

PUBLIC SERVICE COMMISSION OF WEST VIRGINIA
CHARLESTON

DONNA PRINTZ,
THOMAS and KATHY HILDEBRAND,
and JOHN COLEMAN,

Complainants,

v.

RE: CASE NO. 09-1758-E-C

TRANS-ALLEGHENY INTERSTATE
LINE COMPANY, a public utility,

Defendants.

Complainants' Response to Trans-Allegheny Interstate Line Company's Motion to
Compel Responses to Discovery Requests (First Set) to Complainants

COME NOW the Complainants Donna Printz, Thomas Hildebrand, Kathy Hildebrand and John Coleman and respond to TrAILCo's January 11, 2010, Motion to Compel Responses to Discovery Requests (First Set) to Complainants.

Interrogatories # 1-5

Complainants in good faith have responded to TrAILCo's requests for discovery. It is important to note that we own property in Tucker and Hardy Counties, we communicate with neighbors and observe our environment and what is happening with clearing of the ROWs. Our observations included seeing a sign at one of the sites that identified TrAILCo as the responsible party (photo attached). At the time our complaint was filed, any reasonable person would have concluded it was TrAILCo clearing the right-of-way. Our complaint was based on personal investigations and observations and not on information from any third party. In photos 1,3, and 4,

complainants personally took the photographs. In photos 3 and 4, complainants personally spoke with neighbors and community members to determine what companies were working in the area. In photos 5 and 8 the photographs were taken by the Light Hawk group from the air over Western Pocahontas property on Backbone Mountain and gave us some insight from the air as to the extent of ROW clearing and the width of ROWs. It seems improbable to the complainants that private landowners would clear a strip of land across their private properties matching exactly the location of the TrAIL and/or the proposed PATH ROWs without input from TrAILCo and its contractors and surveyors.

Document Request #2

Prior to filing the Formal Complaint against TrAILCo before the WVPSC, the complainants asked some other parties if they were interested in joining in our complaint. We received no written responses to those inquires. We have no responsive documents.

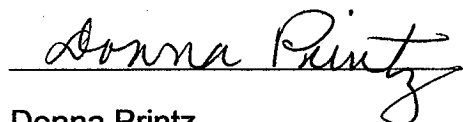
Document Request # 4

Complainants had face-to-face and phone communications with Mr. Jim Winters and Lee Kelly in Tucker Co., Photos 6 and 7. They informed us that Allegheny and/or TrAILCo was responsible for the cutting.

As part of preparation for filing the complaint we arranged for a flight over a portion of the TrAILCo line to better understand the extent of the clearing. The flight request document is attached. Complainants also had conversations with friends and neighbors concerning the complaint, but we derived our understanding of the nature of

the clearing from our own observations. These observations were included in the complaint and in previous responses to discovery. There are no hidden motives here and our concerns have been open and clear in our formal complaint filed on October 19, 2009. The complainants take this complaint very seriously and have been completely honest in their responses and continue to cooperate in all aspects of this process. We have no other responsive documents.

Dated this 19 day of January, 2010.

A handwritten signature in cursive script that reads "Donna Printz". The signature is written in black ink and is positioned above a horizontal line.

Donna Printz,
Thomas Hildebrand,
Kathy Hildebrand, and
John Coleman

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CERTIFICATE OF SERVICE

I, Donna F. Printz, do certify that I have served the foregoing *Complainants' Response to Trans-Allegheny Interstate Line Company's Motion to Compel Responses to Discovery Requests (First Set) to Complainants* upon the below named counsel on the date indicated by depositing a true and correct copy of the foregoing in the United States Mail, first class, postage prepaid as follows:

John Philip Melick, Esquire
Counsel for TrAILCo
Jackson & Kelly PLLC
Post Office Box 553
Charleston, West Virginia 25322

on this 19 day of January, 2010.



Donna F. Printz

For info on NPDES
Stormwater Permit
To the National Highway Construction Plan
Call: 800-654-5237
or
800-472-7699
1000 N. 2nd Street
Chickadee, PA 15204
Application to 8/10/08
Trans-Allegheny Interstate
Line Company
500 kV Transmission Line
Project
866-472-7699

Personal phone numbers have been blacked out.

LIGHTHAWK FLIGHT REQUEST FORM

1. Date submitted: 09-30-2009

2. Partner Organization:

WV Citizens for Responsible Energy Policy
884 Lost Road, Martinsburg, WV 25403

[REDACTED]

In addition, it looks like West Virginia Highlands Conservancy
<<http://www.wvhighlands.org/>> may sign on to our complaint to the Public Service Commission.

(Include mailing address and main phone number.)

3. Lead Contact:

John Coleman
Rt. 2 Box 142, St. George, WV 26287

[REDACTED]
[REDACTED]
john@hilerun.org

(Name, job title, and full contact information including work, home and cell phones; pager; email; and mailing address if different from above. This level of detailed contact information including home phone is needed in the event that a flight must be cancelled for weather the evening before a flight and/or on the weekend.)

4. Alternate Contact (if any):

Donna Printz
884 Lost Road
Martinsburg, WV 25403

[REDACTED]
[REDACTED]
wvbiker98@aol.com

John Balasko
734 Halleck Rd.
Fairmont, WV (next to Morgantown)

[REDACTED]
[REDACTED]
mjmb@westco.net

(Name, job title, and full contact information including work, home, and cell phones; email; and mailing address if different from above.)

5. Purpose of flight(s):

As part of constructing a 500 kV transmission line (Trans-Allegheny Interstate Line Company ("TrAILCo")) is clearing the proposed right-of-way. They have permits for clearing a portion of the route but not all. From ground reconnaissance, we have found that they are not complying with the WV Public Service Commission order to only clear trees when the line will be within 100 feet of the ground. Our goal in a flight would be to document the full extent of their non-compliance with the PSC order. Some examples of current clearing by TrAILCo are viewable at: <<http://www.lic.wisc.edu/users/jsc/2009-08-16a3/>> . At this point, please keep the information in this request confidential.

(Please provide background and specific objectives. Attach or point to supporting documents or sections of your website as needed to help us understand your goals.)

6. Area(s) to be flown, proposed route, approximate flight time or distance, and specific areas/features to be highlighted:

A map of the TrAIL route is attached. The particular section of the route that we have observed violations of the PSC order are in Tucker, Preston, and Hampshire Counties. These counties would be a priority for the flight. More detailed maps are available if needed.

GPS waypoints along the route can be supplied. What format would be best?

(Latitude/Longitude or GPS waypoints are appreciated when possible.)

7. Special considerations:

Flight would be for still and video photography of the clearing being conducted for the line. Post-flight, the photography would be synchronized with a GPS "track" collected along the flightline.

(For example, need window open for photography, need to carry special equipment, need to fly at certain time of day, need very low altitude flying, etc.)

8. Preliminary passenger list:

1 passenger: David Seville of Morgantown, WV cell phone [REDACTED]

height 5'-11" weight 195 lbs

(Name, organizational affiliation if any, total number of passengers, and approximate weight of each passenger if known is appreciated. Please note that a final list of passengers is required before the flight.)

9. Preferred date(s) for flights:

any day from Oct 5th to Oct. 16th,

but NOT: Oct. 9, 12, 14

weekend of Oct. 10 & 11 is also OK

DONNA F. PRINTZ
884 Lost Road
Martinsburg, West Virginia 25403

January 19, 2010

Ms. Sandra Squire, Executive Secretary
Public Service Commission of West Virginia
201 Brooks Street
Post Office Box 812
Charleston, West Virginia 25323-0812

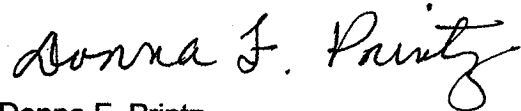
Re: Case No. 09-1758-E-C

Dear Ms. Squire:

Please find enclosed the original and twelve (12) copies of *Complainants' Response to Trans-Allegheny Line Company's Motion to Compel Responses to Discovery Requests (First Set) to Complainants* in the above case, a copy of which has been provided to Defendant's counsel.

Thank you for your assistance.

Very truly yours,



Donna F. Printz

DFP/cr

Enclosures

cc: John Philip Melick, Esquire