecast used in identifying “load deliverability and generator deliverability violations ... in northern New Jersey in the 2006 RTEP”.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 5:**

Did the 2006 Regional Transmission Expansion plan include transmission planning for the next 15 years? Please describe and identify the length of the planning periods in the 2006 RTEP.

ANSWER:

**INTERROGATORY 6:**

Did the 2007 Regional Transmission Expansion plan include transmission planning for the next 15 years? Please describe and identify the length of the planning periods in the 2007 RTEP.

ANSWER:

**INTERROGATORY 7:**

Did the 2008 Regional Transmission Expansion plan include transmission planning for the next 15 years? Please describe and identify the length of the planning periods in the 2008 RTEP.

ANSWER:

**INTERROGATORY 8:**

Was the Susquehanna – Roseland line identified as needed in the 2006 RTEP?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 9:**

Was the PATH line identified as needed in the 2006 RTEP?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 10:**

Was the MAPP line identified as needed in the 2006 RTEP?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 11:**

What specific changes occurred between the 2006 and 2007 RTEP that led to the alleged need for the PATH line? Please produce the documents that discuss these changes and how these changes caused the alleged need for the PATH line.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 12:**

What specific changes occurred between the 2006 and 2007 RTEP that led to the alleged need for the Susquehanna – Roseland line? Please produce the documents that discuss these changes and how these changes caused the alleged need for the Susquehanna – Roseland line.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 13:**

What specific changes occurred between the 2006 and 2007 RTEP that led to the alleged need for the MAPP line? Please produce the documents that discuss these changes and how these changes caused the alleged need for the MAPP line.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 14:**

Regarding the 2007 RTEP, at section 3.2.2, please identify and describe the differences in the “load deliverability and generator deliverability violations … identified in northern New Jersey in the 2006 RTEP” and identify how the “[b]aseline analysis this year has shown that a number of these violations will occur sooner than originally anticipated in the 2006 RTEP”? What violations will occur sooner? Why will they occur sooner? What changed from the 2006 RTEP that caused the violations to occur sooner? Please provide a spreadsheet showing the differences under each test and contingency, including a quantification of the percentage of overload for each test.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 15:**

Regarding the 2007 RTEP, at section 3.2.2, describe why the “2007 RTEP analysis has revealed that multiple lines will exceed their conductor rating as early as 2013”, and why the alleged overloads were not identified in the 2006 RTEP analysis?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 16:**

Regarding the 2007 RTEP, at section 3.2.2, where it provides that the “2007 RTEP analysis has revealed that multiple lines will exceed their conductor rating as early as 2013. TABLE 3.1 shows the transmission line overloads and the year each is expected to exceed its conductor rating” please explain why table 3.1 does not show any overloads in 2013? Which overloads were identified in 2013, which tests showed overloads, and what contingencies resulted in such overloads?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 17:**

Regarding the 2007 RTEP, at section 3.2.2, where it provides that “[i]n contrast, the addition of the Susquehanna – Lackawanna – Jefferson – Roseland 500 kV line reduces northern New Jersey overloads to a point that future overloads are not expected until at least 2016 and in a number of cases, beyond 2022, as shown in TABLE 3.2,” please explain what is shown in Table 3.2, how to read Table 3.2, which tests resulted in the alleged overloads, which contingencies resulted in such overloads, which base case was used, the amount of the overloads, why the overloads occurred in different years than shown in Table 3.1, and why the overloads did not show up in the 2006 RTEP process?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 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 2012 as shown on table 3.4 and MAP 3.4, do any of those overloads have anything to do with the need for the Susquehanna – Roseland line? If so, please explain.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 19:**

Are all of the reliability concerns that supported the need for the PATH line identified in the 2007 RTEP process listed in table 3.4 and MAP 3.4? Were all of them based on alleged violations of the load deliverability test, as indicated in table 3.4?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 20:**

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 2012 as shown on table 3.4 and MAP 3.4, do all of the overloads shown on table 3.4 and MAP 3.4 relate to the need for the PATH line? If not, please explain.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 21:**

Regarding the 2007 RTEP, at Section 3.3.2 table 3.4, please indicate for each alleged violation the contingency or contingencies that caused the alleged overload on the “overloaded facility”, the percentage of overload, the line rating that allegedly was overloaded, whether the line rating that was exceeded was the emergency (or some other) rating, and the normal and emergency ratings for each of those lines.

- a. Please produce the documents that discussed these issues during the 2007 RTEP and if you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 22:**

Referencing the 2007 RTEP at Section 3.3.2 table 3.4, please indicate the results of the same contingency analyses *during the 2006 RTEP* including a chart showing the results for the same contingencies, the years the contingency or contingencies caused the alleged overload on the “overloaded facility”, the percentage of overload, the line rating that allegedly was overloaded, whether the line rating that was exceeded was the emergency (or some other) rating, and the normal and emergency ratings for each of those lines.

- a. Please produce the documents that discussed these issues during the 2006 RTEP and if you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 23:**

Regarding the 2007 RTEP, at Section 3.3.2 which indicates that “The 2006 RTEP projected that the Airdale-Juniata and Keystone-Conemaugh 500 kV lines would exceed their conductor ratings in 2019 and 2021 respectively [but]...the 2007 baseline assessment shows that these lines will now be overloaded as early as 2012, as listed in TABLE 3.4 and shown on MAP 3.5.” Please provide a chart showing the differences in the contingency testing leading to these alleged overloads in each of the 2006 and 2007 RTEPs, including separately for each year the contingency or contingencies that caused the alleged overload on the “overloaded facility”, the percentage of overload, the line rating that allegedly was overloaded, whether the line rating that was exceeded was the emergency (or some other) rating, and the normal and emergency ratings for each of those lines. Please provide the same information for the alleged overload of the Mt. Storm – Doubs 500 kV line from the 2006 RTEP and the 2007 RTEP.

- a. Please produce the documents that discussed these issues during the 2007 RTEP and if you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 24:**

Regarding the 2007 RTEP, at section 3.2.2, please describe and produce the documents and tests indicating that “[a] key finding of PJM’s 1999 RTEP baseline analysis was that, by 2006, eastern Mid-Atlantic PJM (Philadelphia area, New Jersey and the Delmarva Peninsula) would begin to experience reliability issues, absent the addition of generation resources or transmission enhancements to meet growing consumer demand and the deactivation of existing generation.”

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 25:**

Regarding the 2007 RTEP, at section 3.2.2, please describe how “[t]hose reliability concerns were largely mitigated between 1999 and 2003 with the addition of new generating resources”, and identify and describe the new generating resources, and their summer and winter peak capacity.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 26:**

Regarding the 2007 RTEP, at section 3.2.2, in the 15-year regional transmission expansion plan completed in 2007, did PJM's analyses identify numerous overloads on critical 230 kV circuits across Eastern Pennsylvania and Northern New Jersey all of which are enumerated in TABLE 3.1 and identified on MAP 3.3?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 27:**

Regarding the 2007 RTEP, does table 3.1 set forth “[t]he Reliability Criteria Violations Driving the Need for the Susquehanna – Roseland line”?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 28:**

Regarding the 2007 RTEP, why didn't the overloads driving the need for the Susquehanna – Roseland line enumerated in TABLE 3.1 and identified on MAP 3.3 arise during the 2006 RTEP process? What changed from the 2006 RTEP? Did the overloads get worse? Why? Please produce the documents that discuss the differences between the 2006 and 2007 RTEP that caused the alleged need for the Susquehanna – Roseland line.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 29:**

During the 2007 RTEP process, did PJM or the Applicant study reconductoring, retensioning, or otherwise raising the line rating of the Mt. Storm to Doubs line as an alternative to constructing the PATH line? Please describe these studies, and any cost analysis done in connection with such studies, and produce all documents relating to same.

ANSWER:

**INTERROGATORY 30:**

During the 2007 RTEP process, did PJM or the Applicant study reconductoring, retensioning, or otherwise raising the line rating of any line other than the Mt. Storm to Doubs line as an alternative to constructing the PATH line? Please describe these studies, and any cost analysis done in connection with such studies and produce all documents relating to same.

ANSWER:

**INTERROGATORY 31:**

Please identify, describe and produce all non-privileged documents that refer or relate to the proposed “Prexy Facilities” (part of the proposed TrAIL project), dated since November 1, 2008, including, but not limited to, all TEAC PowerPoints or other presentations that refer to the Prexy Facilities.

ANSWER:

**INTERROGATORY 32:**

Regarding the 2007 RTEP, identify and describe how the “load forecast changes” from the 2006 RTEP resulted in the alleged need for the PATH line, or the timing of the alleged need.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 33:**

Regarding the 2007 RTEP, identify and describe how the “load forecast changes” from the 2006 RTEP resulted in the alleged need for the MAPP line, or the timing of the alleged need.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 34:**

Regarding the 2007 RTEP, identify and describe how the “load forecast changes” from the 2006 RTEP resulted in the alleged need for the Susquehanna – Roseland line, or the timing of the alleged need.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 35:**

Since the 2007 RTEP, identify and describe how, and what, “load forecast changes” or other changes caused the projected in service date of PATH to change on two separate occasions.

- a. Please produce all documents that discuss the changes to PATH’s in service dates and, if you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 36:**

Regarding the 2007 RTEP, at Section 3.3.2, did 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” have any effect on the alleged need for the Susquehanna – Roseland line?

ANSWER:

**INTERROGATORY 37:**

Regarding the 2007 RTEP, at Section 3.3.2, how did 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” effect the alleged need for the PATH line? What specifically did it effect, and how? Please also answer the following questions:

- a. Was the 1,000 MW transfer from First Energy in MISO to First Energy’s customers in PJM? Please describe where the transfer originates, where it is going, and the customers affected in each area.
- b. Identify and describe this firm transfer, and any legal proceedings relating to same.
- c. Was it a long term firm transfer service? Please describe what it was.
- d. Identify the queue position for the firm transfer, the initial queue date, the beginning and end dates for the transfer, and whether there were any studies of the transfer.
- e. What additional transmission facilities are necessary because of this firm transfer?
- f. If there was no such firm transfer, does the modeling show a need for the proposed PPL line or facilities? Different facilities? Smaller facilities? What does it show?
- g. Who will pay for the additional transmission facilities that may be necessary as a result of this firm transfer?
- h. Please produce all documents that relate to your answer to these questions, and if you rely upon any documents in support of your response, please identify and produce the documents.
- i. 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:

**INTERROGATORY 38:**

Regarding the 2007 RTEP, at Section 3.3.2, describe what is meant by, and the significance of, the “impedance increase for the 502 Junction – Loudoun line due to its longer route” on the alleged need for the PATH line. Did this impedance increase cause or contribute to the alleged need for the PATH line? If your answer to the immediately preceding question is yes, please answer the following:

- a. How did the change in impedance affect the modeling? The results of the modeling?
- b. What was the impedance for the 502 – Loudoun line used in the 2006 RTEP? In the 2007 RTEP?
- c. If there was no such impedance increase, does the modeling show a need for the proposed PPL line or facilities? Different facilities? Smaller facilities? What does it show?
- d. Please produce all documents that relate to your answer to these questions, and if you rely upon any documents in support of your response, please identify and produce the documents.
- e. 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.

**INTERROGATORY 39:**

Regarding the 2007 RTEP, at Section 3.3.2, describe what is meant by, and the significance of, the “increase in import capability required into the PEPCo transmission zone as a result of its decision to terminate its Active Load Management program” on the alleged need for the PATH line. Did this increase in import capability contribute to the alleged need for the PATH line? If so, please answer the following:

- j. How did the change affect the modeling? Or the results of the modeling?
- k. What was the amount of the reduction in forecast load for *each individual* year from 2012 – 21 due to the Active Load Management program in the 2006 RTEP? What was the change between the 2006 and 2007 RTEPs?
- l. If there was no such termination of the Active Load Management program, does the modeling show a need for the proposed PPL line or facilities? Different facilities? Smaller facilities? What does it show?
- m. When was the program terminated? What effect did it have on the load flows? On demand projections?
- n. Please produce all documents that relate to your answer to these questions, and if you rely upon any documents in support of your response, please identify and produce the documents.
- o. 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.

**INTERROGATORY 40:**

Regarding the 2007 RTEP, at section 3.1.3, was the need for the three new circuits (the MAPP line, the PATH line, and the Susquehanna – Roseland line) “justified on the basis of resolving reliability criteria violations”?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 41:**

Regarding the 2007 RTEP, at section 3.1.3, did PJM approved three new backbone transmission lines (the MAPP line, the PATH line, and the Susquehanna – Roseland line) solely for reliability reasons?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 42:**

Regarding the 2007 RTEP, at section 3.2.3, is the following statement still accurate regarding the Susquehanna – Roseland line:

An important distinction must be made here. This new circuit has been justified on the basis of reliability as identified by reliability criteria violation tests in PJM's RTEP process deliverability studies. From an economic perspective, the line was not proposed to facilitate access of specific new generation proposals, even though this additional backbone capability can present economic opportunities for them.

If your answer is anything other than an unqualified “yes”, please describe what in the above statement is inaccurate and provide a corrected (accurate) statement.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 43:**

Regarding the 2007 RTEP, at section 3.2.3, does the following statement also apply to the PATH line:

An important distinction must be made here. This new circuit has been justified on the basis of reliability as identified by reliability criteria violation tests in PJM's RTEP process deliverability studies. From an economic perspective, the line was not proposed to facilitate access of specific new generation proposals, even though this additional backbone capability can present economic opportunities for them.

If so, please identify and repeat in your answer to this interrogatory the exact language in the 2007 RTEP report where such a statement appears with respect to the PATH line.

ANSWER:

**INTERROGATORY 44:**

Is the reference to “process deliverability studies” in section 3.2.3 of the 2007 RTEP (quoted in the prior two questions) a reference to PJM’s load and/or generator deliverability tests? Which test or tests are being referred to? If it is not a reference to the load or generator deliverability tests, what is it a reference to?

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 45:**

Regarding the 2007 RTEP, does table 3.4 describe the reliability criteria violations driving the need for PATH as of that date? Is table 3.4 still accurate? Does it list the reliability criteria violations that are currently driving the need for the PATH line?

ANSWER:

**INTERROGATORY 46:**

Regarding the 2007 RTEP please state whether demand side reduction measures (“DSM” or “DSR”) were modeled in the 2007 RTEP process and, if so, describe how it was used, and produce the documents that describe how DSM was used in the modeling.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 47:**

Regarding the 2007 RTEP, at section 3.3.3, because PJM believes that “[u]nlike a generator, DSR is not expected to provide steady firm capacity output over an extended period of time” how did that affect the use of DSR in the 2007 RTEP modeling? Please explain.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 48:**

Regarding the 2007 RTEP, at section 3.3.3, because PJM believes that “for purposes of long-term planning for total system adequacy, substituting DSR for incremental transmission capability could require several times the equivalent amount of new generation that would be needed to offset the new transmission capacity”, how did that belief affect the use of DSR in the 2007 RTEP modeling? Was DSR discounted in the modeling for either (or both) contributing to problems or providing solutions to problems? Please explain how the treatment of DSR in the 2007 RTEP modeling compared to the treatment of wind generator resources in PJM’s modeling.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 49:**

Regarding the 2007 RTEP, at section 3.2.3, which provides that “the Susquehanna – Lackawanna – Jefferson – Roseland 500 kV line will provide more robust access to existing generation in north-central and northeastern Pennsylvania and to additional queued generation projects also under development in northeastern Pennsylvania”, please state whether the PATH line provide “more robust access” for generation? Please produce the documents that discuss the “more robust access” the PATH line will provide, list the generators, and provide the summer and winter capacity of the existing and planned generation referred to in your answer.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 50:**

Regarding the 2007 RTEP, at section 3.2.1, which provides that the Susquehanna – Roseland “circuit would create a strong link from generation sources in northeastern and north-central Pennsylvania, including the Susquehanna Nuclear Station, across northeastern Pennsylvania into New Jersey,” please identify and describe whether the PATH line provide a “strong link to generation resources”? If so, which ones? Please produce the documents that discuss this link, or any congestion relief or increase in transfer capability from the PATH line. Please produce the documents that discuss the generation sources the PATH line will provide access to, and provide the summer and winter capacity of the existing and planned generation referred to in your answer.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 51:**

Regarding the 2007 RTEP, at section 3.2.1, which provides that the Susquehanna – Roseland “the line could also be extended from Susquehanna at its western end to integrate with a cluster of new coal-fired generation resources in central Pennsylvania, currently under development through PJM’s interconnection process” please identify and provide the expected integration at the western end of the PATH line with coal-fired or other generation resources. How will the PATH line affect the ability of the Applicant’s (or its parent’s, subsidiaries’ and affiliates’) generation resources to reach eastern or other markets, or increase production?

- a. If you rely upon any documents in support of your response, please identify and produce 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.

**INTERROGATORY 52:**

Regarding the 2007 RTEP at 3.3.3 please describe and produce all documents regarding the consideration of the alternatives listed, the costs of the various alternatives, the relative benefits of the alternatives considered, whether any alternatives other than those listed at 3.3.3 were considered, and the decision not to, at the time of the 2007 RTEP, choose the 765 kV alternative from Amos – Kemptown. Please also produce all documents regarding the reasons the configuration of the PATH line changed to the currently-proposed PATH line from the one that was proposed in the 2007 RTEP.

- a. Please produce all documents discussing or evaluating alternatives to the currently-proposed PATH line and if you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 53:**

Regarding the 2007 RTEP, why was the currently-proposed PATH line (the 765 kV alternative from Amos – Kemptown) rejected? Please produce all documents regarding the analysis of this option and the reasons it was rejected in 2007.

- a. Please produce all documents discussing or evaluating alternatives to the currently-proposed PATH line and if you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 54:**

Regarding the 2007 RTEP at 3.3.3 please identify, describe, and produce the documents that identify and discuss the strict environmental restrictions relating to the approval or siting of new generation facilities that were under consideration in Pennsylvania and New Jersey at the time of the 2007 RTEP. Were any of the environmental restrictions that were under consideration at that time adopted? Please identify and describe them, and produce the documents that discuss the effect of these “restrictions” on the alleged need for the PATH line.

- a. If you rely upon any documents in support of your response, please identify and produce 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:

**INTERROGATORY 55:**

For the 2006 RTEP, which version of PJM Manual 14b was in effect? Please produce all versions of PJM Manual 14b, and any documents summarizing or red-lining the changes between versions.

ANSWER:

**INTERROGATORY 56:**

For the 2007 RTEP, which version of PJM Manual 14b was in effect?

ANSWER:

**INTERROGATORY 57:**

For the 2008 RTEP, which version of PJM Manual 14b was in effect?

ANSWER:

**INTERROGATORY 58:**

For the 2009 RTEP, which version of PJM Manual 14b is in effect?

ANSWER:

**INTERROGATORY 59:**

Please identify, describe, and produce all PowerPoint or other presentations (whether created by the Applicant, PJM or others) that discuss or mention the PATH line or PJM's load or generator deliverability tests, including, but not limited to, any presentations by any witnesses in the PATH proceedings in West Virginia, Maryland or Virginia.

ANSWER:

**INTERROGATORY 60:**

Please produce a copy of all discovery responses by the Applicant in the Maryland and Virginia proceedings.

ANSWER:

**INTERROGATORY 61:**

Please produce all documents sent to Dr. Witt by Larry Hozempa during or before the TrAIL proceeding that he relied upon regarding the expected increase in generation capacity in West Virginia as a result of the TrAIL project. Please describe the process by which Mr. Hozempa came up with the expected increase in generation capacity in West Virginia as a result of the TrAIL line, and produce the documents and back up material he used in reaching that calculation. What is the expected increase in generation capacity in West Virginia as a result of the PATH line? What about in other states, such as Kentucky? Or Ohio?

ANSWER:

**INTERROGATORY 62:**

Regarding the 2007 RTEP at 3.3.4 please identify, describe and produce all market efficiency studies or considerations that involve the PATH line, and/or any potential economic effect of the PATH line.

- a. Please produce all documents discussing or evaluating market efficiency studies or considerations involving the PATH line and if you rely upon any documents in support of your response, please identify and produce 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 **FIRST 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 19<sup>th</sup> day of August, 2009.

  
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William V. DePaulo