

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
FIFTH 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 and the West Virginia Highlands Conservancy’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. The Application of PATH Allegheny Virginia Transmission Corporation for approval and certification of the PATH line states on p. 10 that “The testimony of Milorad Pokrajac explains the effect on the rates of Potomac Edison’s Virginia customers as a result of the construction of the PATH Project, and the testimony of William Bosta explains the effects of the PATH project on the rates of APCo’s customers in Virginia.” Are the effects described by Messrs. Pokrajac and Bosta the complete and total effects of the PATH project on the rates of the Virginia customers of Potomac Edison and APCo?

2. Will the electricity prices in PJM's real-time electricity markets be the same with and without the PATH project?

3. Unless the answer to (2) is an unqualified “yes,” will the differences in electricity prices in PJM’s real-time electricity markets, with and without the PATH project, cause differences in the cost of electricity to electric customers in Virginia?

4. Will the market clearing prices in PJM's RPM market be the same with and without the PATH project?

5. Unless the answer to (4) is an unqualified “yes,” will the differences in market clearing prices in PJM’s RPM markets, with and without the PATH project, cause differences in the cost of electricity to electric customers in Virginia?

6. Will the hourly and annual output of generating units in PJM be the same with and without the PATH project?

7. Will the construction of new generating units in PJM be the same with and without the PATH project?

8. Unless the answers to both (2) and (3) are unqualified “yes,” please provide copies of all studies, correspondence, or analyses of the effects of the PATH project on electricity prices in PJM’s real-time and RPM markets.

9. Unless the answers to both (6) and (7) are unqualified “yes,” please provide copies of all studies, correspondence, or analyses of the effects of the PATH project on the hourly and annual output of generating units in PJM.

10. Unless the answers to both (6) and (7) are unqualified “yes,” please provide copies of all studies showing the hourly and annual output of generating units in PJM, with and without the PATH project.

11. Unless the answer to (7) is an unqualified “yes,” please provide copies of all studies, correspondence, or analyses of the effects of the PATH project on the construction of new generating units in PJM.

12. Unless the answers to (2) through (7) are all unqualified “yes,” please provide copies of all studies, correspondence, or analyses of the total effects of the PATH project on costs of electricity to customers in Virginia, including the effect of any changes in “congestion costs” to holders of FTRs or customers in Virginia.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **FIFTH 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