

November 21, 2014

Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

RE: Potomac-Appalachian Transmission Highline, LLC  
and PJM Interconnection, L.L.C.  
Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated

Dear Secretary Bose:

In accordance with the Order Setting Hearing, Procedural Schedule, and Rules of Conduct, issued April 15, 2014 in the above-referenced dockets, Keryn Newman and Alison Haverty hereby submit the testimony and exhibits that constitute their direct testimony and answer to PATH's direct case.

The testimony exclusively addresses issues raised in the Formal Challenges to PATH's Formula Rate Annual Updates that were set for hearing in Docket No. ER09-1256-002.

The testimony and exhibits filed today consist of:

- Direct and Answering Testimony and Exhibits of Keryn Newman (Exhibits NH-1 through NH-58)
- Direct Testimony and Exhibits of Douglas S. Kaplan (Exhibits NH-59 through NH-62)
- Direct and Answering Testimony and Exhibits of Alison Haverty (Exhibits NH-63 through NH-67)

We have attached an Index of Newman-Haverty Exhibits.

Sincerely,

/s/ \_\_\_\_\_  
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**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Potomac-Appalachian Transmission  
Highline, LLC and PJM Interconnection, L.L.C.**

**Docket Nos. ER12-2708-003  
ER09-1256-002  
CONSOLIDATED**

**INDEX OF NEWMAN-HAVERTY EXHIBITS**

<b>Exhibit No.</b>	<b>Witness Name</b>	<b>Description</b>	<b>Identified</b>	<b>Received</b>
NH-1	Newman	Prepared Direct and Answering Testimony of Keryn Newman		
NH-2	Newman	American Electric Power Meeting Minutes dated 3/15/10 for subject "Classification of Charles Ryan Invoices"		
NH-3	Newman	PATH emails discussing and distributing "cheat sheet" for Charles Ryan invoices dated March 2010		
NH-4	Newman	PATH Treasury/Finance/Accounting/Tax Team slide dated 10/27/10 and 11/16/10 PATH FERC Accounting Meeting Notice		
NH-5	Newman	PATH emails regarding discussion to improve invoicing with Charles Ryan dated January 2011		
NH-6	Newman	Corrections to PATH's 2011 Annual Update		
NH-7	Newman	Contract between PATH and Charles Ryan Associates		
NH-8	Newman	PATH Response to Data Request STAFF-PATH-I-1.4e		
NH-9	Newman	PATH Six-Month Communications Plan for the period July 2009 – February 2010		
NH-10	Newman	Draft form letter to the Virginia Corporation Commission supporting the PATH project		
NH-11	Newman	PATH Public Involvement Plan from Line Routing Evaluation		

NH-12	Newman	Reliable Power Coalition Expenses 2009-2011		
NH-13	Newman	Example Charles Ryan Associates Invoice for West Virginians for Reliable Power Expenses for May 2010		
NH-14	Newman	PATH emails discussing formation of Reliable Power Coalitions		
NH-15	Newman	Screen shot of Marylanders for Reliable Power Website, 2010		
NH-16	Newman	Reliable Power Coalition domain name registration records		
NH-17	Newman	West Virginia Secretary of State Business Name Reservation for West Virginians for Reliable Power		
NH-18	Newman	PATH emails regarding registration of reliable power coalition business names, June 2010		
NH-19	Newman	PATH Response to Data Request IND-PATH-I-14, Reliable Power Coalition business reservation forms		
NH-20	Newman	"PATH questions remain," The Journal, Martinsburg, W.Va., May 5, 2010		
NH-21	Newman	PATH emails regarding purpose of reliable power coalitions		
NH-22	Newman	Letter of Agreement between Brown Communications and PATH		
NH-23	Newman	PATH Purchase Order to The Artemis Group for Maryland Coalition Services		
NH-24	Newman	Engagement Letter between McGuire Woods Consulting and Charles Ryan		
NH-25	Newman	Minutes of PATH's External/Communications Committee and PATH Steering Committee meetings, 2008 - 2011		
NH-26	Newman	PATH emails detailing its plan for Communications Support for VA Public Input Hearings		
NH-27	Newman	Virginians for Reliable Energy internet advertisement		

NH-28	Newman	PATH emails recommending creating distance between PATH and reliable power coalitions		
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NH-34	Newman	PATH emails regarding expertise of PEAT spokesmen		
NH-35	Newman	PEAT Biographies		
NH-36	Newman	Subcontractor Agreement between Charles Ryan Associates and Tom Bloss		
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NH-59	Kaplan	Direct Testimony of Douglas S. Kaplan		
NH-60	Kaplan	Sugarloaf Conservancy request for PEAT educational speaker, August 10, 2009		

NH-61	Kaplan	Russell Frisby letter to Sugarloaf Conservancy declining invitation, August 17, 2009		
NH-62	Kaplan	Sugarloaf Conservancy letter to Russell Frisby asking for reconsideration, August 16, 2009		
NH-63	Haverty	Direct and Answering Testimony of Alison Haverty		
NH-64	Haverty	PATH advertising invoices erroneously recovered from ratepayers		
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NH-66	Haverty	Advertising copy		
NH-67	Haverty	Advertising invoices correctly not recovered from ratepayers		

## CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010 (2012), I hereby certify that I have this day served a copy of the foregoing on the Service List established for service in this proceeding.

Dated this 21st day of November 2014 at Shepherdstown, West Virginia.

/s/ Keryn Newman

Keryn Newman, *pro se*

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# **Exhibit No. NH-1**

**Direct and Answering Testimony of Keryn Newman**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC )	Docket No. ER09-1256-002
and PJM Interconnection, L.L.C. )	Docket No. ER12-2708-003
	CONSOLIDATED

**SUMMARY OF THE DIRECT AND ANSWERING TESTIMONY  
OF KERYN NEWMAN**

Ms. Newman’s testimony demonstrates that activities carried out by PATH and characterized as “public education and outreach” activities were in fact activities designed to build public advocacy and support for the PATH project. Additionally, other activities that PATH has categorized as “consulting” were in fact lobbying activities. The costs for the activities at issue were recovered from all PJM Interconnection ratepayers in 2009, 2010 and 2011 via PATH’s Formula Rate, however advocacy and lobbying expenses are not properly recovered from ratepayers and must be refunded.

Ms. Newman documents PATH’s own uncertainty and internal contradictions regarding the proper recording of the questioned expenses and the lack of adequate documentation of the invoices it paid for these services. While PATH admitted to and corrected some limited errors in its 2009 and 2010 Annual Updates, it has not corrected the errors that were the subject of the Formal Challenges.

The activities PATH characterized as “public education and outreach” were efforts to recruit and induce supportive testimony at state and federal public input hearings regarding the PATH project in order to influence approval of its permit applications.

PATH created and funded three “reliable power coalitions” to provide an appearance of grassroots support for the PATH project. The “coalitions” were not legally constructed, independent groups, but virtual constructs controlled by PATH’s public relations contractors and subcontractors. The “coalitions” were designed solely to build public advocacy and recruit champions for the PATH project.

The PATH Education and Awareness Team (“PEAT”) was a tactic designed to build business and labor support and advocacy for the PATH project. PEAT’s presentations were one-sided promotions of the PATH project and were not carried out in public venues. PEAT also attempted to build advocacy for the PATH project by soliciting signatures on a petition supporting the PATH project that was directed to the three state regulatory commissions considering PATH’s permit applications. PEAT’s activities were promotional, not educational.

To carry out its “coalition” and PEAT activities in private venues, PATH purchased numerous memberships in charitable, social non-profit groups, and business, governmental or trade associations that allowed the company to make promotional presentations to their memberships, or for the purposes of “corporate stewardship.” PATH’s sponsorship of the Maryland Chamber of Commerce induced the Chamber to directly intervene at the Maryland Public Service Commission in support of PATH’s application.

PATH and its contractors undertook public opinion surveys and focus groups to assess and monitor public opinion toward PATH and its opposition and make recommendations for ways to enhance public support for the PATH project. The public opinion polling was not carried out for the purposes of educating the public.

Access Point Public Affairs was hired by PATH to influence the administrative decision of the Loudoun County Virginia Board of Supervisors to modify or release a conservation easement it held that prohibited construction of PATH on its preferred route through the county. The activities of Access Point Public Affairs were lobbying.

PATH and its public relations contractor hired West Virginia registered lobbyist Larry Puccio to “meet with stakeholders” about the PATH project. PATH and its contractor failed to document the actual services provided by Mr. Puccio, and company emails refer to his services as lobbying. Mr. Puccio tendered a contract to the company for lobbying services. The services provided by Mr. Puccio were lobbying.

Ms. Newman’s testimony demonstrates that PATH has recovered the costs of its unsuccessful, multi-million dollar advocacy and lobbying campaign from ratepayers, including the cost of its continued legal defense of the challenges to the recovery of these costs. The challenged expenditures should be refunded to PJM Interconnection ratepayers.

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CONSOLIDATED

**DIRECT AND ANSWERING TESTIMONY AND  
EXHIBITS OF KERYN NEWMAN**

**ON BEHALF OF  
KERYN NEWMAN AND ALISON HAVERTY**

**NOVEMBER 21, 2014**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC ) and PJM Interconnection, L.L.C. )	Docket No. ER09-1256-002 Docket No. ER12-2708-003 CONSOLIDATED
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**EXHIBITS TO DIRECT TESTIMONY OF KERYN NEWMAN**

<b><u>EXHIBIT NO.</u></b>	<b><u>DESCRIPTION</u></b>
NH-1	Prepared Direct and Answering Testimony of Keryn Newman

- NH-2 American Electric Power Meeting Minutes dated 3/15/10 for subject "Classification of Charles Ryan Invoices"
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**DIRECT AND ANSWERING TESTIMONY OF KERYN NEWMAN**

**I. INTRODUCTION**

**Q. PLEASE STATE YOUR NAME AND ADDRESS.**

A. My name is Keryn Newman and my address is 6 Ella Drive, Shepherdstown,  
West Virginia.

**Q. PLEASE STATE YOUR BACKGROUND AND EXPERIENCE IN THE  
MATTERS ON WHICH YOU ARE TESTIFYING.**

A. I have previously managed accounts payable for a satellite communications  
firm in the Washington, DC metro area. In addition to seeing that vendors  
were paid correctly and on time, the most important part of my job was to  
ensure that expenses were correctly recorded according to the company's  
chart of accounts. Incorrectly recorded expenses could affect the cost to  
produce the company's products and directly affect its profit margin.  
Prior to that position, I worked in the company's purchasing department,  
assisting with the creation of purchase orders and determining correct cost  
responsibility for items purchased. I have also owned and operated an  
office services business where I provided billing and accounting services for  
clients. Currently, I provide consulting services for grassroots groups

1           opposing proposed electric transmission projects across the country. In  
2           this capacity, I provide advice about grassroots organization, opposition  
3           strategy and tactics, message development, and media relations.

4       **Q.    HAVE YOU PREVIOUSLY FILED TESTIMONY BEFORE A REGULATORY**  
5       **BODY?**

6       A.    No.

7       **Q.    PLEASE DESCRIBE YOUR INTEREST IN THIS MATTER.**

8       A.    As an electric customer in the PJM region who pays a portion of the rates at  
9           issue in this proceeding, I am an interested party as defined in PATH's  
10          Formula Rate protocols and have standing to examine and challenge PATH's  
11          rates that are passed through to the electric bill that I pay.

12   **II. PURPOSE OF TESTIMONY**

13       **Q.    WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

14       A.    My testimony will rebut the direct testimony of PATH witness Jay Ruberto  
15           (Exhibit No. PTH-7, pp. 6-13) that claimed expenditures he characterized as  
16           “public education and outreach” were properly recovered through PATH's  
17           Formula Rate. My testimony will demonstrate that PATH's reliable power  
18           coalition, PATH Education Awareness Team, membership, and public  
19           opinion polling expenditures were made for the purpose of building  
20           advocacy for its for-profit project, and not for the purpose of educating the  
21           public. My testimony will also demonstrate that PATH made other  
22           expenditures for the purpose of lobbying public officials and recovered

1 these expenditures from ratepayers in contravention of the Commission's  
2 accounting regulations and guidance.

3 **III. PATH'S FORMULA RATE**

4 **Q. WHAT IS PATH'S FORMULA RATE?**

5 A. PATH's Commission-approved formula rate is a fixed method for calculating  
6 an annual rate based upon a set of inputs. The inputs for PATH's formula  
7 rate are drawn from its FERC Form No. 1. PATH's Form No. 1 contains a  
8 yearly summary of its finances, including its expenditures, expressed in  
9 accordance with FERC's Uniform System of Accounts.

10 **Q. IS PATH REQUIRED TO MAKE ANNUAL FORMULA RATE FILINGS?**

11 A. Yes. In accordance with its Formula Rate Protocols, which are a part of  
12 PJM's Open Access Transmission Tariff, Attachment H-19B, PATH is  
13 required to make two annual formula rate filings with the Federal Energy  
14 Regulatory Commission (FERC).

15 On September 1 of each year, PATH must file its Projected Transmission  
16 Revenue Requirement (PTRR) for the next calendar year. The PTRR, which  
17 is the rate that is collected during the year, is based on an estimate of  
18 PATH's anticipated revenue requirement for the upcoming year.

19 On June 1 of every year, PATH must file its Actual Transmission Revenue  
20 Requirement (ATRR) for the preceding year. The ATRR compares actual  
21 costs against the PTRR estimate for the prior year, and adjusts the following  
22 year's rate to allow for either refund or recovery of the difference between  
23 a year's PTRR and ATRR rates.

1     **Q.     ARE PATH'S FORMULA RATE FILINGS REVIEWED OR AUDITED WHEN**  
2     **THEY ARE FILED WITH FERC?**

3     A.     No. PATH's formula rate filings are informational filings. PATH's Formula  
4     Rate Protocols set out a method for PATH's annual filings to be reviewed  
5     and challenged by persons or entities that pay PATH's rates.

6                     **IV. FERC'S UNIFORM SYSTEM OF ACCOUNTS**

7     **Q.     WHAT IS THE UNIFORM SYSTEM OF ACCOUNTS ("USofA")?**

8     A.     In simplest terms, the Uniform System of Accounts is a chart of accounts  
9     that is common to all entities regulated by the Commission. A chart of  
10    accounts is a list of accounts used by an entity to define each different class  
11    of its expenditures, revenue, assets and liabilities. A chart of accounts is  
12    used to organize the finances of the entity. FERC's USofA can be found in  
13    Title 18: Conservation of Power and Water Resources, Part 101 – Uniform  
14    System of Accounts Prescribed For Public Utilities and Licensees Subject To  
15    The Provisions Of The Federal Power Act.

16    **Q.     ARE ALL EXPENSE ACCOUNTS IN FERC'S USofA INCLUDED IN A**  
17    **UTILITY'S RATES?**

18    A.     No. The USofA segregates expenses into either "above the line" or "below  
19    the line" accounts. The "line" is Net Utility Operating Income. Accounts  
20    "above the line" are recovered in rates. Accounts "below the line" are not  
21    recovered in rates, but are the financial responsibility of the entity and its  
22    shareholders and are deducted from the company's income. The USofA

1 ensures that all expenses are accounted for in a standardized fashion, but  
2 only certain ones are properly included in rates, such as PATH's Formula  
3 Rate.

4 **Q. WHY IS IT IMPORTANT TO HAVE A STANDARDIZED SYSTEM FOR**  
5 **RECORDING EXPENSES?**

6 A. The accurate recording of expenses is the very foundation of the correct  
7 calculation of rates. Inaccurate or inconsistent recording of above and  
8 below the line expenses can directly affect a utility's rates, making the  
9 collected rate unjust or unreasonable.

10 **Q. DID PATH HAVE A STANDARDIZED SYSTEM FOR RECORDING ITS**  
11 **EXPENSES?**

12 A. Although PATH should have had a system in place that utilized the USofA as  
13 the basis for categorizing its expenses that were recorded on its Form No. 1  
14 and included in its Formula Rate filings, PATH has provided no evidence  
15 that such a system was in place. Instead, PATH has provided evidence of  
16 several instances where the recording of the expenses of contractor Charles  
17 Ryan and Associates ("Charles Ryan") was questioned by its own  
18 management, accountants and auditors. In each instance, PATH's  
19 accounting and management staff attempted to provide guidance for future  
20 invoicing and expense recording to its communications and external affairs  
21 personnel that were incurring and reviewing the questioned expenses, as  
22 well as to Charles Ryan personnel creating the invoices for these services.

1     **Q.     CAN YOU EXPLAIN EACH INSTANCE WHERE EXPENSE RECORDING WAS**  
2     **DISCUSSED OR WHERE GUIDANCE WAS PROVIDED TO THE**  
3     **EMPLOYEES INCURRING THESE EXPENSES?**

4     A.     A meeting regarding “classification of Charles Ryan invoices” was held on  
5     March 15, 2010 and attended by Allegheny Energy and American Electric  
6     Power employees providing project management, communications and  
7     accounting services to the PATH project. According to meeting minutes  
8     (Exhibit NH-2) the purpose of the meeting was to “make sure AEP and  
9     Allegheny are recording costs consistently.”  
10     On March 29, 2010, Thomas Holliday, AEP Director of Communications  
11     Services, sent an email to other project employees with an attached “cheat  
12     sheet” for PATH account coding that had been developed during a meeting  
13     between PATH and Charles Ryan (See Exhibit NH-3). The email stated,  
14     “...the recent preparation of the PATH-WV annual report led to a discussion  
15     between Accounting and CorpComm about how we are classifying invoices  
16     for the work done by Charles Ryan Associates and other  
17     external/communications consultants in support of PATH.”  
18     The second instance of discussion about improper recording of expenses  
19     occurred on and around October 27, 2010, as noted on a single PowerPoint  
20     slide PATH provided without explanation or context (See Exhibit NH-4). In  
21     a list of Treasury/Finance/Accounting/Tax Team bullet points, the slide  
22     notes: “Accurate recording of costs: Capital versus Expense, Recoverable  
23     versus Non-recoverable.” This is a rather succinct description of the errors

1 that had plagued PATH project expense recording, and is the basis for our  
2 Formal Challenges. On November 16, 2010, a meeting was held by PATH  
3 accountants to “discuss the FERC accounting rules over what is recoverable  
4 and not recoverable.”

5 The third instance occurred on or around January 18, 2011, in emails  
6 exchanged between PATH project accountants and communications  
7 personnel prior to “...a meeting to discuss my recent and ongoing issues  
8 with Charles Ryan invoices” (See Exhibit NH-5). An “Agenda for Discussion  
9 to Improve Invoicing with Charles Ryan & Associates” attached to the email  
10 noted, “...we are not receiving adequate invoice support from CRA to  
11 recover and support past accounting decisions.” Key issues and suggested  
12 changes focused on requiring Charles Ryan to provide adequate back up  
13 and support with its invoices, including the expenses of its subcontractors  
14 that were billed to PATH. The back up was intended to be sufficient to  
15 support “a prudent internal review or any discovery or audit request that  
16 may come 12-18 months after the invoice has been paid.” The agenda  
17 noted: “This is the second such attempt we’ve made to help better  
18 document work done in support of the project by CRA. The first was in early  
19 2010 with a good start and now this is an attempt to build on those  
20 guidelines with details we’ve found missing through Discovery and Audit  
21 experiences for 2009 and 2010.”

22 On January 21, 2011, accountant Catherine Tokar cautioned that certain  
23 aspects of PATH’s “Communication Plan” could potentially be construed as

1 lobbying and should be recorded in non-recoverable account 426.4,  
2 Expenses for Certain Civic, Political and Related Activities (See Exhibit NH-  
3 5). Examples given included: "...the letter writing campaign to state  
4 commissions as well as certain events directed toward commission elected  
5 officials."

6 It is important to acknowledge that these multiple recognitions by PATH  
7 accountants that invoices from Charles Ryan may not have been properly  
8 recorded were forward-looking only, and made no attempt to correct prior  
9 improper recording. The uncorrected, improper recording of Charles Ryan  
10 invoices that was duly recognized by PATH in these 2010 and 2011  
11 meetings and discussions makes up the lion's share of our Formal  
12 Challenges and must now finally be corrected.

13 **Q. DID THE GUIDANCE AND DISCUSSION CAUSE PROPER EXPENSE**  
14 **RECORDING GOING FORWARD?**

15 A. No. Although the guidance exercise was repeated several times over the life  
16 of the PATH project, Ms. Haverty and I continued to find expenses recorded  
17 incorrectly.

18 **Q. WHY WASN'T THE GUIDANCE EFFECTIVE?**

19 A. The guidance itself was incorrect in most instances.

20 **Q. CAN YOU EXPLAIN EACH INSTANCE WHERE INCORRECT EXPENSE**  
21 **RECORDING GUIDANCE WAS PROVIDED TO THE EMPLOYEES**  
22 **INCURRING THESE EXPENSES?**

23 A. The "cheat sheet" developed in the first instance noted above made several



1 critical errors in its interpretation of the USofA. Perhaps the biggest error  
2 was the presumption that “efforts to garner public support for the project”  
3 were recoverable in above the line account 923. Efforts to garner public  
4 support for a project are advocacy, an expense properly recorded below the  
5 line. Another error was the presumption that “planning & preparation for  
6 public hearings – including PEAT support of public hearings,” was properly  
7 capitalized in account 107. Expenditures made to garner advocacy for the  
8 project at public hearings are properly recorded to a below the line account.  
9 PATH’s guidance in this area was concerned only with separating expenses  
10 between “capital” (added to the rate base in account 107) and “O&M”  
11 (Operations and Maintenance expenses recovered in above the line  
12 accounts in the year incurred). PATH never properly addressed the  
13 necessary first step of determining whether the expenses are properly  
14 recoverable (“above the line”) or non-recoverable (“below the line”). PATH  
15 accountants skirted the issue in their discussions though. In 2011,  
16 accountant Ed Caldwell proposed that future invoices provide “sufficient  
17 detail to allow determination as to if it’s education or lobbying.” However,  
18 subsequent advice given by a different PATH accountant in a January 18,  
19 2011 email regarding the participation of “political leaders” in targeted  
20 audiences is incorrect. Accountant Catherine Tokar advised that if the work  
21 was intended to sway the politician’s opinion, it would be correctly  
22 recorded below the line, but if it was solely to educate the politician it  
23 should be considered “Advertising Educational” and charged to above the

1 line account 930.1. Account 930.1 is entitled "General advertising  
2 expenses," and shall include costs incurred in advertising and related  
3 activities. Advertising is not generally recoverable, but must be further  
4 examined to determine its nature. PATH's Formula Rate informed the types  
5 of advertising that PATH could recover: Safety, Education, Siting and  
6 Outreach advertising. Ms. Tokar makes an error in determining that all  
7 educational expenses must be considered advertising for purposes of  
8 recovery through the Formula Rate, when the costs are clearly not related  
9 to advertising. PATH's "cheat sheet" also incorrectly determined that  
10 advertising related to siting should be recorded in capital account 107.  
11 PATH's recoverable advertising "siting" category was to be recorded in  
12 expense account 930.1, according to the formula rate. In her testimony,  
13 Exhibit NH-63, Ms. Haverty will further address where the presumptions  
14 about recording expenses in Advertising account 930.1 were in error.

15 **Q. HOW SHOULD CHARLES RYAN EXPENSES HAVE BEEN RECORDED?**

16 A. The first determination that should have been made is whether the services  
17 were for the purposes of building advocacy/support for the PATH project,  
18 or were general public informational or educational expenses designed  
19 solely to disseminate impartial information. Advocacy expenses are not  
20 generally recoverable and should be recorded to a below the line account  
21 unless and until a sufficient showing is made to the Commission that the  
22 expenses provided benefit to ratepayers, and the Commission subsequently  
23 determines that they are recoverable. This foundational determination was

1 never made by PATH. Instead, PATH's ongoing issues with classification of  
2 Charles Ryan expenses were directly related to its presumption that all its  
3 Charles Ryan expenses were recoverable in above the line accounts without  
4 examining the nature of the service or purpose of the expense. It then  
5 became a matter of contorting existing account definitions and/or the  
6 description of the services invoiced in order to classify the subject expenses  
7 among above the line accounts, where they didn't quite fit FERC's USofA  
8 definitions. This after the fact manipulation of invoiced expenses made  
9 necessary the repeated meetings, "cheat sheets," and other incorrect  
10 guidance in an attempt to overcome PATH's initial error of failing to first  
11 determine whether or not the expense was recoverable.

## 12 **V. PATH'S ANNUAL UPDATE REVIEW**

### 13 **Q. WHAT IS PATH'S ANNUAL UPDATE?**

14 A. PATH's Annual Update, filed every year on June 1, is a comparison between  
15 the estimated rate that was collected during the prior calendar year, and  
16 the actual rate. The Annual Update performs a "true-up" between  
17 projected, estimated rates that are collected from customers, and the true  
18 rate calculated from expenditures actually made during the year. Any over-  
19 or under-collection of rates is added to the next year's rate, with interest,  
20 according to calculations in PATH's Formula Rate. Because the Annual  
21 Update adjusts the prior year's rates, each Annual Update relates to the  
22 prior calendar year, for example PATH's 2010 Annual Update makes  
23 adjustments to its 2009 rate.

1 The Annual Update review process is governed by PATH's Commission-  
2 approved Formula Rate Protocols.

3 **Q. HAVE YOU PARTICIPATED IN PATH'S FORMULA RATE ANNUAL**  
4 **UPDATE REVIEWS?**

5 A. Yes, I have participated in PATH's 2010, 2011, 2012, 2013 and 2014 Annual  
6 Update reviews by attending annual explanatory meetings and requesting  
7 and receiving information from PATH during the discovery period as  
8 provided in the Protocols.

9 **Q. WHAT IS THE PURPOSE OF THE REVIEW PERIOD?**

10 A. The review period allows parties who pay the rates to examine them by  
11 requesting and receiving information from the utility and working with the  
12 utility to resolve any discrepancies that arise.

13 **Q. HOW DID THE COMPANY WORK WITH YOU TO RESOLVE YOUR**  
14 **CONCERNS DURING THE REVIEW PERIOD?**

15 A. PATH limited its interaction with the parties during the review period to  
16 formal information requests and responses only, and made no effort to  
17 truly address my issues during that time. The Formula Rate Protocols  
18 provide for an additional thirty days after the discovery period ends for  
19 parties to resolve issues before the review period concludes. At the end of  
20 the resolution period, interested parties may submit a Preliminary  
21 Challenge of any outstanding issues of contention.

22 **Q. DID YOU FIND WHAT YOU BELIEVED TO BE ERRORS IN PATH'S**  
23 **ANNUAL UPDATE?**

1 A. Yes, numerous errors came to light through the information requests PATH  
2 chose to answer. Because there was no opportunity to simply discuss my  
3 issues with the company, I filed Preliminary Challenges as provided in  
4 PATH's Formula Rate Protocols at the end of each resolution period. The  
5 Preliminary Challenges to PATH's Annual Update, filed jointly with fellow  
6 ratepayer Alison Haverty, detailed the errors we had identified during the  
7 discovery period.

8 **Q. HOW DID PATH RESPOND TO YOUR PRELIMINARY CHALLENGES?**

9 A. Each year, PATH chose to respond to the Preliminary Challenge only in  
10 writing, denying all issues raised, and made no attempt to discuss the issues  
11 or provide a satisfactory explanation for the company's position. PATH  
12 made no attempt to work with us to resolve the issues identified within the  
13 time allotted for this purpose.

14 **Q. DID YOU INCLUDE ALL ERRORS DISCOVERED DURING THE DISCOVERY**  
15 **PERIOD IN YOUR PRELIMINARY CHALLENGE?**

16 A. No. During the course of structured information exchanges with PATH, the  
17 company admitted to some of the errors identified, and stated that it would  
18 correct the errors in a future filing. PATH subsequently filed a correction to  
19 both the 2010 and 2011 Annual Updates after the review period ended, and  
20 before a Formal Challenge was filed. The errors that PATH agreed to  
21 correct during the discovery periods were never included in any  
22 Preliminary or Formal Challenges because PATH had already committed in

1 writing to correct these errors and, in fact, had done so before any Formal  
2 Challenge was filed.

3 **Q. HAS PATH INCLUDED THE CORRECTIONS IT MADE TO ITS ANNUAL**  
4 **UPDATES AS EXHIBITS IN ITS DIRECT TESTIMONY?**

5 A. PATH included its pre-Challenge corrections made to the 2009 and 2010  
6 Annual Updates as Exhibit Nos. PTH-13, PTH-14 and PTH-15 attached to the  
7 testimony of Diana L. Gregory. PATH did not include corrections it made to  
8 its 2011 Annual Update. That correction is attached hereto as Exhibit NH-6.  
9 In addition, PATH informed me during the 2012 Annual Update discovery  
10 period that it would also be making corrections to its 2012 Annual Update,  
11 however I have seen no evidence that those errors were ever corrected.

12 **Q. CAN YOU CHARACTERIZE THE GENERAL NATURE OF THE VOLUNTARY**  
13 **CORRECTIONS THAT PATH MADE?**

14 A. Corrections to the Annual Updates included removal in their entirety of  
15 expenses that PATH admitted should have properly been recorded to below  
16 the line accounts, such as some of its donations, lobbying, and costs related  
17 to the FirstEnergy/Allegheny Energy merger. These expenses had been  
18 incorrectly included in PATH's Annual Update and recovered from PATH's  
19 ratepayers. The corrections provided a credit to the Annual Update, and the  
20 rate consumers had paid over the preceding year. PATH also corrected  
21 some of its inaccurate recording of expense items in its capitalized rate base  
22 accounts by reclassifying them to expense accounts. Capitalized costs earn  
23 a return while they depreciate over their useful life, while expense items

1 are recovered on a dollar-for-dollar basis in the year incurred. Incorrect  
2 capitalization of expense items artificially inflates the rate base and garners  
3 an unearned yearly return on equity for every year the error remains  
4 uncorrected.

5 **Q. DID THESE VOLUNTARY CORRECTIONS INCLUDE ANY OF THE**  
6 **AMOUNTS INCLUDED IN THE CHALLENGES THAT ARE THE SUBJECT OF**  
7 **THIS HEARING?**

8 A. No. The amounts challenged were never included in the voluntary  
9 corrections and therefore remain uncorrected.

10 **Q. CAN YOU SUMMARIZE THE ERRORS THAT WERE INCLUDED IN YOUR**  
11 **FORMAL CHALLENGES THAT WERE GRANTED BY THE COMMISSION IN**  
12 **ITS SEPTEMBER 20, 2012, AND JUNE 5, 2013, ORDERS?**

13 A. In subsequent sections of my testimony, I will address PATH's reliable  
14 power coalitions; the PATH Education Awareness Team ("PEAT"); PATH's  
15 memberships in various trade associations, business and community  
16 groups purchased to obtain an audience for its coalition and PEAT  
17 presentations; lobbying; and public opinion polling expenses. These  
18 expenditures were made in an effort to develop advocacy and third-party  
19 support for approval of the PATH project by various state regulatory  
20 commissions, as well as a satisfactory finding by the federal agencies  
21 conducting an Environmental Impact Statement under the National  
22 Environmental Protection Act ("NEPA") on PATH's proposed route through  
23 national park and forest units. The approvals of the West Virginia Public

1 Service Commission, Virginia State Corporation Commission, and the  
2 Maryland Public Service Commission were vital to the success of PATH's  
3 for-profit project. Approval of an environmentally satisfactory route  
4 through federal property was also a necessity to build the project.  
5 Alison Haverty will provide separate testimony (Exhibit No. NH-63)  
6 regarding PATH's advertising campaign, which was carried out to influence  
7 public opinion and build advocacy for approval of the project by state  
8 regulatory commissions and federal agencies.

9 **VI. PATH'S ADVOCACY-BUILDING EXPENSES**

10 **Q. DID PATH ENGAGE IN ACTIVITIES DESIGNED TO BUILD ADVOCACY**  
11 **FOR ITS PROJECT?**

12 A. Yes. As shown in Exhibit NH-7, Schedule 1, PATH's contract with public  
13 relations firm Charles Ryan, PATH engaged this firm to: 1) "Solicit third  
14 party endorsements that would broaden the project's base of support  
15 among opinion leaders, elected officials, and other influential stakeholders."  
16 2) "Identif[y] potential allies and stakeholders to serve as ambassadors  
17 supporting the project." 3) "Building and maintaining public support and  
18 acceptance for the PATH project." and (4) "Third-Party Advocacy - The  
19 Service Provider shall develop a plan for incorporating third-party support  
20 for the project."

21 **Q. DID PATH RECOVER THE COST OF ITS ADVOCACY-BUILDING EXPENSES**  
22 **FROM RATEPAYERS?**

23 A. Yes. PATH recorded these expenses in above the line accounts 923 (Outside



1 Services), 930.2 (Memberships), 930.1 (Advertising), and added them to  
2 Rate Base account 107 (Construction Work In Progress).

3 **Q. HOW SHOULD PATH HAVE RECORDED THESE EXPENSES?**

4 A. PATH should have recorded these advocacy-building expenses in below the  
5 line account 426.4, titled "Expenditures for certain civic, political and  
6 related activities," unless and until it made a sufficient showing to the  
7 Commission that the expenditures were impartially educational and  
8 provided benefit to the ratepayers who funded them. Commission  
9 precedent and accounting guidance prohibits direct recovery of the cost of  
10 advocacy-building and promotional activities that seek to persuade and  
11 influence the decisions of public officials in matters where the entity  
12 carrying out the activities has a distinct pecuniary interest in the outcome.  
13 If influencing the decisions of public officials is the intended outcome, the  
14 activities are promotional advocacy-building, and not for the purposes of  
15 providing objective, disinterested information to educate the public,  
16 legislators, regulators, the media, or other stakeholders.

17 **Q. HOW WAS PATH COMPENSATED FOR UNDERTAKING POLITICAL RISK?**

18 A. Public opinion presents a political risk. PATH was compensated for  
19 undertaking political risk through incentives the Commission approved in  
20 its February 29, 2008 Order, including a 14.3% return on equity. Any  
21 voluntary expenditures subsequently made by PATH to ameliorate political  
22 risk by purchasing advocacy should properly be funded by the company's  
23 return on equity profits, and not by ratepayers. To be compensated for

1           undertaking risk, and then to also collect the cost of ameliorating that risk,  
2           is to “double dip” into ratepayer pockets.

3       **Q.    WHY DO YOU BELIEVE THE EXPENDITURES CHALLENGED WERE MADE**  
4       **FOR THE PURPOSES OF BUILDING ADVOCACY, AND NOT TO SIMPLY**  
5       **EDUCATE THE PUBLIC?**

6       A.    The testimony of Jay Ruberto admits that PATH’s reliable power coalitions,  
7           PEAT program and advertising were designed to create and organize third-  
8           party support for the PATH project that was targeted at the state public  
9           service commissions considering PATH’s applications for a permit. PATH’s  
10          reliable power coalition, PEAT, membership and lobbying activities were  
11          not carried out in public venues, and were in fact activities designed to  
12          build advocacy for its proposal in private groups. The activities were not  
13          designed to provide the public at large with balanced, objective,  
14          disinterested, factual information in order to encourage individuals to  
15          independently form an opinion about PATH.

16          PATH’s statements indicate confusion about the difference between fact  
17          and opinion. While opinions are often based on facts, there can be many  
18          different, and oftentimes conflicting, facts that are weighed by an individual  
19          to form an opinion. PATH demonstrates that it believes its facts are the  
20          only facts, and that all conflicting facts are “misinformation” that must be  
21          suppressed in an effort to control public opinion by removing unflattering  
22          facts from public consideration. As demonstrated in Exhibit NH-8, PATH  
23          stated that it addressed “perceived consequences or disadvantages” of its

1 project by disseminating information designed to disprove those facts,  
2 instead of acknowledging them. Because many of the facts were entirely  
3 perceptual, such as fear of health effects from living in close proximity to  
4 transmission lines, dissemination of additional industry studies stating that  
5 there are no proven adverse health effects do little to change the perception  
6 of frightened parents who do not wish to risk their child's well-being. PATH  
7 did not address any potential disadvantages, it simply claimed that there  
8 were none.

9 The idea that public opposition is caused by a lack of education and that the  
10 simple transfer of more information will cause understanding and  
11 acceptance is a flawed concept known as the "information deficit model."

12 This model fails because it assumes the public is a blank slate without  
13 individual ethical, religious and cultural opinions gained through personal  
14 experiences, and that the public can be programmed to accept facts in  
15 isolation. However, personal risk extends beyond isolated facts, and  
16 individual externalities are considered to form perceptions. Facts in  
17 isolation are unlikely to alter this individual decision-making process, and  
18 new information must acknowledge common externalities in order to be  
19 heard.

20 In some instances, the activities that PATH categorized as "educational"  
21 attempted to engender an unnecessary sense of public trepidation to evoke  
22 an emotional, irrational, uninformed decision to support the PATH project  
23 in order to prevent disaster. PATH ordered its public relations contractors

1 and subcontractors to create “reliable power coalitions,” that were financed  
2 and directed by PATH, but made dishonest public claims of having no  
3 connection to the PATH project. PATH and its contractors created and  
4 carried out the PEAT program intended to build advocacy among business  
5 and labor groups in private venues. PATH financed numerous  
6 memberships, sponsorships, and donations necessary for its coalitions and  
7 PEAT programs to build advocacy from business and community groups.  
8 PATH conducted private, backroom lobbying of public officials and key  
9 groups, including third-party attempts to interfere in the state regulatory  
10 and federal environmental impact statement processes. PATH carried out a  
11 television, radio, internet, and print advertising campaign that was not  
12 objectively educational or informative, but designed to present a one-sided  
13 rendition of PATH’s benefits, without mentioning any detriments or costs.  
14 PATH’s voluntary advocacy-building expenditures were in the pursuit of  
15 one goal: To favorably influence public officials with the authority to  
16 approve PATH’s for-profit proposal through the advocacy of third-party  
17 champions and the manipulation of public opinion.

18 **Q. HOW DID PATH CHARACTERIZE THESE ACTIVITIES?**

19 A. PATH witness Jay Ruberto characterized these activities as necessary to  
20 “educate” the public so that public testimony presented to the state  
21 commissions considering PATH’s applications was supportive of the PATH  
22 project. In addition to the company’s evidence submitted in the formal  
23 hearing process, Mr. Ruberto stated that the commissions consider public

1 input gathered from written comments and testimony at public hearings,  
2 and that the decision of the commission could be significantly impacted by  
3 the public's input. Rather than trust its own presentation of evidence to the  
4 commission as adequate to prove the need for the project, PATH also  
5 embarked on a public advocacy campaign intended to control and influence  
6 the public input portion of the state regulatory process to support its  
7 project.

8 **Q. HOW IS THE PUBLIC INPUT PORTION OF THE REGULATORY PROCESS**  
9 **DESIGNED?**

10 A. The public input portion is supposed to come from an engaged and affected  
11 public that is not party to the formal hearing process. In many states,  
12 parties to the permitting case are not allowed to participate in the public  
13 input process. The public input process is not intended as a venue for a  
14 highly orchestrated public advocacy campaign carried out by the utility,  
15 where individuals recruited at ratepayer expense simply repeat company  
16 talking points in order to drown out the voices of other stakeholders. The  
17 public input process is designed to give voice to independent members of  
18 the public who are not official parties to the regulatory process.

19 **Q. WHAT WAS PATH'S PLAN FOR THE PUBLIC INPUT REGULATORY**  
20 **PROCESS?**

21 A. While PATH claims it was creating a public climate that would allow the  
22 regulatory process to proceed fairly while allowing facts to prevail over  
23 emotions and politics, there was nothing "fair" about PATH's overbearing

1 and expensive efforts to shape and control public opinion and the “facts”  
2 presented to the regulatory authorities. PATH’S Six-Month  
3 Communications Plan for the period July 2009 – February 2010 (See Exhibit  
4 NH-9) demonstrates PATH’s strategy for fostering a “fair” regulatory  
5 process: “Strategy: Establishing public confidence in the openness, fairness  
6 and independent competence of the regulatory process. Tactic:  
7 Organizational Support/Letter Writing Campaign (July-February) As the  
8 opposition’s outreach to the PSC/SCC and elected officials increases, we  
9 must continue to work with various organizations and groups to garner  
10 support for the project. Vendors, suppliers, customers, labor organizations  
11 and Reliable Power Coalition members will be targeted to write letters of  
12 support for the project to elected officials, the state commissions and the  
13 media.” PATH also planned to contact and “book” individuals to present  
14 supportive testimony at the public hearings. Some of the groups targeted to  
15 participate in PATH’s letter writing campaign to regulators and elected  
16 officials included: Vendors, suppliers, employees, retirees, customers, and  
17 business and labor groups. A copy of a draft form letter to the Virginia  
18 Corporation Commission supporting the PATH project that was  
19 written/edited by PATH personnel is included as Exhibit NH-10.

20 **Q. DO YOU CONTEND THAT PATH SHOULD NOT BE PERMITTED TO**  
21 **ADVOCATE FOR PUBLIC SUPPORT OF ITS OWN PROJECT?**

22 A. No. Ms. Haverty and I have challenged PATH’s assumption that ratepayers  
23 should bear the responsibility for the cost of these advocacy activities, not

1 whether PATH should be permitted to carry them out. Although paid  
2 advocacy designed by the applicant to skew the public input process is  
3 inherently unfair, it is not of moment in this proceeding.

4 **Q. DID PATH ENGAGE IN PUBLIC EDUCATION ACTIVITIES THAT YOU**  
5 **HAVE NOT CHALLENGED?**

6 A. Yes. The expenses challenged are only a portion of the total expenses of  
7 contractor Charles Ryan. We did not challenge PATH's recovery of general  
8 public relations services, the cost of its "open house" informational  
9 meetings, including advertising undertaken to inform the public about  
10 them, or other impartially educational endeavors. PATH's own detail of its  
11 "Public Involvement" educational activities that was filed with regulators is  
12 set forth in Exhibit NH-11. Of note, PATH did not include reliable power  
13 coalitions, PEAT, advertising, or the involvement of lobbyists "educating"  
14 elected officials in this plan.

15 **VII. RELIABLE POWER COALITIONS**

16 **Q. WHAT ARE THE RELIABLE POWER COALITIONS?**

17 A. PATH's reliable power coalitions included the Marylanders for Reliable  
18 Power, the Virginians for Reliable Energy, and the West Virginians for  
19 Reliable Power (or Energy). The coalitions did not exist, either physically  
20 or legally, and were artificial constructs designed to provide a virtual  
21 appearance of grassroots support for the PATH project.

22 **Q. WHAT IS MEANT BY THE TERM "GRASSROOTS?"**

1 A. “Grassroots” refers to an organization composed of and managed by  
2 ordinary people. Grassroots groups often spontaneously form in opposition  
3 to a corporation’s proposal and are created, managed and funded by  
4 ordinary people.

5 **Q. WHAT IS MEANT BY THE TERM “ASTROTURF?”**

6 A. “Astroturf,” in addition to its familiar meaning of artificial grass, can mean a  
7 seemingly grassroots-based citizens’ group that is conceived, created and  
8 funded by a corporation in order to support its own proposal. Astroturf  
9 groups are managed by paid public relations professionals in order to direct  
10 and control the group’s mission and activities in the interest of the  
11 corporation that secretly funds the group.

12 **Q. CAN ASTROTURF GROUPS HAVE MEMBERS?**

13 A. Yes, one of the goals of an astroturf group may be to recruit real people to  
14 become “members” to give it a more realistic appearance of being  
15 grassroots-based. However, these members are never permitted to assume  
16 positions of leadership within the organization, or to influence the goals  
17 and activities of the organization. Members of astroturf groups serve  
18 simply to inflate membership lists, and can sometimes be urged to add their  
19 names to coalition-written opinion pieces submitted to newspapers, or to  
20 publicly testify in support of the company during regulatory hearings.

21 **Q. WHAT PURPOSE DID THE RELIABLE POWER COALITIONS SERVE?**

22 A. PATH’s effort to “educate” the public recognized that said public is  
23 understandably suspicious of a company’s “facts” supporting its own



1 project, but more accepting of a purportedly independent third-party's  
2 "expert" support and affirmation of company talking points.

3 The coalitions also served the purpose of providing a scapegoat appearing  
4 unconnected to the company that could foment public fear of blackouts if  
5 people did not act. The planting of trepidation in the public mind allowed  
6 PATH, in turn, to present the solution to the problem outlined by the  
7 coalitions.

8 **Q. HOW MUCH DID PATH SPEND ON ITS RELIABLE POWER COALITIONS?**

9 A. PATH spent \$1,536,434.99 between 2009 and 2011 on its three reliable  
10 power coalitions. I have detailed these expenses on Exhibit No. NH-12.

11 **Q. DID PATH RECOVER THE COST OF ITS RELIABLE POWER COALITIONS**  
12 **FROM RATEPAYERS BY INCLUDING THESE COSTS IN ITS ANNUAL**  
13 **UPDATE?**

14 A. Yes. PATH recovered these costs by incorrectly recording them in above  
15 the line account 923 as "outside services," or incorrectly categorizing them  
16 as "educational" advertising expenses recoverable through the Formula  
17 Rate in account 930.1. In addition, PATH incorrectly recorded some of the  
18 reliable power coalition costs in its capital Construction Work in Progress  
19 account 107 as a component of PATH's construction costs and is attempting  
20 to recover them as abandoned plant in the Section 205 filing that has been  
21 consolidated with the Formal Challenges. Costs related to the reliable  
22 power coalitions that were incorrectly recorded in capital accounts have  
23 earned a yearly return for the PATH companies since they were incurred.

1     **Q.     CAN YOU BRIEFLY SUMMARIZE THE NATURE OF THE RELIABLE**  
2     **POWER COALITION EXPENDITURES?**

3     A.     Yes. The cost of the reliable power coalitions included retainers for  
4     contractor Charles Ryan and the individual public relations subcontractors  
5     directly managing the coalitions in the various states. Charles Ryan also  
6     billed PATH monthly for management and hosting of reliable power  
7     coalition websites. In addition, coalition expenses included the pay and  
8     expenses of “expert” spokespeople, and the cost of various meetings and  
9     presentations made to target groups. PATH also recorded the cost of  
10    coalition advertising, and donations and sponsorships necessary to  
11    purchase target group advocacy, in account 923, Outside Services. See  
12    Exhibit NH-13, example invoice for West Virginians for Reliable Power  
13    expenses for the month of May, 2010.

14    **Q.     DID PATH OR ITS CONTRACTORS HAVE A MEMBER RELATIONSHIP**  
15    **WITH THE COALITIONS?**

16    A.     No. PATH and its contractors were not merely “members” of the coalitions,  
17    PATH and its contractors actually *were* the coalitions. PATH and its  
18    contractors created, managed and controlled the coalitions. As noted on  
19    Exhibit NH-14, the coalitions were under the complete control of a “Board  
20    of Council” consisting of PATH’s External Affairs personnel and the account  
21    manager from PATH’s coalition contractor, Charles Ryan. In addition, PATH  
22    personnel exchanged emails to debate and select names for its coalitions  
23    (See Exhibit NH-14). The coalitions were not legally constructed member

1 organizations that acted independently from PATH. PATH and its  
2 contractors made no payments or contributions directly to the coalitions.  
3 PATH and its contractors did not communicate directly with coalition  
4 leadership, because there was no independent leadership of the coalitions.  
5 Coalition “leaders” were employees of public relations firms that PATH was  
6 paying to carry out the activities of the coalition. The management and  
7 activities of PATH’s reliable power coalitions were completely controlled by  
8 PATH and its paid contractors and subcontractors.

9 **Q. WERE THE COALITIONS LEGALLY CONSTRUCTED BUSINESSES OR**  
10 **ORGANIZATIONS REGISTERED WITH THEIR RESPECTIVE STATE**  
11 **AUTHORITIES?**

12 A. No. None of the coalitions was a legally incorporated entity while under  
13 PATH’s control. In early 2010, I investigated the legitimacy of the coalitions  
14 by searching state business entity records in West Virginia, Maryland, and  
15 Virginia, as well as the non-profit, tax-exempt organization records of the  
16 Internal Revenue Service. I verified that none of the coalitions were legally  
17 registered organizations or corporations in their respective states, nor had  
18 they applied for or received non-profit tax-exempt organization status from  
19 the Internal Revenue Service.

20 **Q. WHY WOULD THE COALITIONS NEED NON-PROFIT TAX-EXEMPT**  
21 **STATUS FROM THE INTERNAL REVENUE SERVICE?**

22 A. In 2010, the website of the Marylanders for Reliable Power  
23 (marylandersforreliablepower.com) made the claim, “Marylanders for

1 Reliable Power (a 501(c)3 corporation) is a coalition of citizens, businesses  
2 and organizations...,” as noted on Exhibit NH-15. A 501(c)3 corporation  
3 must receive its legal designation as a tax-exempt charity or educational  
4 organization from the Internal Revenue Service. When a search of the IRS  
5 tax-exempt entity database did not turn up a registration for the  
6 Marylanders for Reliable Power, I called the IRS on April 21, 2010 and  
7 spoke to Mr. LaFollet, who verified that Marylanders for Reliable Power was  
8 not a 501(c)3 corporation. However, Mr. LaFollet declined to take action on  
9 the false claim being made by the Marylanders for Reliable Power pending  
10 evidence that the coalition had actually solicited donations from the public  
11 while making a false claim of its charitable status.

12 **Q. DID YOU UNDERTAKE ANY OTHER INVESTIGATION OF THE**  
13 **COALITIONS?**

14 A. Yes. I performed a domain name ownership search of the website domain  
15 names (uniform resources locator, or URL) being used by the coalitions. I  
16 found that a person named “K. Hall” had registered a number of internet  
17 domain names on May 21, 2009, including “wvforreliablepower.com” (the  
18 website of the West Virginians for Reliable Power), and  
19 “marylandersforreliablepower.com” (the website of the Marylanders for  
20 Reliable Power). These registrations are shown on pages 1 and 2 of Exhibit  
21 NH-16. K. Hall registered these domain names through a company called  
22 Network Solutions. Network Solutions acts as an agent for registering  
23 domain name ownership and, for an extra fee, provides the client with a

1 layer of public anonymity by substituting Network Solution's own contact  
2 information for that of the legal owner on public domain name ownership  
3 records. This private registration service provides a layer of protection to  
4 domain name owners by preventing their contact information from being  
5 publicly listed.

6 **Q. HOW DID YOU DETERMINE THE IDENTITY OF "K. HALL?"**

7 A. "K. Hall" also owned a string of other domain names, among them  
8 "forreliablepower.org." This domain was publicly registered by its owner,  
9 and listed the contact address as P.O. Box 2464, Charleston, WV. (See page  
10 3 of Exhibit NH-16). This is the same address for Charles Ryan and  
11 Associates, LLC listed on PATH's purchase order to the company dated April  
12 2, 2008 (See Exhibit NH-7). The purchase order references an agreement  
13 between PATH and Charles Ryan dated February 29, 2008, signed by Kevin  
14 L. Hall, Senior VP, Charles Ryan and Associates, LLC. The "K. Hall" that  
15 registered the coalition domain names is Kevin Hall of Charles Ryan.

16 **Q. WHERE WERE THE COALITIONS LOCATED?**

17 A. The West Virginians for Reliable Power website did not provide a physical  
18 location or phone number for its Coalition. The Marylanders for Reliable  
19 Power website listed an address of 59 Franklin Street, Annapolis, Maryland.  
20 The same address belonged to PATH's public relations contractor, Artemis  
21 Group. The Virginians for Reliable Energy website did not provide a  
22 physical location or phone number.

23 **Q. DID YOU REGISTER OWNERSHIP OF ONE OF THE COALITION NAMES?**

1 A. Yes. I reserved the business name “West Virginians for Reliable Power”  
2 with the West Virginia Secretary of State, securing ownership of the name  
3 on April 29, 2010. The reservation provided me with ownership of the  
4 business name for four months to allow me time to get my corporation  
5 documents in order before proceeding with registration. A copy of that  
6 reservation is provided as Exhibit NH-17.

7 **Q. DID PATH AND ITS CONTRACTORS PUBLICLY USE THAT NAME FOR**  
8 **ONE OF THEIR COALITIONS WHILE IT WAS RESERVED UNDER YOUR**  
9 **NAME?**

10 A. Yes. PATH and its contractors held coalition forums and issued coalition  
11 press releases using that business name while I owned it.

12 **Q. WHAT DID PATH DO WHEN IT DISCOVERED THAT YOU OWNED THE**  
13 **LEGAL RIGHTS TO THE NAME IT WAS USING FOR ITS COALITION?**

14 A. PATH changed the name of its virtual coalition to the West Virginians for  
15 Reliable Energy. As shown on Exhibit NH-18, an email dated June 7, 2010,  
16 after determining that I owned the name of one of their coalitions, PATH  
17 and Charles Ryan acted to reserve the remaining coalition business names  
18 in all three states, to change the coalition website and “collaterals” of the  
19 West Virginians for Reliable Power, and to postpone an upcoming event so  
20 as not to put the Harrison County Chamber “in a difficult situation.” PATH’s  
21 public relations subcontractor, Brown Communications, reserved the  
22 business name West Virginians for Reliable Energy with the West Virginia  
23 Secretary of State on October 4, 2010, and renewed that reservation on

1 February 2, 2011, but never followed through to incorporate and register it.  
2 When my own reservation for the business name “West Virginians for  
3 Reliable Power” expired without being registered, Brown Communications  
4 later reserved it in its own name on October 4, 2010 and renewed that  
5 reservation on February 2, 2011. (See Exhibit NH-19).

6 **Q. WHAT DO PATH’S ACTIONS REGARDING THE BUSINESS NAMES OF ITS**  
7 **COALITIONS DEMONSTRATE?**

8 A. PATH’s coalitions did not legally exist and were never legally incorporated  
9 or permitted to do business and handle funds in their respective states. If  
10 they had been, I would not have been able to easily reserve the West  
11 Virginia coalition name for my own use. In the wake of my reservation of  
12 the coalition name, PATH’s public relations contractors acted to reserve the  
13 coalition names they were using, but never actually incorporated the  
14 organizations. If any of these organizations had ownership, leadership, or  
15 funding independent of the PATH companies, the responsible individuals  
16 should have stepped up to legally claim the names they were using to do  
17 business at that time. Instead, PATH and its contractors acted to reserve  
18 the business names simply to prevent other opponents from buying them.

19 **Q. DID YOU EVER HAVE ANY DIRECT INTERACTION WITH PATH’S**  
20 **RELIABLE POWER COALITIONS?**

21 A. On May 4, 2010, while the business name West Virginians for Reliable  
22 Power was reserved in my name, I attended an “Electric Energy Forum” at  
23 Martinsburg, West Virginia, held “in partnership with” the West Virginians

1 for Reliable Power. Speakers for the event included Susan Eisenhower,  
2 national energy policy specialist and granddaughter of former president  
3 Dwight D. Eisenhower, and John Mark Robinson, former director of energy  
4 projects for the Federal Energy Regulatory Commission.

5 **Q. DID YOU ASK WHO WAS FUNDING THE EVENT?**

6 A. Yes. I spoke with Mr. Bryan Brown, who was acting as the leader of the  
7 coalition and coordinator of the event. Mr. Brown informed me that the  
8 West Virginians for Reliable Power was funding the event. I knew this to be  
9 untrue because at the time I was the legal owner of the West Virginians for  
10 Reliable Power business name, and an entity cannot open a bank account to  
11 disburse funds in West Virginia without showing proof of legal corporate  
12 registration. Mr. Brown then informed me that “we’re just using that name”  
13 and that his company, Brown Communications, was paying for the event  
14 and being reimbursed by the coalition members. When asked the names of  
15 the coalition members reimbursing his company for the cost of the event,  
16 Mr. Brown named American Electric Power and Allegheny Energy.

17 **Q. WAS THE PATH PROJECT MENTIONED AT THE FORUM?**

18 A. PATH’s coalition speakers did not specifically mention PATH in their  
19 presentations. Bryan Brown, calling himself the “state coordinator” of the  
20 West Virginians for Reliable Power, told a newspaper reporter covering the  
21 event, “[w]e’re not talking about PATH we’re talking about power lines in  
22 general.” (See Exhibit NH-20).



1     **Q.     WAS THE COST OF THE FORUM PAID FOR IN ITS ENTIRETY BY THE**  
2           **PATH COMPANIES AND RECOVERED FROM RATEPAYERS IN PATH'S**  
3           **2011 FORMULA RATE ANNUAL UPDATE?**

4     A.     Yes.

5     **Q.     WHAT WAS THE PURPOSE OF THE RELIABLE POWER COALITIONS?**

6     A.     Exhibit NH-21 contains emails from PATH parent company  
7           communications personnel regarding the purpose of the coalitions. AEP's  
8           Vice President of Communications stated that he saw the coalitions as "an  
9           investment" that would yield speakers supporting PATH at the Virginia  
10          regulatory hearings, as well as to "support the critically important  
11          regulatory decisions." Allegheny's Manager of External Communications  
12          thought the coalitions provided "political cover" to balance the scales in the  
13          court of public opinion, and that the coalitions would provide the "political  
14          cover" that commissioners/legislators needed to "do the right thing."  
15          The reliable power coalitions were a public relations advocacy tool that  
16          allowed the PATH companies to whip up public fear of brownouts and  
17          blackouts while hiding behind the name of a fictional "coalition." The  
18          coalitions lied to the public and their own "members" about their formation,  
19          organization, purpose, goals, and source of funds.  
20          The true purpose of the reliable power coalitions can also be discerned  
21          through the scopes of work outlined in PATH's contracts with the  
22          contractors and subcontractors it engaged to create and manage the  
23          coalitions.

1     **Q.     WHO WERE THE CONTRACTORS AND SUBCONTRACTORS WHO**  
2     **MANAGED THE COALITIONS?**

3     A.     The West Virginians for Reliable Power (or Energy) was managed by Brown  
4     Communications, either directly or as a subcontractor of PATH public  
5     relations contractor Charles Ryan. The Marylanders for Reliable Power was  
6     managed by The Artemis Group, either directly or as a subcontractor of  
7     PATH public relations contractor Charles Ryan. The Virginians for Reliable  
8     Energy was managed by McGuire Woods Consulting as a subcontractor of  
9     PATH public relations contractor Charles Ryan.

10    **Q.     HOW DID PATH'S CONTRACTS WITH BROWN COMMUNICATIONS AND**  
11    **CHARLES RYAN EXPLAIN THE PURPOSE OF THE WEST VIRGINIANS**  
12    **FOR RELIABLE POWER (OR ENERGY)?**

13    A.     PATH'S Letter of Agreement with Brown Communications defines the work  
14    to be performed under the contract as the growth and promotion of the  
15    West Virginians for Reliable Power in order to build support for rebuilding  
16    and expanding West Virginia and the nation's aging electric infrastructure.  
17    The Agreement lists numerous tasks to accomplish this goal, such as  
18    recruiting members, and creating and communicating coalition "collateral,"  
19    including white papers, website and brochure. Brown was also tasked with  
20    conducting events to promote the coalition and publicize the need for a  
21    reliable transmission grid and to use press releases, media tours, a speakers  
22    bureau, and editorials and letters to the editor written by Brown and signed  
23    by coalition "members" that were to be placed in newspapers. Brown

1 managed and coordinated the coalition's activities and developed and  
2 implemented targeted paid advertising to support the coalition's activities  
3 and the need for additional transmission. Finally, Brown was tasked with  
4 providing support and guidance on the coalition's "grassroots" activities.  
5 All of the aforementioned tasks to be performed by Brown were footnoted  
6 on the Agreement as follows: "These tactics and activities would be timed  
7 around key dates associated with the approval process for the PATH-WV  
8 project." The Letter of Agreement is provided as Exhibit No. NH-22. The  
9 tactics and activities of the West Virginians for Reliable Power (or Energy)  
10 are indicative of an effort to build advocacy to promote the PATH project in  
11 order to influence the West Virginia Public Service Commission's  
12 consideration of its application for a Certificate of Public Convenience and  
13 Necessity.

14 **Q. HOW DID PATH'S CONTRACTS WITH THE ARTEMIS GROUP AND**  
15 **CHARLES RYAN EXPLAIN THE PURPOSE OF THE MARYLANDERS FOR**  
16 **RELIABLE POWER?**

17 A. PATH's Purchase Order to The Artemis Group for "MD Coalition Services"  
18 indicated that the scope of services was in accordance with The Artemis  
19 Group's Proposal for Developing and Implementing a Public Advocacy  
20 Campaign. The tasks detailed on the purchase order include coalition  
21 development and recruitment, development of coalition materials, training  
22 of the "grassroots" coalition members, developing a strategic  
23 communications plan, scheduling special events, developing third party

1 support and “champions,” and measuring the success of the coalition. The  
2 Purchase Order is provided as Exhibit No. NH-23. The goal of the  
3 Marylanders for Reliable Power was to develop advocacy for the PATH  
4 project to influence its approval by the Maryland Public Service  
5 Commission.

6 **Q. HOW DID PATH'S CONTRACTS WITH CHARLES RYAN EXPLAIN THE**  
7 **PURPOSE OF THE VIRGINIANS FOR RELIABLE ENERGY?**

8 A. PATH's Purchase Order and Contract with Charles Ryan called for Charles  
9 Ryan to coordinate efforts and facilitate PATH West Virginia's involvement  
10 and activity in Virginia regarding the PATH project and its promotion  
11 through the management of a reliable power coalition in Virginia. The  
12 services of subcontractor McGuire Woods Consulting were to be utilized in  
13 this effort. An Engagement Letter between McGuire Woods Consulting and  
14 Charles Ryan (Exhibit NH-24) promised “support” in the form of “providing  
15 testimony at public hearings, written testimony to the SCC, state legislators  
16 and local officials.” PATH's involvement with the Virginians for Reliable  
17 Energy coalition was intended to promote advocacy for the PATH project to  
18 effect its approval by the Virginia State Corporation Commission.

19 **Q. HOW DID THE RELIABLE POWER COALITIONS SUPPORT THE PATH**  
20 **PROJECT?**

21 A. PATH plans, meeting minutes, reports and other internal documents are  
22 rife with statements that make clear the actual product produced by the  
23 coalitions. Some examples have been provided in Exhibit NH-25, the

1 minutes of PATH's External/Communications Committee and PATH  
2 Steering Committee meetings. The coalitions produced individuals from  
3 business and labor groups who would: speak in favor of the PATH project  
4 at state regulatory public hearings, as well as at the federal Environmental  
5 Impact Statement public scoping meetings; sign letters of support  
6 addressed to regulators, elected officials, federal agencies, and the media  
7 that were written by PATH's public relations contractor; sign petitions  
8 supporting the PATH project; and to appear in advertisements touting the  
9 benefits of PATH. The role of the reliable power coalitions was clearly to  
10 advocate specifically for the PATH project, not to simply provide general  
11 education about energy issues unrelated to the PATH project. Exhibit NH-  
12 26 details PATH's communications plan for the Virginia State Corporation  
13 Commission public comment hearings in 2011, including the note that "CRA  
14 [Charles Ryan] is spearheading efforts to recruit speakers who will  
15 comment favorably about the project." Charles Ryan's cost to recruit  
16 speakers was included in invoices that PATH subsequently recovered from  
17 ratepayers through PATH's formula rate.

18 **Q. DID PATH'S RELIABLE POWER COALITIONS URGE MEMBERS TO**  
19 **TESTIFY IN SUPPORT OF THE PATH PROJECT AT STATE REGULATORY**  
20 **HEARINGS?**

21 A. Yes. As noted repeatedly in the minutes of PATH's  
22 External/Communications and PATH Steering Committee meetings (Exhibit  
23 NH-25), the reliable power coalitions actively recruited individuals to speak

1 in support of the PATH project at public input hearings in Virginia, and  
2 West Virginia. Public input hearings had not yet been held on PATH's  
3 Maryland PSC application before it was withdrawn on February 28, 2011.

4 **Q. DID PATH'S RELIABLE POWER COALITIONS URGE MEMBERS TO**  
5 **TESTIFY IN SUPPORT OF THE PATH PROJECT AT THE "NEPA" FEDERAL**  
6 **ENVIRONMENTAL IMPACT STATEMENT PUBLIC SCOPING MEETINGS?**

7 A. Yes. As indicated on page 115 of Exhibit NH-25, PATH Steering Committee  
8 Minutes dated August 16, 2010, "NEPA Scoping Meetings – Working with  
9 Charles Ryan and External Affairs, we recruited proponents from business  
10 and labor to submit favorable comments at meetings and help to "balance  
11 the scales" at the meetings. Nearly 20 individuals submitted written  
12 comments supportive of the project, and one individual spoke in support  
13 during the 'open mike' session in Loudoun County, Va."

14 **Q. HOW DID THE RELIABLE POWER COALITIONS RECRUIT "MEMBERS?"**

15 A. The reliable power coalitions recruited members through presentations, or  
16 "forums," hosted by industry interest, business, community, or other closed  
17 groups in which the PATH companies purchased memberships. The  
18 coalitions also recruited members through PATH-financed internet  
19 advertising. The coalitions presented a carefully crafted rendition of "facts"  
20 that exclusively supported its contention that people must act to secure a  
21 reliable supply of electricity or face the risk of blackouts. The public  
22 relations technique employed is known as "card stacking."

23 **Q. WHAT IS "CARD STACKING?"**

1 A. Card stacking is a recognized propaganda technique whereby the target  
2 audience is presented with only those facts that support a pre-determined  
3 conclusion. By omitting any facts or information that do not support the  
4 desired conclusion, the propagandist “stacks the cards” against the  
5 objective truth and in favor of the target accepting and adopting the desired  
6 conclusion.

7 **Q. HOW DID THE COALITIONS CREATE A NEED FOR PATH?**

8 A. The coalitions told people that they must act to prevent blackouts. This is  
9 best exemplified by Exhibit No. NH-27, an animated Virginians for Reliable  
10 Energy internet advertisement that proclaimed, “It’s no fun living in the  
11 dark, Virginia.” In this way, the coalitions created an unfulfilled need in the  
12 mind of the target, which could then conveniently be solved by support for  
13 building the PATH project.

14 **Q. WHY DO CORPORATIONS NEED TO CREATE THIRD-PARTY GROUPS TO  
15 BUILD ADVOCACY?**

16 A. A corporation advocating for its own projects is viewed as self-serving and  
17 not to be trusted by a suspicious public. However, a third-party group  
18 claiming to be grassroots based, and appearing not to have ties with the  
19 corporation benefitting from a project, has more credibility with the public  
20 when attempting to build advocacy for a project or proposal. PATH was  
21 well aware of this public perception regarding an appearance of  
22 independence for the coalitions as demonstrated in Exhibit NH-28, emails

1 among PATH personnel recommending an “arm’s length” approach and  
2 denial of the true extent of PATH’s funding of the coalitions.

3 **Q. CAN YOU EXPLAIN THE DIFFERENCE BETWEEN ADVOCACY AND**  
4 **EDUCATION?**

5 A. Education is described as imparting neutral information designed to  
6 increase knowledge and allow the student to independently form balanced  
7 opinions, while advocacy is described as building support for a cause or  
8 proposal. Education is impartial; advocacy requires a supportive position.  
9 While it may be possible to educate advocates, education and advocacy are  
10 not interchangeable terms. Education provides facts, both complementary  
11 and derogatory, and teaches the student how to think, not what to think.

12 **Q. IN YOUR OPINION, DID THE RELIABLE POWER COALITIONS EDUCATE**  
13 **THE PUBLIC?**

14 A. No. Many of the coalition’s activities were not carried out in public venues.  
15 Furthermore, coalition activities were designed to accomplish the goal of  
16 building advocacy for the PATH project, not to disseminate impartial  
17 information that allowed the public to make its own determination about  
18 the merits of the PATH project.

19 **Q. WHAT HAPPENED TO THE RELIABLE POWER COALITIONS AFTER THE**  
20 **PATH PROJECT WAS PUT IN ABEYANCE IN FEBRUARY 2011?**

21 A. Initially, PATH planned to continue the coalitions in a very limited capacity,  
22 and recognized that the expense of doing so would be a below the line  
23 PATH expense, or an expense of the PATH parent companies instead of an



1 expense of the PATH project (See Exhibit NH-29). However, the PATH  
2 partners stopped funding the coalitions after several months and the  
3 Marylanders for Reliable Power and the West Virginians for Reliable Power  
4 (or Energy) simply ceased to exist, along with their websites, which had  
5 been created and maintained by PATH contractor Charles Ryan. When  
6 PATH's funding of the coalitions stopped, so did the coalitions.  
7 After PATH stopped funding it, the Virginians for Reliable Energy was  
8 repurposed by its public relations contractor managers to serve new  
9 "industry partners" Dominion, Old Dominion Electric Cooperative, and  
10 Columbia Gas.

11 **Q. DID THE RELIABLE POWER COALITIONS PROVIDE BENEFIT TO THE**  
12 **RATEPAYERS WHO FUNDED THEM?**

13 A. No. The coalitions did not actually exist as independent entities separate  
14 from the PATH companies, and were a public relations advocacy-building  
15 tool designed to present the appearance of grassroots support for the PATH  
16 applications at the various state regulatory commissions, as well as for its  
17 applications with the National Park Service and U.S. Forest Service to cross  
18 federally-owned parks and forests.

19 **Q. HOW SHOULD PATH HAVE RECORDED THE EXPENSES OF ITS**  
20 **RELIABLE POWER COALITIONS?**

21 A. PATH should have recorded the reliable power coalition advocacy-building  
22 expenses to below the line account 426.4, Expenditures for certain civic,  
23 political and related activities. Instead, PATH project managers used an

1 uninformed and selective interpretation of that account definition to  
2 incorrectly determine that the costs were recoverable.

3 **Q. HOW DID PATH MAKE ITS INCORRECT DETERMINATION?**

4 A. As shown in Exhibit NH-30, PATH project manager Vern Estel determined  
5 the expenses were recoverable because they did not “rise to the level” of  
6 “influencing public opinion with respect to the election or appointment of  
7 public officials” as defined in account 426.4, a below the line account.

8 **Q. WHY IS THIS DETERMINATION INCORRECT?**

9 A. The incorrect determination relies not on a determination that the  
10 expenses are described in an above the line account, but by the process of  
11 elimination that they are not described in a below the line account. In  
12 addition, the determination is incorrect because it ignores the rest of the  
13 definition of account 426.4, where coalition activities are accurately  
14 described as “for the purposes of influencing the decisions of public  
15 officials.” The activities of the coalitions were designed to produce  
16 advocacy that would support PATH’s various state regulatory applications  
17 in order to influence approval of the Commissions.  
18 The definition of account 426.4 continues that expenses properly included  
19 in the account “shall not include such expenditures which are directly  
20 related to appearances before regulatory or other governmental bodies in  
21 connection with the utility’s existing or proposed operations.” The  
22 operative word in that phrase is “directly,” to mean a utility’s legal expenses  
23 to present its case to regulators, which are described in other above the line

1 accounts. The coalitions were an indirect attempt to influence state  
2 approvals because they were carried out by third-parties with the direction  
3 and funding of the PATH companies.

4 **VIII. PATH EDUCATION AWARENESS TEAM (PEAT)**

5 **Q. WHAT IS PEAT?**

6 A. PEAT was another advocacy-building public relations “coalition” tool  
7 comprised of a team of “experts” from the business and labor communities  
8 that claimed to provide education to the public.

9 **Q. HOW MUCH DID PATH SPEND ON PEAT?**

10 A. PATH spent \$1,440,830.10 between 2009 and 2011 on its PEAT endeavor  
11 and recovered these expenses in above the line account 923 (Outside  
12 Services), account 930.1 (Advertising), and added them to its rate base in  
13 account 107 (Construction Work in Progress). I have detailed these  
14 expenses on Exhibit No. NH-31.

15 **Q. WHEN AND HOW WAS PEAT DEVELOPED?**

16 A. As noted on Exhibit NH-32, PEAT was developed in 2009 as a “PATH-  
17 specific coalition” to deliver project-specific messages the company and its  
18 reliable power coalitions could not, and to directly battle very organized  
19 opposition to the PATH project. It was intended to “build a base of  
20 supporters and create groundswell of support for the PATH project” and to  
21 “create and execute PATH specific messages and responses that cannot  
22 currently be delivered.” This project-specific coalition was intended to be  
23 funded by “contributions” from PATH and other unidentified “contributors.”

1 This "PATH-sponsored" team was to consist of third-party, paid  
2 spokesperson advocates from the labor, environmental and business  
3 communities, along with technical experts, and PATH planned to be  
4 "upfront about its origin." The team was intended to build support for  
5 PATH by "educating" the public, elected officials and the media about  
6 PATH's "facts." Additional members were to be recruited to the team, who  
7 would be required to show support for PATH by signing a "Petition of  
8 Support" that was planned to be filed with the state commissions  
9 considering PATH's application. The team was also to target memberships  
10 in local chambers of commerce along the PATH route in order to arrange  
11 PEAT speaking engagements and recruitment sessions with their  
12 memberships.

13 **Q. HOW WAS PEAT PRESENTED TO THE PUBLIC?**

14 A. PEAT was presented to the public in 2009 as a group to help provide the  
15 public with not just facts, but the "the real facts," about the PATH project. In  
16 a news story announcing its formation, attached as Exhibit No. NH-33, PEAT  
17 was presented to the public as available to answer questions about the  
18 project and speak to community groups about the issue.

19 **Q. DID PEAT EDUCATE THE PUBLIC?**

20 A. No. PEAT was designed to build advocacy for the PATH project with the  
21 business and labor communities. Like the reliable power coalitions, PEAT  
22 held its presentations in closed groups and presented a one-sided rendition  
23 of only those facts that supported the PATH project.

1     **Q.     DID PEAT PROVIDE PUBLIC EDUCATION TO COMMUNITY GROUPS**  
2           **UPON REQUEST?**

3     A.     No. As detailed in the testimony of Douglas Kaplan, Exhibit No. NH-59,  
4           PEAT refused to attend or provide education at a public forum organized by  
5           The Sugarloaf Conservancy. PEAT was formed to promote advocacy for the  
6           PATH project from disinterested persons or groups. Since the Sugarloaf  
7           Conservancy had publicly stated its opposition to the PATH project, it was  
8           no longer a disinterested group ripe to be influenced by PEAT to adopt an  
9           advocacy position. Therefore, PEAT refused to provide education to this  
10          group.

11    **Q.     HOW DID PEAT DIFFER FROM THE RELIABLE POWER COALITIONS?**

12    A.     PEAT provided the perfect foil for PATH's reliable power coalitions by  
13          providing an "expert" solution to the grid reliability problem presented by  
14          the coalitions. It was also designed to rebut the detriments of the PATH  
15          project that were being disseminated by various citizen opposition groups,  
16          and to discredit them by claiming more expertise than the citizen  
17          opposition groups. PEAT did this by presenting its "team" as "experts" on  
18          transmission and the electrical grid, although many of PEAT's team had no  
19          more education or training about electric issues than the citizen groups  
20          they repudiated. In fact, PATH project employees confirmed that PEAT  
21          spokespersons were "experts in their fields," but not necessarily experts in  
22          the field of electric transmission (See Exhibit NH-34).

23    **Q.     WHAT KIND OF EXPERTS DID PEAT EMPLOY?**

1 A. PEAT spokesmen included several labor relations “experts” who were  
2 tasked with rallying labor union support for the PATH project, as well as  
3 two former state public service commissioners, and an attorney who was a  
4 former chairperson of the West Virginia Chamber of Commerce. See Exhibit  
5 NH-35 for PEAT “bios.” It is important to note that none of these  
6 spokesmen had any credentials as educators, and limited education or  
7 experience with topics related to the technical aspects of the PATH project.  
8 The contract between Charles Ryan and PEAT spokesman Tom Bloss was  
9 for “labor coordination” services, not educational or spokesman services.  
10 (See Exhibit NH-36).

11 **Q. WAS PEAT AN ADVOCACY-BUILDING INITIATIVE?**

12 A. Yes. The PATH External/Communications Committee and PATH Steering  
13 Committee meeting minutes in Exhibit NH-25 make repeated reference to  
14 advocacy-building activities carried out by PEAT and make little distinction  
15 between PEAT and the reliable power coalitions, often referring to them  
16 jointly as one unit accomplishing the same tasks. PEAT also recruited  
17 individuals to speak in support of PATH at the regulatory public hearings,  
18 and recruited letters of support for PATH directed to regulators,  
19 newspapers and elected officials. As shown on Exhibit NH-37, PEAT  
20 included a link to a “PATH Petition” supporting the PATH project on its  
21 website ([pathawareness.com](http://pathawareness.com)). The petition was directed to the three state  
22 permitting agencies and asked that the state commissions approve the  
23 project. PEAT’s presentations to industry groups asked attendees to sign

1 and promote the petition to others, as noted on the website of the West  
2 Virginia Coal Association (wvcoal.com), with a link to the petition and text  
3 urging its members to sign the “PATH Petition.” As shown on Exhibit NH-  
4 39, PATH made a \$2500 “membership” donation to the West Virginia Coal  
5 Association in 2009 that coincided with the opportunity to make a  
6 presentation before the organization.

7 **Q. WHAT OTHER METHODS DID PEAT USE TO BUILD ADVOCACY FOR THE**  
8 **PATH PROJECT?**

9 A. As shown in Exhibit NH-38, it was considered crucial for PATH to have  
10 support from union labor organizations. PEAT spokesmen met with labor  
11 organizations to distribute petitions supporting the PATH project as well as  
12 to request “resolutions” and letters of support to the PSC from various labor  
13 groups. PEAT spokesmen also took the lead in negotiating a Project Labor  
14 Agreement (PLA), whereby the company would commit to using union  
15 labor to build the PATH project in exchange for labor’s support for PATH’s  
16 regulatory approvals. This effort was planned to culminate in a  
17 ceremonious media event where PATH project executives and the labor  
18 group leadership would sign the PLA, but the event was never carried out  
19 due to the sudden suspension of the PATH project by PJM Interconnection  
20 on February 28, 2011. PATH’s activities to win support for the PATH  
21 project from labor unions, cloaked as “educational” efforts under the PEAT  
22 program, were not educational but an exercise in building advocacy.

23 **Q. DID PEAT PROVIDE BENEFIT TO THE RATEPAYERS WHO FUNDED IT?**

1 A. No. PEAT was an advocacy-building campaign designed to build business,  
2 labor, and legislative advocacy for the PATH applications at various state  
3 regulatory commissions in order to influence their outcomes.

4 **Q. HOW SHOULD PATH HAVE RECORDED THE PEAT EXPENSES?**

5 A. PATH should have recorded the PEAT advocacy-building expenses to below  
6 the line account 426.4, Expenditures for certain civic, political and related  
7 activities.

8 **IX. MEMBERSHIPS**

9 **Q. DID YOU CHALLENGE EXPENSES THAT PATH RECORDED IN**  
10 **REGULATORY ACCOUNT 930.2 AS "MEMBERSHIPS" AND**  
11 **SUBSEQUENTLY RECOVERED FROM RATEPAYERS THROUGH ITS**  
12 **FORMULA RATE?**

13 A. Yes. The memberships challenged, amounting to \$140,644.74, are either  
14 more properly classified as donations; related to lobbying activity; not  
15 transmission-related; or a component of PATH's promotional PEAT and  
16 reliable power coalition programs, and are not expenditures properly  
17 recorded in PATH's above the line account 930.2. In addition, some parent  
18 company memberships were charged in full to the PATH project, and  
19 recovered in PATH's rates, when the entire parent company benefitted from  
20 the membership. In this instance, the membership should have been  
21 allocated in part to all subsidiaries of the parent company claiming  
22 membership, not just the PATH subsidiaries. The challenged membership  
23 expenses are detailed in Exhibit NH-39.



1     **Q.     HOW DOES THE UNIFORM SYSTEM OF ACCOUNTS DEFINE**  
2     **MEMBERSHIPS PROPERLY RECORDED IN ACCOUNT 930.2?**

3     A.     Properly included in regulatory account 930.2 are: Industry association  
4           dues for company memberships and contributions for conventions and  
5           meetings of the industry.

6     **Q.     WHAT MEMBERSHIPS ARE MORE PROPERLY CLASSIFIED AS**  
7     **DONATIONS AND WHY?**

8     A.     PATH or its parent companies purchased many memberships in charitable  
9           or social non-profit groups for the purpose of “corporate stewardship.”  
10          PATH’s reasoning for recovering “corporate stewardship” memberships can  
11          best be explained by its incongruous answer to Information Response  
12          Newman2011-21.20.4, Exhibit NH-40: “Corporate stewardship related  
13          donations are recorded to FERC account 426.1. Corporate stewardship  
14          related memberships are recorded to FERC account 930.2.” Account 426.1,  
15          Donations, is a below the line account, while account 930.2, Memberships,  
16          is an above the line account. A “membership” donation to a charitable  
17          organization is still a donation, and does not become industry association  
18          dues for purposes of recovering the membership donation in above the line  
19          account 930.2. These particular memberships are far outside PATH’s  
20          business interests, and what the companies recorded as a “membership”  
21          was actually a donation properly recorded in account 426.1, Donations, a  
22          below the line account not recovered from ratepayers.

23    **Q.     WHAT MEMBERSHIPS SHOULD HAVE BEEN CLASSIFIED AS LOBBYING?**

1 A. Industry interest or trade association groups may include the benefit of the  
2 group's lobbying efforts as a component of membership. In addition, some  
3 groups in which PATH or its parents claimed a "membership" were groups  
4 whose sole purpose is lobbying. In the instance of a membership expense  
5 in one of these groups, the company should record the portion of the  
6 membership fee related to lobbying in below the line account 426.4,  
7 Expenditures for certain civic, political and related activities. The  
8 membership invoice may include a note informing of the percentage of the  
9 membership fee related to lobbying. PATH did not break down the  
10 membership expense between recoverable, above the line membership  
11 expenses and below the line lobbying expenses, but recorded the entire  
12 membership expense in above the line account 930.2. In the instance of a  
13 membership in a group whose sole purpose is lobbying, the membership  
14 fee would be related to lobbying in its entirety and should be recorded to a  
15 below the line account with other lobbying expenses.

16 **Q. WHAT MEMBERSHIPS WERE RELATED COMPONENTS OF PATH'S PEAT**  
17 **AND RELIABLE POWER COALITION PROGRAMS AND WHY SHOULD**  
18 **THEY BE A BELOW THE LINE EXPENSE?**

19 A. PATH claims its memberships in business and trade groups, such as  
20 Chambers of Commerce, Rotary Clubs, industry interest and government  
21 associations, were for the purposes of "educating business leaders about  
22 PATH." These activities, undertaken by PATH's reliable power coalitions  
23 and PEAT program, were not conducted in public venues and were

1 designed to build advocacy for the PATH project in closed groups. These  
2 memberships should be equated to buying advocacy and a private audience  
3 and considered as a related component of the PEAT and reliable power  
4 coalition expenses. As noted in the minutes of PATH's Board of Advisors  
5 meeting from September 18, 2009 (Exhibit NH-41), "PATH can join  
6 chambers. It helps getting speaking engagements." In a 2010 email, PATH  
7 parent company AEP's Vice President of Corporate Communications called  
8 PEAT's many speaking engagements "...retail lobbying at its best." (Exhibit  
9 NH-42). These membership expenditures have been made exclusively to  
10 further advocacy initiatives that endeavored to influence public opinion in  
11 order to gain state utility commission approvals for the PATH project.  
12 These expenditures are directly related to purchasing access to target  
13 audiences for PATH's promotional, advocacy-building coalition and PEAT  
14 programs and should be considered a component of those programs and  
15 removed from the revenue requirement.

16 **Q. DID PATH CONSISTENTLY RECORD ITS MEMBERSHIPS AND**  
17 **SPONSORSHIPS IN ACCORDANCE WITH THE USofA?**

18 A. No. As demonstrated in Exhibit NH-43, detail of below the line accounts  
19 426.1 and 426.4, PATH correctly recorded some membership and  
20 sponsorship expenses to below the line account 426.1 in 2009, 2010 and  
21 2011. However, PATH also incorrectly recorded other memberships and  
22 sponsorships listed in Exhibit NH-39 to above the line account 930.2. These  
23 memberships and sponsorships should all be consistently and correctly

1 recorded below the line.

2 **Q. WHY DID YOU CHALLENGE PATH'S MEMBERSHIP IN THE MARYLAND**  
3 **CHAMBER OF COMMERCE?**

4 A. PATH's relationship with the Maryland Chamber of Commerce, represented  
5 by a \$20,000 "platinum sponsorship" paid in 2010 and a \$14,000 "gold  
6 sponsorship" paid in 2009 and recovered as "memberships" in account  
7 930.2, epitomizes how PATH's promotional advocacy campaign intended to  
8 join the three elements of external affairs, namely public relations, lobbying,  
9 and regulatory matters, together in an attempt to unduly influence  
10 approvals of PATH's state public service commission applications.

11 **Q. ARE GOLD AND PLATINUM SPONSORSHIPS MEMBERSHIPS PROPERLY**  
12 **RECORDED IN ACCOUNT 930.2?**

13 A. No. As noted on the invoices in Exhibit NH-44, a sponsorship of the  
14 Maryland Chamber of Commerce is an additional voluntary expense in  
15 addition to a membership in the organization.

16 **Q. HOW DID PATH COMPANY PERSONNEL INFLUENCE THE ACTIONS OF**  
17 **THE MARYLAND CHAMBER OF COMMERCE?**

18 A. PATH has admitted that Aldie Warnock, Vice President of External Affairs  
19 for Allegheny Energy, was a member of the Chamber's Board of Directors  
20 for 2010-2011. During that time period, \$51,242.14 in expenses were  
21 recorded to above the line account 921 for costs incurred by PATH parent  
22 company External Affairs Department employees for their travel, meals and  
23 other expenses associated with, "employee attendance at Chamber

1 meetings/hearings/conferences where PATH was discussed.” It has not  
2 been determined whether these expenses were or were not entertainment  
3 expenses related to lobbying because PATH has refused to answer data  
4 requests relating to these expenses. Entertainment expenses related to  
5 lobbying are not recoverable from ratepayers.

6 **Q. WHAT ACTIONS DID THE MARYLAND CHAMBER OF COMMERCE TAKE**  
7 **TO SUPPORT THE PATH PROJECT?**

8 A. During Mr. Warnock’s tenure on the Maryland Chamber of Commerce  
9 Board of Directors, a petition to intervene out-of-time in PATH’s Maryland  
10 Public Service Commission case was filed by the Chamber on February 11,  
11 2011. The petition is attached as Exhibit NH-45. Despite PATH’s insistence  
12 that it had nothing to do with the Chamber’s intervention in the Maryland  
13 PSC case, PATH was aware that the Chamber would intervene months  
14 before the petition was publicly filed. During a PATH Board of Advisors  
15 conference call on November 5, 2010, the issue was raised whether  
16 “chamber people” could appear in PATH’s advertising “...given they are  
17 planning to intervene in a positive way.” (See Exhibit NH-46). In addition,  
18 Mr. Warnock received an advance copy of the petition from the Chamber’s  
19 counsel before it was filed with the Maryland Public Service Commission.  
20 PATH has stated that it has no knowledge of why Mr. Warnock received the  
21 Chamber’s petition before it was publicly filed.

22 **Q. HAVE THERE BEEN ALLEGATIONS THAT MR. WARNOCK PREVIOUSLY**  
23 **ACTED IMPROPERLY WITH REGARD TO THE MARYLAND PUBLIC**

1           **SERVICE COMMISSION?**

2       A.     Yes. A March 22, 2006, article in the Baltimore Sun  
3           ([http://articles.baltimoresun.com/2006-03-](http://articles.baltimoresun.com/2006-03-22/news/0603220237_1_schisler-energy-policy-public-service-commission)  
4           22/news/0603220237\_1\_schisler-energy-policy-public-service-  
5           commission, last accessed November 18, 2014) reported that emails  
6           between Mr. Warnock and then Maryland PSC Chairman Kenneth Schisler  
7           revealed inappropriate discussions and photos of a Texas hunting trip for  
8           Schisler and his aides that was hosted by Warnock when he was employed  
9           by a different utility.

10       **Q.     IN WHAT WAY DID THE CHAMBER'S INTERVENTION AT THE**  
11       **MARYLAND PUBLIC SERVICE COMMISSION PRESENT A CONFLICT?**

12       A.     The petition to intervene was filed on the Chamber's behalf by two  
13           attorneys with law firm Gordon, Feinblatt, Rothman, Hoffberger &  
14           Hollander, representing the Chamber *pro bono*. As noted on Exhibit NH-47,  
15           this firm also provided lobbying services to the PATH Project. The two  
16           attorneys filing the Chamber's petition were also registered with the State  
17           of Maryland to lobby on PATH's behalf regarding "Certificate of Need" (See  
18           Exhibit NH-48). It is clear that PATH's \$34,000 gold and platinum  
19           sponsorships of the Maryland Chamber of Commerce provided much more  
20           than a mere member relationship and eventually led to the Chamber,  
21           assisted by PATH's lobbyists, attempting to directly influence the decision  
22           of the Maryland Public Service Commission by intervening in the case to  
23           support PATH's application.

1     **Q.     HOW SHOULD THIS EXPENSE HAVE BEEN RECORDED?**

2     A.     This expense, intended to build advocacy to directly influence state  
3            approvals for the PATH Project, cannot be considered a necessary  
4            “membership,” and provides no corresponding benefit to ratepayers. The  
5            financing of targeted, third-party efforts to influence the decisions of public  
6            officials during an administrative permitting process using funds that are  
7            recovered from ratepayers is not just and reasonable and this expense  
8            should be have been recorded to below the line account 426.4,  
9            Expenditures for certain civic, political and related activities.

10                                    **X. R.L. REPASS & PARTNERS, INC.**

11     **Q.     DID YOU CHALLENGE EXPENSES RELATED TO SERVICES PROVIDED BY**  
12            **R.L. REPASS & PARTNERS, INC.?**

13     A.     Yes. We challenged the 2010 charges for the services of R.L. Repass &  
14            Partners, Inc. (“Repass”) that we were able to identify despite PATH’s  
15            refusal to provide complete information regarding these costs during the  
16            Annual Update review period. The charges for the subcontracted services  
17            of Repass were billed to PATH in invoices from public relations contractor  
18            Charles Ryan. These expenses were recorded to above the line account 923,  
19            Outside Services, and recovered from ratepayers in PATH’s 2010 Annual  
20            Update. I have also subsequently identified other Repass expenses that  
21            were passed through in Charles Ryan invoices recorded in Construction  
22            Work in Progress capital account 107. I have been able to identify a total of  
23            \$331,843.56 of Repass expense, and have detailed these expenses on

1 Exhibit NH-49.

2 **Q. CAN YOU DESCRIBE THE SERVICES REPASS PROVIDED TO THE PATH**  
3 **PROJECT?**

4 A. Repass conducted public opinion tracking research and focus groups in  
5 2008 and 2010 and provided reports of its research, and recommendations  
6 for a communications strategy, to PATH. PATH used this research to gauge  
7 public opinion about the PATH project, test and tweak its advertising  
8 messages, and determine whether there had been any change in public  
9 opinion over time since original baseline research was conducted before  
10 the project began. A Scope of Work description of the third wave of  
11 tracking research in 2010 noted: "The primary information objective of this  
12 tracking research is to reassess and monitor public opinion toward PATH  
13 and its opposition. This research will provide an assessment of the  
14 communications strategy and provide inputs for changes to the strategy if  
15 warranted." (See Exhibit NH-50).

16 **Q. HOW WERE THE SURVEYS AND FOCUS GROUPS CONDUCTED?**

17 A. Repass conducted telephone surveys, and in-person focus groups using  
18 paid subjects, to gauge public awareness/impression/opinion of the PATH  
19 project; to test messages about the PATH project to see which ones most  
20 resonated with the subjects; to find out what venues the public used to find  
21 information about PATH; and to analyze the content and effectiveness of  
22 grassroots opposition messaging.

23 **Q. CAN YOU DESCRIBE THE SURVEYS?**



1 A. The surveys were designed to solicit public opinion about the PATH project,  
2 parent companies American Electric Power and Allegheny Energy (now  
3 FirstEnergy), PATH's "reliable power coalitions," and general attitudes  
4 toward electric transmission. The surveys also solicited opinions about the  
5 effectiveness of grassroots PATH opposition groups.

6 **Q. CAN YOU DESCRIBE THE FOCUS GROUPS?**

7 A. PATH subcontractor Repass recruited focus group subjects via telephone,  
8 and offered to pay them to come to one of several focus group meetings  
9 held in the local community. At the meetings, subjects were audio and  
10 video taped as they were led through facilitated discussions about local  
11 community issues, including PATH, and presented with messages about the  
12 project in order to gauge their effectiveness. Subjects were not informed  
13 that the focus group was being conducted on behalf of, or funded by, PATH.

14 **Q. WHAT WAS THE PURPOSE OF THESE SURVEYS AND FOCUS GROUPS?**

15 A. Opinion polls and focus groups can be used to gauge the effectiveness of  
16 public relations advocacy campaigns, test and adjust company messaging  
17 over time, and disseminate information through statements or leading  
18 questions. An initial benchmark survey is conducted prior to beginning the  
19 campaign to identify strengths and weaknesses and areas of opportunity to  
20 build advocacy. Additional tracking polls over time measure progress and  
21 make adjustments to project messaging and communications tactics.

22 **Q. WHAT DID THE REPASS SURVEYS DETERMINE REGARDING PUBLIC**  
23 **OPINION ABOUT PATH AND THE EFFECTIVENESS OF PATH'S**

1           **ADVOCACY-BUILDING CAMPAIGN?**

2           A.     See Exhibit NH-51, Repass's Executive Summary report for the third wave  
3           of opinion research conducted in 2010. It is stated that the purpose of the  
4           research is to help PATH provide information that will enhance public  
5           support for the PATH project. The surveys were not conducted for  
6           educational purposes. It was noted that support for the PATH project had  
7           decreased ten percentage points from the prior survey, and that opposition  
8           to the PATH project had increased. Repass noted the success of grassroots  
9           opposition information campaigns and made several recommendations for  
10          overcoming this disadvantage, including increasing third-party advocacy  
11          tactics and focusing new messaging on the incorrect presumption that the  
12          electric grid had not been updated in 30 years.

13          **Q.     DID THE PATH PROJECT SURVEYS AND FOCUS GROUPS EDUCATE THE**  
14          **PUBLIC OR PROVIDE BENEFIT TO RATEPAYERS?**

15          A.     No. PATH's surveys and focus groups were conducted to measure the  
16          public opinion PATH was attempting to manipulate in order to influence the  
17          decisions of the state regulators who were evaluating its applications for  
18          the PATH project. Most importantly, the surveys and focus groups were  
19          designed to measure public opinion and make recommendations for  
20          building advocacy, not to educate the public about PATH. The  
21          measurement of public opinion and testing of project messaging during the  
22          state approval process provided no tangible benefit to ratepayers.

23          **Q.     HOW SHOULD PATH HAVE RECORDED THE EXPENSES OF R.L. REPASS**

1           **& PARTNERS, INC.?**

2           A.     The expenses of Repass should have been recorded to a below the line  
3                 account as an advocacy-building expense, and not recovered from  
4                 ratepayers.

5                                   **XI. ACCESS POINT PUBLIC AFFAIRS**

6           **Q.     DID YOU CHALLENGE PATH'S RECOVERY OF EXPENSES RELATED TO**  
7                 **THE SERVICES OF ACCESS POINT PUBLIC AFFAIRS?**

8           A.     Yes. PATH recovered \$75,068.78 of its expenses for the lobbying services of  
9                 Access Point Public Affairs (Access Point) in Loudoun County and at the  
10                Virginia State Legislature by erroneously recording the cost in above the  
11                line regulatory account 923 (Outside Services). PATH's Access Point  
12                expenses are detailed on Exhibit NH-52.

13          **Q.     CAN YOU DESCRIBE THE SERVICES ACCESS POINT PUBLIC AFFAIRS**  
14                 **PROVIDED TO THE PATH PROJECT?**

15          A.     PATH contracted the services of Access Point Public Affairs under two  
16                 separate purchase orders.  
17                 Purchase Order No. 4500210531, dated June 10, 2009, tasked Access Point  
18                 to provide intelligence gathering services to identify issues, positions,  
19                 minimize opposition and provide general information of interest for the  
20                 PATH Project in Loudoun County, Virginia. The contract also included the  
21                 task, "...Independent Contractor's best efforts to represent, as the company  
22                 may direct, the company's interests before any and all state, regional and  
23                 local government agencies in Virginia; and to assist the company in any

1 other consulting matters as the company may direct.”  
2 Purchase Order No. 4500239980, dated November 24, 2009, continued  
3 Access Point’s contract with PATH and further expanded its duties to  
4 provide strategic guidance on next steps in Loudoun County to support  
5 opportunities to influence the Board of Supervisors. This was to be  
6 accomplished through continued outreach to key stakeholders and those  
7 who influence them in Loudoun, and General Assembly outreach and  
8 communications.

9 As noted on Access Point’s Work Plan, the company would gather  
10 intelligence on key decision makers and those that influenced them in  
11 Loudoun County in order to support and advance the PATH project by  
12 obtaining release or modification of open space easements.

13 In addition, Access Point advised PATH on opportunities to financially  
14 sponsor business events, such as the Loudoun Chamber’s Board of  
15 Supervisors Breakfast as a way to curry favor for the PATH project, as well  
16 as political advice on campaign contributions for the Virginia Governor’s  
17 race. PATH’s purchase orders and contracts with Access Point Public  
18 Affairs, as well as Access Point’s Work Plan and emails detailing Access  
19 Point’s advice on sponsorships and campaign contributions, are contained  
20 in Exhibit NH-53.

21 **Q. WHY DID PATH WANT TO INFLUENCE THE LOUDOUN COUNTY BOARD**  
22 **OF SUPERVISORS?**

23 A. As noted on Exhibit NH-54, PATH’s preferred route through Loudoun

1 County crossed an open space easement in the River's Edge subdivision that  
2 was held by the County and prohibited the construction of a transmission  
3 line in the easement. PATH asked Loudoun County to modify or release the  
4 easement to allow the construction of PATH on its preferred route through  
5 the open space easement. Local residents and elected officials were  
6 opposed to the release of the easement. Access Point was contracted to  
7 influence the opinions of local elected officials and the administrative  
8 decision of the Board of Supervisors in this matter.

9 **Q. WERE ACCESS POINT'S DUTIES LOBBYING?**

10 A. Yes. Access Point attempted to identify or create advocates for modification  
11 or release of the conservation easement, and encouraged these advocates to  
12 act to attempt to influence the Board of Supervisors' decision on this  
13 matter. Modification or release of the conservation easement would have  
14 been an administrative action of the Loudoun County Board of Supervisors.

15 **Q. DID PATH ACCURATELY AND CONSISTENTLY RECORD ITS COSTS**  
16 **RELATED TO ACCESS POINT PUBLIC AFFAIRS?**

17 A. No. Exhibit NH-52 shows an inaccurate and inconsistent recording of  
18 Access Point Public Affairs monthly expenses for both these purchase  
19 orders. PATH recorded monthly charges for Access Point's continuing  
20 services under one purchase order differently from month to month. PATH  
21 recorded Access Point expenses to both above the line account 923, Outside  
22 Services, on certain months, and to below the line account 426.4,  
23 Expenditures for certain civic, political and related activities, in other

1 months.

2 **Q. HOW SHOULD PATH HAVE ACCOUNTED FOR THESE EXPENSES?**

3 A. The expenses of Access Point Public Affairs should have properly been  
4 recorded for all months to below the line USofA account 426.4,  
5 Expenditures for civic, political and related activities.

6 **XII. LARRY PUCCIO, L.C.**

7 **Q. CAN YOU DESCRIBE THE EXPENSES RELATED TO THE SERVICES OF**  
8 **LARRY PUCCIO, L.C. THAT YOU CHALLENGED?**

9 A. Yes. At the request of PATH, its public relations contractor, Charles Ryan,  
10 subcontracted the services of registered West Virginia lobbyist Larry  
11 Puccio, L.C., to advocate and lobby for the PATH project. Charles Ryan re-  
12 billed the cost of Larry Puccio to PATH. PATH recorded \$93,910.00, or  
13 \$10,417.00 per month, for Larry Puccio's services and expenses in above  
14 the line regulatory account 923 (Outside Services) and recovered this cost  
15 through its Formula Rate in 2010 and 2011. (See Exhibit NH-55).

16 **Q. HOW DID PATH DESCRIBE THE SERVICES LARRY PUCCIO PROVIDED**  
17 **TO THE PATH PROJECT?**

18 A. In Interrogatories, PATH characterized Mr. Puccio's monthly services as  
19 generalized "consulting," and further elaborated that the services included  
20 meeting with stakeholders, reviewing testimony, reviewing material, and  
21 "etc." PATH also stated that Larry Puccio met with project leaders,  
22 participated in conference calls, and attended associated functions and  
23 team meetings. PATH stated that Larry Puccio's work "educated public

1 officials,” but did not consist of lobbying and that the company did not have  
2 a contractual relationship with Mr. Puccio. (See Exhibit NH-56). However,  
3 PATH has never produced any detail of the actual services provided, and  
4 company emails and documents produced in discovery tell a different story.

5 **Q. HOW DID PATH’S EMAILS AND DOCUMENTS EXPLAIN THE SERVICES**  
6 **OF LARRY PUCCIO?**

7 A. As documented in Exhibit NH-57, Larry Puccio was recruited in December  
8 of 2009 by PATH parent company staff lobbyists to “become involved with  
9 the PATH project.” Conference calls between parent company external  
10 affairs staff members were held that discussed how Mr. Puccio could be  
11 “utilized,” supposing that he could do “real estate (R/W) work, lobby or  
12 both.” PATH employees posed that PATH needed to decide exactly what  
13 they would ask him to do, who would be contracting his services, and other  
14 details. Mr. Puccio’s WV State Ethics Commission eligibility to lobby after  
15 January 1, 2010 was discussed. Mr. Puccio submitted a Contract for West  
16 Virginia Lobbying Services at the rate of \$10,416.67 per month to Allegheny  
17 Energy Director of External Affairs George Blankenship dated January 4,  
18 2010, along with a lobbyist registration form to be filled out by the  
19 company. After consultation with parent company legal departments,  
20 PATH external affairs personnel discussed the contract via email and  
21 advised that the contract should be revised to reflect Charles Ryan as the  
22 client and signatory, and that “Charles Ryan will simply take any agreement  
23 we approve.”

1 In July of 2010, Charles Ryan held a meeting to “give Larry and his team a  
2 full PATH briefing” that included PATH project staff such as parent  
3 company communications and external affairs personnel. The meeting  
4 agenda included “Elected Official Overview and Challenges” presented by  
5 parent company lobbyists. It was suggested that Larry Puccio “review  
6 testimony” and “review websites” to prepare for the meeting. This  
7 description of Larry Puccio’s “services” continued on a monthly basis going  
8 forward. At the meeting, it was proposed that Larry Puccio’s services be  
9 categorized “under the PEAT team,” however he “wouldn’t give speaking  
10 engagements but would educate elected officials and community leaders  
11 about the benefits of PATH.” It was decided that Larry Puccio should  
12 coordinate his contacts with PATH parent company lobbyists so that they  
13 could inform him about “conflicts that he may not be as sensitive to.”

14 In August of 2010, emails were exchanged between Charles Ryan  
15 accountants and “puzzled” AEP accountants regarding the bills for Mr.  
16 Puccio’s services and the lack of “back up” for the invoices that described  
17 the services provided. This conflict inspired a “BOM” [Board of Mangers]  
18 meeting where Charles Ryan manager Susan Lavenski “want[ed] to discuss  
19 how we want to characterize the nature of Mr. Puccio’s services.”

20 On September 1, 2010, Charles Ryan employee Matt Sutton provided “the  
21 stuff for Larry” to PATH parent company communications staff. The “stuff”  
22 included a standard “description of services” to be used for all Larry Puccio  
23 invoices going forward, describing his services as: “speak to local



1 stakeholders, participate on conference calls, attend team meetings,  
2 reviewed testimony, reviewed online materials, attended association  
3 functions, met with project leaders.”

4 **Q. WHAT IS LARRY PUCCIO’S AREA OF EXPERTISE?**

5 A. Larry Puccio served as Chief of Staff for former West Virginia Governor Joe  
6 Manchin. After resigning that position on December 31, 2009, Mr. Puccio  
7 registered as a West Virginia Legislative Lobbyist one week later. Mr.  
8 Puccio was elected as West Virginia Democratic Party Chairman in June of  
9 2010.

10 **Q. WAS MR. PUCCIO A REGISTERED LOBBYIST FOR PATH OR ITS PARENT**  
11 **COMPANIES?**

12 Larry Puccio is registered with the West Virginia Ethics Commission as a  
13 lobbyist for PATH parent company FirstEnergy Service Company (see  
14 Exhibit NH-58). Mr. Puccio’s area of expertise and influence is political. Mr.  
15 Puccio clearly believed that the services he was to perform for the PATH  
16 project were lobbying, as evidenced by the contract proposal and lobbyist  
17 registration form he submitted for PATH’s approval/signature. PATH has  
18 provided no evidence that Mr. Puccio’s services were other than lobbying,  
19 therefore the “consulting services” provided to the PATH project were  
20 lobbying.

21 **Q. HOW DID PATH RECORD THE EXPENSE FOR MR. PUCCIO’S SERVICES?**

22 A. PATH recorded the invoices from Charles Ryan that passed through the cost  
23 of Mr. Puccio’s consulting services in above the line USofA account 923,

1 Outside Services.

2 **Q. HOW SHOULD MR. PUCCIO'S SERVICES HAVE BEEN RECORDED?**

3 A. Mr. Puccio's services should have been recorded as lobbying in USofA  
4 account 426.4, Expenditures for civic, political and related activities, a  
5 below the line account not included in rates.

6 **XIII. CONCLUSION**

7 **Q. HOW DID PATH RESPOND TO YOUR FORMAL CHALLENGES?**

8 A. In addition to filing the required Answers to the Formal Challenges with the  
9 Commission each year, PATH also made a change to the definition of  
10 "interested party" in its Formula Rate Protocols in 2011 (FERC Docket No.  
11 ER12-269). This change of definition was a failed attempt to prohibit the  
12 participation of interested parties Ms. Haverty and Ms. Newman in its  
13 Formula Rate Annual Updates. PATH also filed an unsuccessful Motion to  
14 Dismiss the Challenges in Docket No. ER09-1256 on October 20, 2011,  
15 stating that Ms. Haverty and Ms. Newman had no standing to challenge its  
16 annual updates. PATH also refused to cooperate with interested parties  
17 during the discovery period for the 2011 Annual Update, causing the  
18 process to be more arduous and extensive than necessary. PATH refused to  
19 allow interested parties to participate in the 2012 Annual Update process at  
20 all, resulting in two separate Section 206 complaints (Docket Nos. EL12-79  
21 and EL12-85) that were granted by the Commission on September 20,  
22 2012. In October of 2012, PATH filed a Motion to Consolidate the Formal  
23 Challenges with its Section 205 filing to recover abandoned plant.

1     **Q.     HAS PATH RECOVERED THE COSTS OF ITS LEGAL DEFENSE OF THE**  
2     **CHALLENGES FROM RATEPAYERS?**

3     A.     Yes. To date, PATH has recovered the entire cost of its offensive and  
4     defensive legal maneuvers relating to the Challenges from ratepayers, but  
5     refuses to reveal how much it has cost.

6     **Q.     SHOULD PATH BE PERMITTED TO RECOVER THE COST OF ANY**  
7     **UNSUCCESSFUL LEGAL DEFENSE OF THE CHALLENGES?**

8     A.     No. Allowing PATH to recover the cost of an unsuccessful legal defense  
9     could negate any refund to ratepayers granted in this proceeding.

10    **Q.     WHAT WAS THE TOTAL COST OF PATH'S ADVERTISING, ADVOCACY-**  
11    **BUILDING AND LOBBYING EXPENSES THAT WERE RECOVERED FROM**  
12    **RATEPAYERS IN 2009, 2010 AND 2011?**

13    A.     \$6,237,472.17.

14    **Q.     WAS PATH'S ADVOCACY-BUILDING AND LOBBYING CAMPAIGN**  
15    **SUCCESSFUL?**

16    A.     No. Despite spending millions of dollars on a campaign to build support  
17    and advocacy for the PATH project, public opinion research showed that by  
18    mid-2010, PATH was losing public support for its project and that  
19    opposition was increasing. PATH's advocacy-building campaign was  
20    ineffective and provided no benefit to the ratepayers who funded it.

21    **Q.     DOES THIS CONCLUDE YOUR TESTIMONY?**

22    A.     Yes.

23

UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION

Potomac-Appalachian Transmission Highline, LLC )  
and PJM Interconnection, L.L.C. )

Docket No. ER09-1256-002  
Docket No. ER12-2708-003  
CONSOLIDATED

AFFIDAVIT

STATE OF WEST VIRGINIA )  
COUNTY OF JEFFERSON )

KERYN NEWMAN, being duly sworn, deposes and states: that the attached is her sworn testimony and that the statements contained are true and correct to the best of her knowledge, information and belief.

Keryn Newman  
Keryn Newman

Sworn to and subscribed before me on this  
18<sup>th</sup> day of November 2014.

Mary Lou Silcox  
Notary Public



**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC )  
and PJM Interconnection, L.L.C. )

Docket No. ER09-1256-002  
Docket No. ER12-2708-003  
CONSOLIDATED

**EXHIBITS OF KERYN NEWMAN**

**ON BEHALF OF  
KERYN NEWMAN AND ALISON HAVERTY**

**NOVEMBER 21, 2014**

## **Exhibit No. NH-2**

**American Electric Power Meeting Minutes dated 3/15/10 for subject  
“Classification of Charles Ryan Invoices”**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



**Meeting Record**

<b>Meeting Dates:</b>	3/15/2010	<b>Meeting Subject:</b>	Classification of Charles Ryan invoices
-----------------------	-----------	-------------------------	---

**Invitees Present:**

Allegheny: Doug Colafella, Angela Alton, Courtney Ansell, Carol Pittavino, Cathy Tokar, Lisa Dugan, Cheryl Gonder, Debbie Lohr, Rhiannon Friend, Susan Boggs

AEP: Tom Holliday, Don Richardson, Archie Pugh, Ed Caldwell, Bart Taberner, Ron Poff, Shari Weisberg, David Reed, John Huneck, Tiffany McGinnis

**Meeting Agenda**

1. Discuss coding for Charles Ryan costs incurred by PATH-WV and PATH-ALLEGHENY to make sure AEP and Allegheny are recording costs consistently.
2. Accruals for Charles Ryan are either "expense" or "capital" and AEP will need more information in the future to break-out type of expenses into correct account (either O&M account 9301000: General Advertising Expenses or O&M account 9230001: Outside Services).
3. Agree on terminology. Example- Charles Ryan provides "outside services" which are considered capital and certain costs are booked under O&M account 9230001: "Outside Services."
4. Accounting created a high-level department matrix that documents how costs should be allocated between (1) capital and O&M and (2) category of service. Let's review to make sure everyone is aware of matrix and location of most recent version (document is saved on SharePoint under Treas, Finan, Acctg & Tax tab).

**Minutes**

Background:

- PATH has a contract with Charles Ryan Associates ("CRA") and the vendor is the strategic communications partner for the project. At a high level, CRA provides the following services:
  - Mass media advertising
  - Consulting/ guidance for sub-contractors
  - Coalition education/ PATH Education Awareness Team ("PEAT")
- AEP is responsible for reviewing/ coding CRA invoices for PATH-WV and Allegheny is responsible for reviewing/ coding CRA invoices for PATH-Allegheny.

Discussion:

- Review classification for CRA charges:
  - Capital account 107: CWIP
    - Activity in support of Siting & ROW (i.e. – develop ROW materials for landowners)
    - Activity in support of CPCN Permitting (i.e. – consulting, strategic advice, guidance on reaching milestones in the regulatory process including fact sheets and materials for public input hearings)
    - NEPA
  - O&M account 923: Outside Services
    - Activity in support of PEAT (i.e. - educating the public on need for transmission lines)
    - Labor relations
    - Updating website



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- O&M account 930.1: General Advertising Expenses
  - Mass media advertising [note- communications team reviews advertising to make sure it meets the criteria of being educational in nature in order for the costs to be recoverable in rate base]
- For audit purposes and consistent coding by PATH-WV and PATH-Allegheny, we need to work with CRA on the format of their itemized invoices.

### Action Items

- Tom Holliday and Doug Colafella to schedule a conference call with CRA, Allegheny and AEP to discuss updates to process of documenting expenses. Include in meeting: Doug Colafella, Susan Boggs, Angela Alton, Tom Holliday, Ed Caldwell, Ron Poff and Bart Taberner (CC: Aldie Warnock, Mark Dempsey and George Blankenship)
  - Additional item to discuss with CRA that was not mentioned in conference call: CRA needs to provide more support for monthly accruals so that we can code correctly (i.e. – distinguish between O&M outside services and O&M general adverting).
- After discussion with CRA, Tom Holliday and Doug Colafella to schedule a follow-up meeting with this group to determine best approach to review new format of CRA invoices.



## **Exhibit No. NH-3**

**PATH emails discussing and distributing “cheat sheet”  
for Charles Ryan invoices dated March 2010**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Colafella, Douglas G. <dcolafe@allegHENypower.com>  
**Sent:** Wednesday, March 17, 2010 8:25 AM  
**To:** Boggs, Susan V. <sboggs@allegHENypower.com>; taholliday@aep.com  
**Subject:** RE: "Cheat sheet" for PATH Account Coding

---

Thanks for preparing this Tom, looks great.

-----Original Message-----

From: Boggs, Susan V.  
Sent: Wednesday, March 17, 2010 9:24 AM  
To: 'taholliday@aep.com'  
Cc: Colafella, Douglas G.  
Subject: RE: "Cheat sheet" for PATH Account Coding

Tom -- No other comments. I think this is very helpful. Thanks.

Susan V. Boggs  
GM, EHV Project Administration & Control  
Allegheny Energy, Inc.  
Internal: 8-400-6453  
External: 724-838-6453

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-----Original Message-----

From: taholliday@aep.com [mailto:taholliday@aep.com]  
Sent: Wednesday, March 17, 2010 9:22 AM  
To: Colafella, Douglas G.; Boggs, Susan V.  
Subject: Fw: "Cheat sheet" for PATH Account Coding

Doug/Susan... any other comments? Are comfortable with me including my cheat sheet in a conference call invite?

----- Forwarded by Thomas A Holliday/OR3/AEPIN on 03/17/2010 09:20 AM -----

Tiffany T

McGinnis/AEPIN

PATH00011231

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

To  
03/16/2010 12:34 Thomas A Holliday/OR3/AEPIN@AEPIN

PM

cc

dcolafe@allegHENypower.com,

sboggs@allegHENypower.com

Subject  
Fw: "Cheat sheet" for PATH

Account  
Coding

This document covers the types of costs mentioned during our meeting yesterday and I think will be very useful to CRA folks. My only change is that the FERC accounts are 107, 923 and 930.1... the seven digit accounts are from AEP's system. Thanks.

Tiffany McGinnis, CPA  
Senior Accountant - Transmission Accounting  
American Electric Power  
phone: (614) 552-1833  
e-mail: ttmcginnis@aep.com

----- Forwarded by Tiffany T McGinnis/AEPIN on 03/16/2010 12:28 PM ---  
--

Thomas A

Holliday/OR3/AEPI

N

To

dcolafe@allegHENypower.com,

Tiffany

03/16/2010 12:14 T McGinnis/AEPIN@AEPIN,

PM sboggs@allegHENypower.com

cc

Subject

PATH00011232

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

"Cheat sheet" for PATH Account

Coding

All -- Before I set our conference call with the CRA folks, I thought I'd try and pull together a reference sheet that would help us all understand the various "pots" that we need to use when preparing/coding/processing invoices from CRA. I'd like the three of you to take a look at my cheat sheet and see if you think I've addressed the various issues that we've been talking about. If it's on track, I'd like to include it in my meeting invitation. Input is welcome!

(See attached file: PATH Communications Expenses Matrix.doc)

Thomas A. Holliday, APR  
Director - Communications Services  
American Electric Power  
1 Riverside Plaza - 19th Fl.  
Columbus, OH 43215-2373  
PH: (614) 716-1403 aud. 222  
Email: taholliday@aep.com

PATH00011233

**PATH Communications Expenses  
Coding Matrix  
March 2010**

	<b>Capital</b>	<b>O&amp;M</b>
<b>Consulting - Support</b>	<p>Any activity (except advertising) conducted to support the <b>Siting/ROW/CPCN</b> activities related to PATH.</p> <p>For Example: Planning for open houses, open house expenses, preparation of materials for open houses, planning &amp; preparation for public hearings -- including PEAT support of public hearings, preparation of ROW fact sheets/information kits, etc.</p> <p>For internal purposes, these types of activities are coded using <b>FERC Acct. 1070000 (Capital)</b></p>	<p>Any activity (except advertising) conducted to <b>support general informational and educational efforts</b> to garner public support for the project.</p> <p>For example: General project planning/consulting, general PEAT support, Third-Party Coalition support, Web Maintenance, general media relations initiatives including media events, Preparation of general informational materials, etc.</p> <p>For internal purposes, these types of activities are coded using <b>FERC Acct. 9230001 (Outside Services)</b></p>
<b>Advertising</b>	<p>Costs associated with the development and placement of <b>advertising specifically in support of Siting/ROW/CPCN</b> activities related to PATH, (i.e. ads announcing dates and times of open houses)</p> <p>For internal purposes, these types of activities are coded using <b>FERC Acct. 1070000 (Capital)</b></p>	<p>Costs associated with the development and placement of <b>advertising to support general informational and educational efforts</b> to garner public support for the project.</p> <p>For internal purposes, these types of activities are coded using <b>FERC Acct. 9301000 (General Advertising)</b></p>

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** deheydlauff@aep.com  
**Sent:** Monday, March 29, 2010 2:03 PM  
**To:** rjromine@aep.com  
**Subject:** Fw: Accounting for PATH Communications Expenses  
**Attach:** PATH Communications Expenses Matrix.doc

---

FYI, re my time reporting.

Thanks,

Dale

Dale E. Heydlauff  
Vice President-Corporate Communications  
American Electric Power  
1 Riverside Plaza  
Columbus, Ohio 43215  
Phone: 614/716-1280  
Fax: 614/716-2699

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----- Forwarded by Dale E Heydlauff/OR3/AEPIN on 03/29/2010 03:03 PM -----

**Thomas A Holliday/OR3/AEPIN**  
03/29/2010 02:27 PM  
Subject: Accounting for PATH Communications Expenses  
To: ASTAGGE@allegHENenergy.com, awamoc@allegHENenergy.com, bryan@browncomm.com, CESTEL@allegHENpower.com, CFRIDDL@allegHENpower.com, ckruff@allegHENpower.com, Louise.Lake.Hayman@gmail.com, saery@artemisgrp.com, aalton@allegHENpower.com, dlanning@CharlesRyanAssociates.com  
cc: Bartley C Taberner/CA1/AEPIN@AEPIN, deheydlauff@aep.com, Louise.Lake.Hayman@gmail.com, saery@artemisgrp.com, aalton@allegHENpower.com, dlanning@CharlesRyanAssociates.com  
'432E1B9E594950F88525769C004AF639' view = '5E502A1BAAAF40CA85256197006C1A32' database = '8525609B00619A22' }

For those of you who may not be aware, the recent preparation of the PATH-WV annual report, led to a discussion between Accounting and CorpComm about how we are classifying invoices for the work done by Charles Ryan Associates and other external/communications consultants in support of PATH. In an effort to get everyone on the same page regarding the level of detail that's required to accurately process expenses, a small group from CorpComm, Accounting and Project Management put our heads together and developed the attached matrix to illustrate the type of expenses that are Capital vs. O&M, and Advertising vs. Outside Services. This has been reviewed by both companies' Legal groups and they concur with our approach.

Charles Ryan Associates will be using the matrix to allocate their time and expenses on their invoices, and those of use in Accounting, Corporate Communications and Project Management will use the matrix to classify and code the invoices we receive. The matrix should also guide how we code our own time and personal expenses on the project. I'm sending this note to our regular ExComm Committee attendees and the Accounting folks who were part of our original discussion. But I'd ask you to forward the note to anyone else I may have missed who may be involved in processing Communications-related invoices. Thanks.



PATH Communications Expenses Matrix.doc

Thomas A. Holliday, APR  
Director - Communications Services  
American Electric Power  
1 Riverside Plaza - 19th Fl.  
Columbus, OH 43215-2373  
PH: (614) 716-1403 aud. 222  
Email: taholliday@aep.com

PATH00003761

## **Exhibit No. NH-4**

**PATH Treasury/Finance/Accounting/Tax Team slide dated 10/27/10  
and 11/16/10 PATH FERC Accounting Meeting notice**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

# Treasury/Finance/Accounting/Tax Team

## Treasury:

**Obtain Interim Financing - \$300 million**

\$175 million PATH WV

\$125 million PATH AYE

**2-Year Senior Secured Revolving Credit Facility**

**Currently negotiating the terms and conditions with the bank syndicate**

**Long term Financing Plan will be determined once we have received all three of the required CPCN's**

## Finance:

**Invoice Review Process**

Define clear expectations to service providers relating to back up and support for all charges

Establish process for timeliness of invoices, deadlines to re-bill unpaid items, maintain accurate invoice records

**Accruals**

Significant Project Spend will result in significant accrual amounts

Service has been provided, but invoice has not been paid

Estimates of services for last few days of month may be required

## Accounting:

**Accurate recording of costs: Capital versus Expense, Recoverable versus Non-recoverable**

Documentation

Training

October 27, 2010



Calendar Entry

**Notice**

---

**Subject:** PATH FERC ACCOUNTING

**Chair:** Eric A. Jesionowski

**Invitees**

**Required (to):** Milorad Pokrajac, Ann Marie Horrell, Elaine J. Shetler-Libent

**When** **Date** Tuesday 11/16/2010

**Time** 04:30 PM - 05:00 PM (0 hour 30 minutes)

---

When: Tuesday, November 16, 2010 11:30 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).

Where: Audit Services Team Rm M206 (Contact Kathy Darling)

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

Audit Services is performing a review of PATH Accounting. We would like to discuss the FERC accounting rules over what is recoverable and not recoverable in accounts 921 - Office Supplies & Expenses, 923 - Outside Services Employed, 925 - Injuries & Damages, 928 - Regulatory Commission Expense, 930.1 - General Advertising, 930.2 - Misc General Expense and 935 Maint General Plant. This would be for both PATH WV and PATH AE.

## **Exhibit No. NH-5**

**PATH emails regarding discussion to improve invoicing with  
Charles Ryan dated January 2011**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Colafella, Douglas G. <dcolafe@alleghenypower.com>  
**Sent:** Tuesday, January 18, 2011 9:54 AM  
**To:** eocaldwell@aep.com  
**Cc:** Boggs, Susan V. <sboggs@alleghenypower.com>; taholliday@aep.com  
**Subject:** FW: Need Your Thoughts  
**Attach:** Agenda for Discussion to Improve Invoicing with Charles Ryan.doc

---

Ed,

Thanks for putting this agenda together and I'm happy to participate in a meeting. I hope you don't mind me asking your team to set up and coordinate this meeting, but this is really more for Project Controls' benefit. I'm comfortable with CRA's billing as is, but if there are changes that will help us better track charges, then I'm happy to participate and make sure CRA knows what you need. Thanks.

-----Original Message-----

From: Tokar, Catherine A.  
Sent: Tuesday, January 18, 2011 10:27 AM  
To: Gonder, Cheryl L.  
Cc: Ansell, Courtney C.; Zola, Nazzi C.; Colafella, Douglas G.; Radvansky, Diane M.; eocaldwell@aep.com; Boggs, Susan V.  
Subject: FW: Need Your Thoughts

FYI, see below for Nazzi's comments.

In addition to Nazzi's comments, I have a few other suggestions:

A. For O&M expenditures:

1. Advertising costs - need to be identified as to whether it is related to safety, education, siting or outreach.
2. Outside Services costs - need to be identified as to what type of specific service is being provided--for example, strategic consulting in order to reach the majority of population most efficiently

B. For Capital expenditures:

1. Siting & Right of Way - need to identify and be more specific--for example, if related to open houses
2. Securing CPCN - need to identify and be more specific on how it is relevant to securing CPCN

C. If political leaders are part of the the targeted audience, please

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identify on the invoice and keep in mind the following:

1. If the work is to sway the politician opinion on something that he/she can influence through their vote, then these costs would be considered lobbying and should be accounted for below the line and not recoverable through the formula rate

2. If the work is solely to educate the politician so that he/she could speak more intelligently to the general public on the impacts of the PATH project and not to influence the politician's vote, then these costs would be considered Advertising Educational and should be charged to FERC 930.1.

-----Original Message-----

From: Zola, Nazzi C.  
Sent: Tuesday, January 18, 2011 8:42 AM  
To: Tokar, Catherine A.  
Subject: RE: Need Your Thoughts

I think this is a step in the right direction but I think the summary page should include a narrative of the purpose of the activities, what they are intended to accomplish, who the audience is and why they are being undertaken.

In addition it is critical to know if any political decision makers are a part of the targeted audience.

-----Original Message-----

From: Tokar, Catherine A.  
Sent: Tuesday, January 18, 2011 8:32 AM  
To: Zola, Nazzi C.  
Subject: FW: Need Your Thoughts

Would appreciate your insight too.

-----Original Message-----

From: Gonder, Cheryl L.  
Sent: Tuesday, January 18, 2011 7:13 AM  
To: Tokar, Catherine A.; Ansell, Courtney C.  
Cc: 'eocaldwell@aep.com'  
Subject: FW: Need Your Thoughts

Cathy & Courtney - in an effort to help Ed lead the charge to improve CRA invoice support, please read his attachment of items we plan to discuss with them, and add any comments that you feel will be helpful. A quick turn around would be appreciated as we need to discuss with CRA as soon as possible.

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Ed - One suggestion I have, and Cathy and Courtney will likely address this - the biggest question that always needs to be answered for CRA is this - are these costs advertising, or are they educational. I would suggest we make them identify all charges as one of these, or a third category if that is appropriate. Additionally - a big question that helps in identifying the proper classification is to know who the audience is at their events. So adding that item to you checklist as far as venue and purpose - add audience description - will help too.

Thanks,

Cheryl

-----Original Message-----

From: eocaldwell@aep.com [mailto:eocaldwell@aep.com]  
Sent: Monday, January 17, 2011 3:40 PM  
To: Radvansky, Diane M.; Gonder, Cheryl L.  
Cc: Boggs, Susan V.  
Subject: Need Your Thoughts

Doug Colafella had requested I set up a meeting to discuss my recent and ongoing issues with Charles Ryan invoices. Before I get all the players involved I thought maybe the three of us could see if we're having similar issues and if the solutions I'm suggesting would help or not. Here's a brief summary of what I had planned to use to get the discussions going.  
Do you two want to talk about the concerns or add any additional thoughts in the initial summary document?

Let me know if you want to discuss over the phone or just make your comments in the document and I'll set up the call with Doug and Tom Holliday. Our first meeting is planned to be internal.

(See attached file: Agenda for Discussion to Improve Invoicing with Charles Ryan.doc)

Thanks, Ed

AEP Transmission Project Cost Control  
Audinet 300-7026  
Direct 540-562-7026



## Agenda for Discussion to Improve Invoicing with Charles Ryan & Associates

I would like to propose we discuss improvements with Charles Ryan and Associates regarding the format and content of their invoices on behalf of PATH. Much time and energy has been expended supporting recent Discovery requests as well as AEP Internal Auditing regarding the classification of CRA invoices. My view on the results of this extensive review is that we are not receiving adequate invoice support from CRA to recover and support past accounting decisions. I am suggesting we agree internally on what we need and present those needs to CRA for inclusion in their 2011 services to PATH.

I have highlighted the key issues and suggested changes below. The items covered are generalized for brevity so if anyone needs a scanned copy showing what is currently provided I would be happy to provide that. What I'm requesting is not something we don't request/require and receive from other vendors as well as our own employees charging the project. I see the need to improve our invoicing expectations and product with CRA would like to have these issues resolved for 2011 business with them.

1. Each Invoice should be submitted with a cover letter outlining the scope of work provided in enough detail to allow proper accounting and support when called into discovery or audit proceedings. This level of support is implied throughout the service provider services agreement but has not proven to be sufficient to allow PATH to adequately support the review and backup support of the services provided. I would like to see a specific statement with each invoice regarding expenses for any services or meetings held or attended as to the scope, subject matter and relevance to the PATH Project.
2. The support in (1) above should carry forth in any pass-through subcontractor services or expenses billed by CRA. Each subcontractor submittal should include scope of services, statement of subject matter and relevance to PATH Project. Due to the manner in which these expenses are currently supported I would also like CRA to prepare a summary page with the details of the expenses outlined to facilitate a better review of the entire invoice. The supporting expense support details should be attached to the summary of expense statement.
3. Someone may want to observe we already have a "Statement of Work" as provided in each contract "amendment". I see that statement as being too general and high-level so as to provide support for specific invoice auditing. To only refer an invoice as PEAT or West Virginia Reliable Power Coalition without any details as to the specific venue, scope and relevance to PATH is insufficient to support a prudent internal review or any discovery or audit request that may come 12-18 months after the invoice has been paid.

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** eocaldwell@aep.com  
**Sent:** Tuesday, January 18, 2011 1:27 PM  
**To:** awarnoc@allegHENyenergy.com; cansell@allegHENyenergy.com;  
cgonder@allegHENyenergy.com; cjohns2@allegHENyenergy.com;  
ctokar@allegHENyenergy.com; dcolafe@allegHENyenergy.com;  
dradvan@allegHENyenergy.com; nzola@allegHENyenergy.com;  
sboggs@allegHENyenergy.com; Scott N Markwell <cn=scott n  
markwell/o=aepin@aepin>; Thomas A Holliday <cn=thomas a  
holliday/ou=or3/o=aepin@aepin>  
**Subject:** Invitation: Discussion to Improve Charles Ryan Associates Invoice Processing  
(Jan 19 02:00 PM EST in Teleconference)  
**Attach:** Agenda for Discussion to Improve Invoicing with Charles Ryan.doc

---

For those that would like to participate I have set-up a conference call to discuss possible improvements in our Charles Ryan invoice processing. The attached document outlines the major issues and proposes some solution options. If we agree internally to the need and proposed solutions we can then determine how best to engage CRA in the process improvements.

Toll Free: 888-237-7001

Host Code: 115593

Audinet: 200-4410



Agenda for Discussion to Improve Invoicing with Charles Ryan.doc

Agenda for Discussion to Improve Invoicing with Charles Ryan & Associates

I would like to propose we discuss improvements with Charles Ryan and Associates regarding the format and content of their invoices on behalf of PATH. Much time and energy has been expended supporting recent Discovery requests as well as AEP Internal Auditing regarding the classification of CRA invoices. My view on the results of this extensive review is that we do not have adequate invoice support to adequately respond to public and internal inquires in support of our accounting decisions. I am suggesting we agree internally on what we need and present those needs to CRA for inclusion in their 2011 services to PATH.

I have highlighted the key issues and suggested changes below. The items covered are generalized for brevity so if anyone needs a scanned copy showing what is currently provided I would be happy to provide that. What I'm requesting is not something we don't request/require and receive from other vendors as well as our own employees charging PATH or any other project. I see the need to improve our invoicing expectations and product with CRA would like to have these issues resolved for 2011 business with them.

1. Each Invoice should be submitted with a cover letter including a narrative of the services covered in the invoice. The narrative should include such items as the purpose of the activity, the relevance/benefit to the PATH Project, the venue, the audience and the outcome statement. Our need for such detail is to have provided the support necessary to allow proper accounting and backup when expenses are called into discovery or audit proceedings. This level of support is implied throughout the service provider services agreement but the deliverable to-date has not proven to be sufficient to allow PATH to adequately support the review and backup support of the services provided. For large venues a general description of the target audience is sufficient (i.e., public workshop, PSC staff, etc). For small meetings an attendance record should be provided with any minutes taken that may assist in accounting or backup
2. The support in (1) above should carry forth in any pass-through subcontractor services or expenses billed by CRA. Each subcontractor submittal should include scope of services, statement of subject matter and relevance to PATH Project. Due to the manner in which these expenses are currently supported I would also propose a summary page be prepared with the details of the expenses outlined to facilitate a better review of the entire invoice. Copies of the supporting expense support details should be attached to the summary of expense statement.
3. Someone may want to observe we already have a "Statement of Work" as provided in each contract "amendment". I see that statement as being too general and high-level so as to provide support for specific invoice auditing. To only refer an invoice as Production without any details as to the specific venue, scope and relevance to PATH is insufficient to support a prudent internal review or any discovery or audit request that may come 12-18 months after the invoice has been paid. We don't know if something was produced to facilitate a public meeting for



Siting the project, to promote our environmentally friendly plans for the line or to provide exhibits for presentation in favor or against some legislation. One may be Capital, another education Expense and the latter Lobby efforts.

Today we have a high-level guideline on how CRA invoices should be interpreted and accounted for. Based on recent discovery and audits this high-level guideline has proven insufficient for the Project Controls team to effectively respond to inquiries.

Today we classify invoices as Strategy, Production, and Expenses or if directly related to PEAT, West Virginians for Reliable Power Coalition, etc. This has helped with consistency but does have gaps we would like to work to fill in 2011.

Here are some specific areas where improvement is necessary;

First, each invoice should clearly state the PATH WV and PATH AYE portions adding to the total invoice.

Secondly, any invoice or support should have enough detail or narrative support to answer the following questions: what specific service was provided (if Production what was produced and what is the PATH benefit), what was the PATH related benefit of the service, who provided the service, what costs were incurred and if there was an audience what was the general make-up (public meeting/workshop, political audience, media, internal, consultant, etc. This helps direct the accounting in a general manner but where we are falling short is with any support as to what the services are for, basically who, what, why, etc.

The invoice details that are intended to support expenses need to be better explained, better organized and clearly copied. It would be best if a summary page for all expenses were prepared with the support attached to that page. Where there is business meals/entertainment we need the names in attendance and a brief statement as to the PATH related business purpose.

Finally, it would be helpful if the narrative or scope document included PATH Project related service terminology if known, such as support of CPCN, Siting & ROW, EIS, etc. If the venue or meeting is politically oriented the audience, scope and goal should be in sufficient detail to allow determination as to if its education or lobbying.

This is the second such attempt we've made to help better document work done in support of the project by CRA. The first was in early 2010 with a good start and now this is an attempt to build on those guidelines with details we've found missing through Discovery and Audit experiences for 2009 and 2010.

---

**From:** Tokar, Catherine A.  
**Sent:** Friday, January 21, 2011 8:32 PM  
**To:** Kuniansky, Max, Jr.  
**Cc:** Colafella, Douglas G.; Zola, Nazzi C.; Estel, C. Vernon, Jr.; Pokrajac, Milorad  
**Subject:** Approve: PATH COMMUNICATIONS PLAN

I approve the proposed 2011 communications plan.

However, I would like to take this opportunity to mention that there appears to be certain areas of the plan that potentially border on the classification of lobbying--for example, the letter writing campaign to state commissions as well as certain events directed toward commission elected officials. Communications and Accounting will need to discuss these activities in more detail in order to ensure they are accounted for appropriately. Nazzi Zola has been the Accounting contact to discuss such issues. I am also available if needed.

Costs determined to be of a lobbying nature would not be considered recoverable and as such would be accounted for below the line in FERC account 426.4 Expenditures for certain civic political and related activities.

The FERC definition for account 426.4 is as follows:

This account shall include expenditures for the purpose of influencing public opinion with respect to the election or appointment of public officials, referenda, legislation, or ordinances (either with respect to the possible adoption of new referenda, legislation or ordinances or repeal or modification of existing referenda, legislation or ordinances) or approval, modification, or revocation of franchises; or for the purpose of influencing the decisions of public officials, but shall not include such expenditures which are directly related to appearances before regulatory or other governmental bodies in connection with the reporting utility's existing or proposed operations.

Over the past several months, Communications, Rates and Accounting have responded to numerous detailed data requests scrutinizing 2009 PATH charges. This review resulted in a few corrections being made to the PATH books in December 2010. These adjustments were also reflected in a refiling of the 2009 Annual True Up with FERC. In order to ensure that appropriate accounting is assigned to the various PATH initiatives, it is important that Communications, Accounting, and Rates work closely together. In addition, it would be helpful if the vendor would provide enough support and detail in order to identify the work being performed and the relationship of that work to the overall project so that appropriate rate treatment and accounting can be applied.

Thank you.

Catherine A. Tokar  
Manager, Regulated Transmission Accounting  
Allegheny Energy  
724-838-6838

# **Exhibit No. NH-6**

**Corrections to PATH's 2011 Annual Update**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**Exhibit A**  
**Rate Base Related Corrections**

Description	Reason	Rate Year 2010	True-up Adjustment*	Rate Year 2010	True-up Adjustment*	Difference	Difference
		Annual Update (June 3, 2011)	(December 16, 2011)	Annual Update (June 3, 2011)	(December 16, 2011)	PATH WV Amount	PATH AYE Amount
Appendix A, Line 29, Account 283	Balance incorrect	\$ (33,769)	\$ 502,135	\$ -	\$ -	\$ 535,904	\$ -
Appendix A, Line 32, CWIP	Result of 2009 Preliminary Review	33,811,586	33,665,241	33,526,825	33,526,770	(146,345)	(55)
Appendix A, Line 33, Unamortized Regulated Asset	Balance incorrect	3,297,694	3,305,190			7,496	
Appendix A, Line 38, CWC	Result of change in O&M	645,570	646,227	339,400	332,972	657	(6,428)
	Total Rate Base	\$ 52,080,868	\$ 52,478,581	\$ 54,513,575	\$ 54,507,092	\$ 397,712	\$ (6,483)

**Taxes Other Than Income Taxes Related Correction**

Description	Reason	Annual Update	True-up Adjustment*	Annual Update	True-up Adjustment*	Difference	Difference
		Annual Update (June 3, 2011)	(December 16, 2011)	Annual Update (June 3, 2011)	(December 16, 2011)	PATH WV Amount	PATH AYE Amount
Appendix A, Line 71, Other (Taxes Other than Income Taxes)	Balance Incorrect	\$ 192,141	\$ 386,003	\$ -	\$ -	\$ 193,862	\$ -

\*Included in Second Revised 2012 PTRR

Exhibit A  
Operations and Maintenance Related Corrections  
Included in Second Revised PTRR

Vendor	Description	Reason	Account Charged to	Account Should Be	PATH AYE Amount	PATH WV Amount
Allegheny Energy Federal	Donation	should have been below the line	921	426.1	2.92	-
American Coalition for Clean Coal Electricity	Dues	should not have been charged to PATH	930.2	426.5	-	972.00
American Electric Power	SECA filing	per Randy Palmer charged to PATH in error	923	426.5	98.39	-
AVI Foodsystems Inc	Donation	should have been below the line	930.2	426.1	3.57	-
Belmont Elementary School	Donation	should have been below the line	930.2	426.1	2.24	-
CareerBuilders LLC	General Advertising	should not have been included in PATH's formula rate	930.1	17.23	17.23	17.23
City of Belmont	Donation	should have been below the line	930.2	426.1	1.66	-
Compete	Lobbying	invoice states lobbying %, not recorded that way	930.2	426.4	70.00	70.87
Cybertech Inc	General Advertising	should not have been included in PATH's formula rate	930.1	5.81	5.81	-
D F King	Postage for proxy materials special meeting	merger related	921	426.5	696.76	-
Daniel W Galbraith	General Advertising	should not have been included in PATH's formula rate	930.1	0.54	0.54	-
Democratic Governors Association	Membership	should not have been charged to PATH	930.2	426.5	-	830.00
Dinsmore & Shohl LLP	Legal invoices	should not have been charged to PATH	923	426.5	7.05	-
Drake Advertising	General Advertising	should not have been included in PATH's formula rate	930.1	337.94	333.47	-
Edison Electric Institute	Lobbying	invoice states lobbying %, not recorded that way	930.2	426.4	1,216.29	1,322.60
Electric Power Generation Assoc	Lobbying	invoice states lobbying %, not recorded that way	930.2	426.4	48.00	48.60
Elite Intelligence and Protection Agency, Ltd.	Security for Sept 14th meeting	merger related	921	426.5	5.03	2.66
Energy Association of PA	Lobbying	invoice states lobbying %, not recorded that way	930.2	426.4	87.23	88.32
Fleishman Hilliard Inc	Public Relations and communications services	Per External Affairs should not have been charged to PATH	923	426.5	-	9.13
Friends of Anthony Brown	Donation	should have been below the line	930.2	426.1	16.60	-
Frontier	General Advertising	should not have been included in PATH's formula rate	930.1	6.96	6.96	6.87
Garrison Hughes	Media Services	Per External Affairs should not have been charged to PATH	923	426.5	11.89	-
Goodnight Consulting, Inc.	Labor and expenses to support fossil generation analysis for merger	merger related	923	426.5	110.43	-
Greensburg-Jeanette NAACP	General Advertising	should not have been included in PATH's formula rate	930.1	1.68	1.76	-
Hunton & Williams	General Advertising	should not have been included in PATH's formula rate	930.1	31.47	-	-
Industry Careers Network	General Advertising	should not have been included in PATH's formula rate	930.1	1.57	1.57	1.42
Intelligence Press Inc.	NGI Weekly Gas Price Index subscription	should not have been charged to PATH	921	426.5	-	60.75
IVS Associates, Inc.	Postage for Sept 14th meeting	merger related	921	426.5	108.80	-
Jackson Kelly PLLC	Legal invoices	should not have been charged to PATH	923	426.5	96.20	-
Jackson Kelly PLLC	General Advertising	should not have been included in PATH's formula rate	930.1	5.32	-	-
K & L Gates	General Advertising	should not have been included in PATH's formula rate	930.1	1.52	-	-
Keller & Heckman LLP	Legal invoices	should not have been charged to PATH	923	426.5	588.33	-
Latham & Watkins LLP	Legal Invoices	should not have been charged to PATH	923	426.5	2,527.46	-
Mailing Specialists	Corporate Mailings - Outage notices, new mover packets, general mailings, etc...	Outage postcards, forestry notifications, new movers expenses should not have been charged to PATH	921	426.5	170.42	177.10
Mailing Specialists	Corporate Mailings - Outage notices, new mover packets, general mailings, etc...	Outage postcards, forestry notifications, new movers expenses should not have been charged to PATH	923	426.5	22.42	23.41
Marmott Hotels & Resorts	Facilities for Sept 14th meeting	merger related	921	426.5	139.09	-
Maryland Democratic Party	Coordinated Campaign Donation	Lobbying	930.2	426.4	415.00	-
McGuirewoods LLP	Legal invoices	should not have been charged to PATH	923	426.5	(5.96)	346.38
Misc Employee Expenses	General Advertising	should not have been included in PATH's formula rate	930.1	9.74	9.74	9.24
Morgan Lewis & Bockius LLP	Legal invoices	should not have been charged to PATH	923	426.5	14.76	14.76
PA Chamber of Business	Lobbying	invoice states lobbying %, not recorded that way	930.2	426.4	37.35	37.35
Philip J. Bray Esquire	Legal invoices	should not have been charged to PATH	923	426.5	4.04	6.54
Pleasants Co Schools	Donation	should have been below the line	930.2	426.1	4.15	-
Power Advocate	Merger team support services	merger related	923	426.5	426.55	-
Power Marketing Assoc	General Advertising	should not have been included in PATH's formula rate	930.1	0.59	0.59	0.54
Republican Governors Association	Breakfast Roundtable Discussions	Lobbying	930.2	426.4	622.50	-
St. Mary's Correctional Center	Resume/Interviewing Program	should not have been charged to PATH	930.2	426.5	1.83	-
State Legislative Leaders Foundation	Donation	should have been below the line	930.2	426.1	124.50	-
StoryFarm New Media	Thank you ad related to storm	Per External Affairs should not have been charged to PATH	923	426.5	21.44	-
Team Pennsylvania Foundation	Donation	should have been below the line	930.2	426.1	207.50	-
Top of Virginia Regional Chamber of Commerce	Lobbying	invoice states lobbying %, not recorded that way	930.2	426.4	40.00	-
US Chamber of Commerce	Lobbying	invoice states lobbying %, not recorded that way	930.2	426.4	160.00	162.00
Utility Associates	Avail OC vehicle monitoring software maint fee	should not have been charged to PATH	931	426.5	1,204.26	1,178.72
Vinson & Elkins LLP	Legal invoices	should not have been charged to PATH	923	426.5	1,403.32	853.10
Virginia Manufacturers Association	Lobbying	invoice states lobbying %, not recorded that way	930.2	426.4	360.00	-
Westmoreland Cultural Trust	Donation	should have been below the line	930.2	426.1	40.00	40.50
Westmoreland Museum	Donation	should have been below the line	930.2	426.1	163.00	-
William A. Super Jr	Act 129 and Watt Watcher expenses	should not have been charged to PATH	923	426.5	49.16	8.69
WV Chamber of Commerce	Total Dissolved Impact Study	should not have been charged to PATH	923	426.5	24.90	-
WV Manufacturers Association	Lobbying	invoice states lobbying %, not recorded that way	930.2	426.4	-	528.00
YWCA	Stand Against Racism donation	should have been below the line	930.2	426.1	0.67	0.70
	Various	Merger related to other transaction & intergration expense	930.2	426.5	4,713.97	-
	Various	Merger related to accelerated stock & retention expense	930.2	426.5	34,937.73	-
	Various	Lobbying Costs Corrected A&G				(12,420.00)
					51,421.82	(5,260.94)

# **Exhibit No. NH-7**

**Contract between PATH and Charles Ryan Associates**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**SERVICE AGREEMENT**  
**BY AND BETWEEN**  
**PATH ALLEGHENY TRANSMISSION COMPANY, LLC,**  
**AND**  
**CHARLES RYAN AND ASSOCIATES, LLC**

**Dated as of**  
**February 29, 2008**

**FOR THE PERFORMANCE OF COMMUNICATIONS  
AND PUBLIC RELATIONS SERVICES RELATING TO THE SITING AND  
CONSTRUCTION OF THE  
POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE (PATH)  
PATH ALLEGHENY 500 KV TRANSMISSION LINE**

69#10107804

PATH00005581

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Schedule 2 Key Personnel

Schedule 3 Hourly Rates

**Attachment**

The Potomac-Appalachian Transmission Highline, LLC’s General Terms and Conditions for Consulting Services, dated February 21, 2008.



## SERVICES AGREEMENT

This Services Agreement (the "*Agreement*"), dated as of February 29, 2008 is by and between **PATH ALLEGHENY TRANSMISSION COMPANY, LLC**, a Delaware limited liability company ("**PATH Allegheny**" or "**PATH-AE**"), and **CHARLES RYAN AND ASSOCIATES, LLC** ("*Service Provider*").

### WITNESSETH

**WHEREAS**, PATH Allegheny Transmission company, LLC ("**PATH Allegheny**") has proposed constructing a segment of the Project consisting of a twin-circuit 500 kV transmission line project extending approximately 46 miles from the Bedington Substation in Berkeley County, West Virginia, to the proposed Kemptown Substation in Frederick County, Maryland, and PATH West Virginia has proposed constructing a segment of the Project consisting of a 765 kV transmission line project extending approximately 244 miles between the Amos Substation in Mason County, West Virginia, and the Bedington Substation in Berkeley County, West Virginia (the "*Project*"); and

**WHEREAS**, in connection with the construction and development of the Project, PATH Allegheny desires to engage Service Provider to provide communications and public relations services relating to the siting and construction of the Project.

**NOW THEREFORE**, in consideration of the covenants and agreements and subject to the terms and conditions set forth herein, and for other good and valuable consideration, the receipt and adequacy of which are hereby specifically acknowledged, PATH Allegheny and Service Provider agree as follows:

Section 1. Scope of Services. Service Provider shall perform the services described in Schedule 1 (the "*Contracted Services*").

Section 2. Standard of Performance. Service Provider shall use such diligence and care in the performance of its duties hereunder as an ordinarily prudent and efficient person in a like position would use under similar circumstances. Service Provider shall: (a) devote such time, effort and skills as may be necessary for the proper performance of its duties hereunder; and (b) employ experienced personnel with the requisite skills and in sufficient numbers to timely perform the Contracted Services. A list of Service Provider's key personnel is attached hereto as Schedule 2. Service Provider alone shall be and remain liable and responsible for the manner and methods by which work is performed and for materials, working force and equipment, irrespective of whether or not any changes are made as a result of any comments received from PATH Allegheny.

Section 3. Payment Terms.

- (a) Service Provider shall be compensated for its performance of the Contracted Services on a "time and materials" basis. The hourly rates to be charged and paid for personnel are set forth in Schedule 3. The hourly rates set forth in Schedule 3 are inclusive of all overhead, profit, general and administrative fees and similar costs. Service Provider shall also be reimbursed for reasonable out-of-pocket

expenses incurred in performing the Contracted Services. Expenses shall be reimbursed without any markup, handling charge or service charge.

- (b) Performance of the following services under this contract shall be invoice on a lump sum project basis rather than by hourly rates:
  - (i) Research projects
  - (ii) Media buying
  - (iii) Interactive services
  - (iv) Graphical and creative work

Service Provider shall develop a scope description, including a cost estimate and performance schedule, for each of these services for the review and approval of PATH Allegheny before commencing work. These services shall be invoiced separate from other hourly services performed.

- (c) Promptly following the end of each month during the term of this Agreement, but in no event later than the tenth (10<sup>th</sup>) day following the end of each such month, Service Provider shall provide PATH Allegheny with an invoice detailing all hourly fees and out-of-pocket expenses incurred by Service Provider during such preceding month. Each invoice shall be accompanied by copies of individual receipts or other reasonable evidence documenting out-of-pocket expenses incurred by Service Provider during such preceding month.
- (d) The parties agree that PATH Allegheny and PATH west Virginia are each responsible for the Contracted Services relating solely to its respective segment of the Project. For those Contracted Services that are applicable to both segments of the Project, the Parties agree that payment of the Contracted Services shall be apportioned sixteen (16) percent to PATH Allegheny and eighty-four (84) percent to PATH West Virginia.
- (e) Service Provider shall mail duplicate invoices to:

Mike Hosier  
General Manager, Transmission Projects  
PATH Allegheny Transmission Company LLC  
800 Cabin Hill Drive  
Greensburg, PA 15601

Section 4. General Terms and Conditions.

The Potomac-Appalachian Transmission Highline, LLC's General Terms and Conditions for Consulting Services, dated February 21, 2008, (the "Attachment") is attached hereto

and made a part of this Agreement and by signing below, Service Provider agrees to the terms and conditions.

Section 5. Incorporation and Priority.

Service Provider and PATH Allegheny agree that Work will be performed in accordance with the following documents, which are incorporated herein and made a part of this Contract, listed in their order of priority in the event of a conflict in their interpretation:

- a. any amendments to the Agreement;
- b. this Agreement;
- c. the Attachment;
- d. Schedules 1;
- e. Schedule 2;
- f. Schedule 3.

Section 6. Notices.

- (a) Any notice given under this Agreement shall be in writing and shall be deemed to have been sufficiently given and received for all purposes when delivered by hand, or three (3) business days after being sent by certified or registered mail, postage and charges prepaid, return receipt requested, or one (1) business day after being sent by overnight delivery providing receipt of delivery, or by facsimile with the recipient's receipt of the message being acknowledged or confirmed (electronically or otherwise), in each case sent to the following address or such other address as a party may from time to time designate by notice duly given to the other party in accordance with the provisions of this Section:

If to PATH Allegheny to:

Michael Hosier  
Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601  
724-838-6807 (phone)  
724-853-3668 (fax)

With a copy to:

Kathryn L. Patton  
Allegheny Energy Service Corporation  
800 Cabin Hill Dr.  
Greensburg, PA 15601  
724-838-6603 (phone)  
724-838-6797 (fax)

If to Service Provider, to:

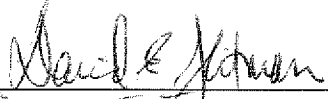
Susan D. Lavenski  
Charles Ryan Associates, LLC  
300 Summers Street, Suite 1100  
Charleston, WV 25301  
304-556-9129 (phone)  
304-342-1941 (fax)

With a copy to:


Patrick M. Gallagher  
Charles Ryan Associates, LLC  
300 Summers Street, Suite 1100  
Charleston, WV 25301  
304-556-9129 (phone)  
304-342-1941 (fax)

IN WITNESS WHEREOF, this Agreement has been duly executed as of the date first set forth above.

**PATH ALLEGHENY  
TRANSMISSION COMPANY, LLC**

By:   
Name: DAVID E. HESTON  
Title: PRESIDENT

**CHARLES RYAN AND ASSOCIATES, LLC**

By:   
Name: Kevin L. Hall  
Title: Senior Vice President



## SCHEDULE 1

### CONTRACTED SERVICES Strategic Communications Services Potomac-Appalachian Transmission Highline

#### I. PROJECT DESCRIPTION

The PATH Project is a joint-venture transmission project between subsidiaries of American Electric Power (AEP) and Allegheny Energy, Inc. (Allegheny).

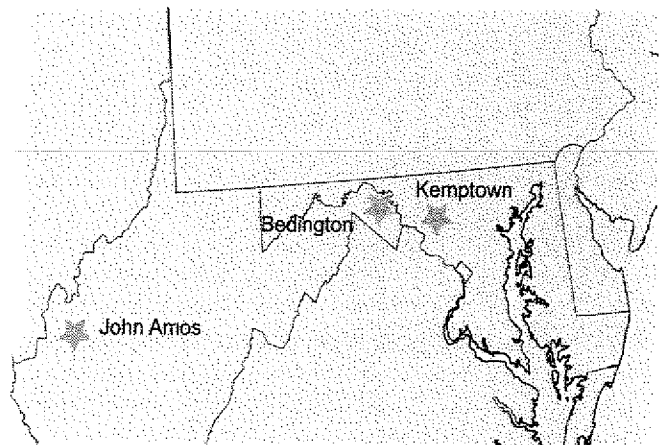
PATH West Virginia Transmission Company LLC (PATH-WV) is controlled equally by AEP and Allegheny and consists of an approximate 244-mile, 765-kV transmission line from AEP's Amos Substation in Putnam County, WV, to Allegheny Power's Bedington Substation in Berkeley County, W. Va. PATH Allegheny Transmission Company, LLC (PATH-Allegheny) is controlled by Allegheny and consists of approximately 46 miles of twin-circuit, 500kV transmission lines from the Bedington Substation to a new substation near Kemptown, MD.

The decision to build PATH is driven by well-documented electric reliability concerns. Based on current plans, the project will be completed in 2012; traverse approximately 290 miles; and cost approximately \$1.8 billion.

PATH-WV expects to file a formal application with the Public Service Commission of West Virginia (WVPSC) in Q4 2008. PATH-Allegheny also expects to file a formal application with the WVPSC and the Maryland Public Service Commission in Q4 2008, both following the completion of a line routing study and an environmental assessment.

The PATH Project consists of two line segments:

1. Amos-Bedington – a 765-kilovolt (kV) electric transmission line extending approximately 244 miles from the Amos substation west of Charleston, W. Va., to the Bedington substation near Martinsburg, W. Va.
2. Bedington-Kemptown – 46 miles of twin-circuit 500-kV transmission lines connecting the Bedington substation to a new Allegheny substation proposed near Kemptown in Frederick County, Md.



PATH-WV will construct and own the Amos-Bedington segment, and PATH-Allegheny will construct and own the Bedington-Kempton segment.

AEP will have lead responsibility for engineering, designing and managing the construction of the 765-kV elements of the project. Allegheny will have similar responsibilities for the twin-circuit 500-kV segment. Each company will provide services to the joint venture for siting, acquiring rights-of-way, securing regulatory approvals from the states the line crosses, and maintenance of the project.

Key PATH project milestones are:

<u>Scope</u>	<u>(No later than)</u>
Conduct public open houses	Q2 2008
File state regulatory commission applications	Q4 2008
Obtain regulatory siting authorizations	Q4 2009
Construction completion	2012

## II. STATEMENT OF WORK

From a communications perspective, siting a transmission line is a highly challenging exercise that presents numerous hurdles to positively managing public opinion. PATH-WV and PATH-Allegheny will interact with numerous audiences throughout the process. Some will be supportive; many more will be opposed to the project; some will be outright hostile. PATH-Allegheny will rely on the communications Service Provider to help develop and implement a strategic plan that:

- Proactively communicates project benefits to key stakeholders, including public officials, community groups, regulators and businesses
- Solicit third party endorsements that would broaden the project's base of support among opinion leaders, elected officials, and other influential stakeholders
- Mitigates opposition by community officials, organizations and affected residents
- Identifies potential allies and stakeholders to serve as ambassadors supporting the project

Working closely with PATH-Allegheny, the Service Provider will collaborate on a communications plan that may include, but not be limited to, the following:

- A. Quantitative and Qualitative Research -- It will be critical to conduct baseline opinion/attitude research in the general vicinity of the siting corridor to gauge public attitudes/awareness about:
  - a. The need for electric infrastructure improvements
  - b. The reliability of their electric service
  - c. Tolerance for new transmission lines
  - d. Concerns about new transmission construction

Research options may include:

- a. Public opinion polling
- b. Focus groups

- c. Message testing
  - d. Opposition research
  - e. On-the-record research
  - f. Internet searches
  - g. Pre- and post-campaign surveys
  - h. Media audits
  - i. Issue audits
- B. Issues Management – The Service Provider shall develop a comprehensive plan for building and maintaining public support and acceptance for the PATH project as a whole and with respect to each segment during the planning, siting and regulatory review phases. The Service Provider will develop customized plans for each segment based on the conditions in the individual states. The Service Provider will identify controversial and potentially volatile issues and proactively address them before they explode. Some transmission-related issues include:
- a. Not-In-My-Backyard (NIMBY) opposition
  - b. "What's in it for me?"
  - c. Health concerns (electric and magnetic fields, herbicides),
  - d. Property owner outreach and right-of-way negotiation
  - e. Aesthetics
  - f. Project need/necessity
  - g. Environmental issues/conservation alternatives to the line
  - h. Economics
  - i. Reliability
  - j. Quality of life
  - k. States' rights
  - l. Eminent domain
  - m. Property values
  - n. Economic/Social justice
  - o. Conduit for "dirty" coal-fired electricity
  - p. Climate change
- C. Crisis Communications – Strategic planning will include:
- a. Identifying potential crises
  - b. Developing/maintaining a crisis communications plan before a crisis occurs
  - c. Providing expert assistance to help manage the crisis
- D. Media Relations – We fully recognize the influence of the media on public opinion. Throughout the project, the Service Provider will help PATH-Allegheny formulate and execute media relations strategies aimed at maintaining positive coverage of the project in communities along the route, including:
- a. Selection and training of client spokespersons
  - b. Proactive media outreach
  - c. Presentation preparation and speaker's bureau
  - d. Message development and tuning
  - e. Local press events
  - f. Press tours
  - g. Third-party recruitment for media interviews



- h. Responding to negative coverage and biased reporting
- E. Advertising – Print and broadcast advertising will be utilized to get positive information about the project into the public's hands without the media filter. Preferred advertising capabilities include:
  - a. Public opinion polling and message development
  - b. Creative services for both print and broadcast outlets
  - c. Media planning and placement
  - d. Campaign management
- F. Interactive – Utilizing the Internet and other online resources to share information about the PATH project with key stakeholders, including property owners. Develop online components, including:
  - a. Creation of a project micro-site, including a property owner site
  - b. Online database and broadcast tool to distribute blast e-mails
- G. Third-Party Advocacy – The Service Provider shall develop a plan for incorporating third-party support for the project
- H. Community Relations – Taking the pulse of the communities very early on in the process will identify potential allies and opponents and develop the best plan to maximize support and minimize opposition
- I. Government Relations – There are a myriad of government levels (federal, state, county, township, city) and multiple agencies within each level that will interface with the PATH project. Some may be on both sides of the project. The Service Provider will be expected to provide appropriate support and assistance with meetings with local, state and federal agencies or government bodies, as directed by PATH-Allegheny.
- J. Public Involvement – In Q2 2008, PATH-Allegheny will conduct a series of stakeholder meetings and a series of public workshops to provide information and receive input from communities along the line route. The Service Provider will be expected to provide appropriate strategic counsel, identification of 'key' stakeholders, organize/conduct meetings, and provide materials as directed by PATH-.

The Statement of Work described above should be considered a minimum and not restrictive.

### III. PROPRIETARY INFORMATION

If the contract is cancelled or terminated in whole or in part, all information and materials collected will be transferred to PATH-Allegheny. All documents prepared by the Service Provider as part of the work performed under the contract will be the property of PATH-Allegheny, as applicable.

**SCHEDULE 2**  
**KEY PERSONNEL**

Susan Lavenski	Senior Vice President, Charles Ryan Associates
Pat Gallagher	President and CEO, Charles Ryan Associates
Matt Isner	Vice President, Charles Ryan Associates
Rex Repass	President, Repass & Partners
Harvey Valentine	Vice President, Hawthorn Group

**SCHEDULE 3**  
**HOURLY RATES**

Project Manager	\$175
Vice President – DC/MD	\$200
Senior Management	\$150
Senior Account Executive	\$100
Account Executive	\$80
Account Coordinator	\$65
Administrative Staff	\$65

**Change to Purchase Order**



ISSUED BY  
**Allegheny Energy Service Corporation**  
*an Allegheny Energy company*

AGENT-FOR-BUYER  
800 Cabin Hill Drive  
Attn: Procurement  
Greensburg, PA 15601-1650  
FAX: (724) 830-7714

CHARLES RYAN ASSOC LLC  
PO Box 2464  
CHARLESTON WV 25329-2464

**Your Vendor Number with us**  
10019263

**Please Deliver to :**

All material to Connellsville or Williamsport Distribution Centers must be delivered between 7:00 am and 11:00 am Monday through Friday only. For all other locations, deliveries must be made between 7:00 am and 3:00 pm Monday through Friday(unless otherwise specified on the purchase order). No U.S. holiday deliveries (including New Year's Day, President's Day, Good Friday, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day, and Christmas Day).

IMPORTANT: Invoice must be in purchase order unit of measure.

Buyer reserves the right to assign this contract, in whole or in part, to one or more of its affiliates, their successors or assigns at any time.

All Correspondence, Shipping Papers, Invoices, Bills of Lading and Packages must show the Stock Number, Purchase Order Number, and Work Order and Op Step Numbers (if applicable and as identified in the Purchase Order header text or item text).

ANY AGENT, REPRESENTATIVE, CONSULTANT OR CONTRACTOR PROVIDING SERVICES TO ALLEGHENY ENERGY IS EXPECTED TO FOLLOW ALLEGHENY ENERGY'S CODE OF BUSINESS CONDUCT AND ETHICS, WHICH IS AVAILABLE ON THE COMPANY'S WEBSITE, [www.alleghenyenergy.com](http://www.alleghenyenergy.com), IN THE CORPORATE GOVERNANCE SECTION. IT IS ALSO AVAILABLE AT [http://media.corporate-ir.net/media\\_files/nys/aye/corpgov/code4.pdf](http://media.corporate-ir.net/media_files/nys/aye/corpgov/code4.pdf).

This document, and any attached or referenced documents, may contain information proprietary to Allegheny Energy Service Corporation, its affiliates, and parent. You agree that this document is to be used solely by you exclusively for the purpose for which it is furnished, and AESC requires it to be returned or destroyed when no longer required for that purpose. This document and any information obtained therefrom shall not be reproduced, transmitted, or disclosed in whole or in part to other organizations without the prior written authorization of AESC.

**IncoTerms** : FOB Free on board

**Currency** : USD

**Terms of Payment** : Within 30 days Due Net

**This offer to purchase includes all the terms and conditions applicable to this purchase order. Acknowledgement is required for services or exceptions only. Shipment of goods will constitute your acceptance of this purchase order's terms and conditions.**

**AUTHORIZED BY:** \_\_\_\_\_

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

**Bill and Mail Invoices to :**  
**Buying Company:**  
**PATH Allegheny Transmission Company**  
  
Disbursement Accounting  
800 Cabin Hill Drive  
Greensburg, PA 15601-1650

**Change to Purchase Order**  
**Purchasing Document Date**  
4500117177                      04-02-2008  
**Purchasing Buyer Telephone**  
Carol Johnson                      724-838-6279  
**Fax number Our Reference**  
724-830-7713                      ANGELA ALTON  
**E-Mail**  
cjohns2@alleghenyenergy.com  
**Changed on** 07-24-2009

**Change to Purchase Order**

ISSUED BY

**Allegheny Energy Service Corporation**  
*an Allegheny Energy company*AGENT-FOR-BUYER  
800 Cabin Hill Drive  
Attn: Procurement  
Greensburg, PA 15601-1650  
FAX: (724) 830-7714**Header text****\*\*\*Change Order #2 dated 05-12-09 PO#4500117177\*\*\***

Change order #2 to purchase order #4500117177 with Charles Ryan Associates is issued to incorporate Amendment #2 (attached) documenting changes effective March 1, 2009 through December 31, 2009, signed by Mr. James R. Haney, PATH Allegheny Transmission Company, LLC and Susan Lavenski, Charles Ryan and Associates, LLC and to change the split of contracted services effective April 1, 2009 as shown below.

Effective April 1, 2009 the payment of the Contracted Services shall be apportioned twenty-four (24) percent to PATH Allegheny and seventy-six (76) percent to PATH West Virginia per Kathryn L. Patton, Deputy General Counsel, AP.

NOTE: there are no line items 40, 50, or 60 on this order.

All other terms and conditions remain unchanged.

**\*\*End of change order #2 to PO#4500117177\*\***

**\*\*\*Change Order #1 dated 9-18-08 to PO#4500117177\*\*\***

This change order #1 is issued to amend section 3b of the service agreement dated 2-29-08 as detailed in the attached Amendment #1 signed by David Feinberg, PATH Allegheny Transmission Company, LLC and Susan Lavenski, Charles Ryan Associates, LLC. This change allows for agency markups of 20% for production and 15% commission for media buys, rather than by hourly rates – see details in Amendment #1.

**\*\*\*End of change order #1 to PO#4500117177\*\*\***

Buyer: PATH Allegheny Transmission LLC  
800 Cabin Hill Drive  
Greensburg, PA 15601

This purchase order contract is issued Charles Ryan and Associates, LLC for the performance of communications and public relations services relating to the siting and construction of the PATH Allegheny 500 KV transmission line.

Reference the attached Agreement between PATH Allegheny Transmission Company, LLC and Charles Ryan and Associates, LLC dated 2/29/08 and signed by David Flitman, President, Allegheny Power and Kevin L. Hall, Senior VP, Charles Ryan and Associates, LLC.


Vendor: Charles Ryan and Associates, LLC  
300 Summers Street, Suite 1100  
Charleston, WV 25301  
Phone: 304-342-0161

**Header note**

internal: change order dated 7-24-09 chj  
this internal change order issued at the email request of Angela Alton dated 7-22-09 (see attached) to lower the funds on line 80 from \$196,700 to \$32,000 and to add line item 120, Outside Services, in the amount of \$164,700 using GL 616314 and Order ECCPATHAE. Change requested to charge non-open house expenses from capital to expense accounts.

INTERNAL NOTES for external co#2 - CHJ

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

**Change to Purchase Order**  
 ISSUED BY  
 **Allegheny Energy Service Corporation**  
*an Allegheny Energy company*

AGENT-FOR-BUYER  
 800 Cabin Hill Drive  
 Attn: Procurement  
 Greensburg, PA 15601-1650  
 FAX: (724) 830-7714

reference requisition 10170448 line items 40 and 50 being added as line items 70 and 80 to cover invoices for the external communications 2009 budget, and lines 60 thru 80 added to cover services incorporated in Amendment #2.

Also this change order will show the new split of 76/24 effective April 1, 2009.

po total \$573,000  
 co#2 adds \$927,325  
 new total \$1,500,325

NOTE: \$393,400 is for lines 70 and 80  
 \$533,925 is for lines 90, 100, and 110  
 (See attached emails and amendments).

\*\*\*Internal Change Order dated 11-05-08 to PO#4500117177\*\*\*

Internal Change order to purchase order #4500117177 with Charles Ryan Associates currently providing communications and public relation services relating to the siting and construction of the PATH Project. This change order is necessary to increase the expense limit due to a budget revision.

11-06-08: Deleted lines 40, 50, and 60, which imported from requisition # 10170448. The additional \$208,000.00 was added to lines 20 and 30, respectively, in order to expedite payment of invoices. jlh

Item	Material	Order Qty.	UOM	Unit Price	Per	Net Value
00010 US		1	AU	\$ 24,995.98	1	\$ 24,995.98

**Description :** Public Relations  
**Required Date :**

**A/C Assig. Cat :** F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
616314	ECCPATHAE	1

**Purch. Req. Number :** 10107804      **Purch. Req. Item :** 00010

**Tax Code Description :** Vendor Bills Tax

**Please deliver to :** PATH Allegheny Transmission Company, LLC  
 Attn: Doug Colafella  
 800 Cabin Hill Drive  
 Greensburg PA 15601

00020 US		1	AU	\$ 378,004.02	1	\$ 378,004.02
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**Description :** Public Relations - Advertising  
**Required Date :**


**A/C Assig. Cat :** F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
620000	ECCPATHAE	1

**Tax Code Description :** Vendor Bills Tax

**Please deliver to :** PATH Allegheny Transmission Company, LLC  
 Attn: Doug Colafella  
 800 Cabin Hill Drive

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

**Change to Purchase Order**  
 ISSUED BY  
 **Allegheny Energy Service Corporation**  
*an Allegheny Energy company*

AGENT-FOR-BUYER  
 800 Cabin Hill Drive  
 Attn: Procurement  
 Greensburg, PA 15601-1650  
 FAX: (724) 830-7714

Greensburg PA 15601

00030 US 1 AU \$ 170,000.00 1 \$ 170,000.00

**Description :** Informational Meetings  
**Required Date :**

**A/C Assig. Cat :** F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
616314	33003570	1

**Purch. Req. Number :** 10127831 **Purch. Req. Item :** 00020

**Tax Code Description :** Vendor Bills Tax

**Please deliver to :** PATH Allegheny Transmission Company, LLC  
 Attn: Doug Colafella  
 800 Cabin Hill Drive  
 Greensburg PA 15601

00070 US 1 AU \$ 196,700.00 1 \$ 196,700.00

**Description :** Public Relations - Advertising  
**Required Date :**

**A/C Assig. Cat :** F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
620000	ECCPATHAE	1

**Purch. Req. Number :** 10170448 **Purch. Req. Item :** 00040

**Tax Code Description :** Vendor Bills Tax

**Please deliver to :** PATH Allegheny Transmission Company, LLC  
 PATH Allegheny Transmission Company, LLC  
 800 Cabin Hill Drive  
 Greensburg PA 15601

00080 US 1 AU \$ 32,000.00 1 \$ 32,000.00

**Description :** Informational Meetings  
**Required Date :**

**A/C Assig. Cat :** F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
616314	33003570	1

**Purch. Req. Number :** 10170448 **Purch. Req. Item :** 00050

**Tax Code Description :** Vendor Bills Tax

**The item covers the following services :**

<b>Service Item</b>	<b>Service Number</b>	<b>Service Description</b>	<b>Qty</b>	<b>UOM</b>	<b>Rate</b>
10		Informational Meetings	.000		\$ .00

**Please deliver to :** PATH Allegheny Transmission Company, LLC  
 PATH Allegheny Transmission Company, LLC  
 800 Cabin Hill Drive  
 Greensburg PA 15601

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

**Change to Purchase Order**



ISSUED BY  
**Allegheny Energy Service Corporation**  
*an Allegheny Energy company*

AGENT-FOR-BUYER  
 800 Cabin Hill Drive  
 Attn: Procurement  
 Greensburg, PA 15601-1650  
 FAX: (724) 830-7714

00090 US 1 AU \$ 210,000.00 1 \$ 210,000.00

**Description :** Reliable Power Coalition in VA

**Required Date :**

**A/C Assig. Cat :** F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
616314	33003293	1

**Purch. Req. Number :** 10170448 **Purch. Req. Item :** 00060

**Tax Code Description :** Vendor Bills Tax

**Please deliver to :**  
 PATH Allegheny Transmission Company, LLC  
 PATH Allegheny Transmission Company, LLC  
 800 Cabin Hill Drive  
 Greensburg PA 15601

00100 US 1 AU \$ 271,425.00 1 \$ 271,425.00

**Description :** PATH Education and Awareness Team

**Required Date :**

**A/C Assig. Cat :** F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
616314	33003293	1

**Purch. Req. Number :** 10170448 **Purch. Req. Item :** 00070

**Tax Code Description :** Vendor Bills Tax

**Please deliver to :**  
 PATH Allegheny Transmission Company, LLC  
 PATH Allegheny Transmission Company, LLC  
 800 Cabin Hill Drive  
 Greensburg PA 15601

00110 US 1 AU \$ 52,500.00 1 \$ 52,500.00

**Description :** Labor Coordination Efforts

**Required Date :** 05-12-2009

**A/C Assig. Cat :** F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
616314	33003293	1

**Purch. Req. Number :** 10170448 **Purch. Req. Item :** 00080

**Tax Code Description :** Vendor Bills Tax

**Please deliver to :**  
 PATH Allegheny Transmission Company, LLC  
 PATH Allegheny Transmission Company, LLC  
 800 Cabin Hill Drive  
 Greensburg PA 15601

00120 US 1 AU \$ 164,700.00 1 \$ 164,700.00


**Description :** Outside Services

**Required Date :** 05-12-2009

Item text Outside Services

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.



**Change to Purchase Order**  
 ISSUED BY  
 **Allegheny Energy Service Corporation**  
*an Allegheny Energy company*

AGENT-FOR-BUYER  
 800 Cabin Hill Drive  
 Attn: Procurement  
 Greensburg, PA 15601-1650  
 FAX: (724) 830-7714

00120 US 1 AU \$ 164,700.00 1 \$ 164,700.00

**Description :** Outside Services

**Required Date :** 05-12-2009

**A/C Assig. Cat :** F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
616314	ECCPATHAE	1

**Tax Code Description :** Vendor Bills Tax

**The item covers the following services :**

<b>Service Item</b>	<b>Service Number</b>	<b>Service Description</b>	<b>Qty</b>	<b>UOM</b>	<b>Rate</b>
10		Outside Services	.000		\$ .00

**Please deliver to :**  
 PATH Allegheny Transmission Company, LLC  
 PATH Allegheny Transmission Company, LLC  
 800 Cabin Hill Drive  
 Greensburg PA 15601

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Total Net Value \$ 1,500,325.00

**End of Change to Purchase Order**

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Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

**AMENDMENT #1**

This Services Agreement, dated as of February 29, 2008 is by and between **PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC**, a Delaware limited liability company (“**PATH West Virginia**”), and **CHARLES RYAN AND ASSOCIATES, LLC** (“**Service Provider**”).

**WHEREAS**, PATH West Virginia intends to enter into this Amendment #1 with Service Provider who will provide the services defined in the Services Agreement.

**NOW THEREFORE**, PATH West Virginia and Service Provider have negotiated and agree to the following changes to the original terms and conditions as follows:

**1. Section 3(b) shall be replaced by the following:**

Performance of the following services under this contract shall be estimated on a lump sum project basis but invoiced monthly, including standard agency markups and commissions, rather than by hourly rates:

- (i) Research projects
- (ii) Media buying
- (iii) Interactive services
- (iv) Graphical and creative work for campaigns

Service Provider shall develop a scope description, including a cost estimate and performance schedule, for each of these services for the review and approval of PATH West Virginia before commencing work. These services shall be invoiced separate from other hourly services performed and shall include standard agency markups and commissions.

This Amendment #1 shall be effective as of the original Services Agreement date of February 29, 2008.

All other terms and conditions contained in the original documents shall remain in effect unless changes are made and agreed upon by both parties in writing.

**PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## AMENDMENT #2

This Services Agreement, dated as of February 29, 2008 is by and between **PATH ALLEGHENY TRANSMISSION COMPANY, LLC**, a Delaware limited liability company (“**PATH Allegheny**”), and **CHARLES RYAN AND ASSOCIATES, LLC** (“**Service Provider**”).

**WHEREAS**, PATH Allegheny intends to enter into this Amendment #2 with Service Provider who will provide the services defined in the Services Agreement.

**NOW THEREFORE**, PATH Allegheny and Service Provider have negotiated and agree to the following changes to the original terms and conditions as follows:

### SCHEDULE 1 – CONTRACTED SERVICES

#### II. STATEMENT OF WORK

- K. Maryland Reliable Power Coalition – Within the current budget, Service Provider will oversee and coordinate the efforts of the Maryland Reliable Power Coalition (“Coalition”) for a fee of \$40,000 plus expenses to be billed in equal monthly installments of \$4,000 beginning March 1, 2009. The Coalition will be managed by sub-contractor The Artemis Group (“Artemis”). As of March 1, 2009, Artemis’ remaining budget is \$96,230. The remaining Artemis budget does not include the costs for Russell Frisby as spokesperson. The remaining budgeted amount for Russell Frisby of \$80,000 has been moved to the PATH Education & Awareness Team budget in Section M below. Artemis shall submit invoices on a monthly basis to Service Provider for services rendered in a timely fashion to be combined with the Service Provider’s fee. Upon receipt from PATH Allegheny, the Service Provider shall remit payment to Artemis by the following business day for their portion of the cash received.
- L. Efforts in Virginia – For a fee of up to \$200,000 plus expenses beginning March 1, 2009 the Service Provider shall coordinate efforts to facilitate PATH Allegheny’s involvement and activity in Virginia regarding the PATH project, such as a Reliable Power Coalition in Virginia.
- M. PATH Education & Awareness Team – Service Provider will assist in the creation of the PATH Education & Awareness Team (“PEAT”) comprising technical experts, environmentalists, labor and business representatives from Maryland, a portion of West Virginia and Virginia for a fee of \$260,000 plus expenses beginning March 1, 2009. As noted in Section K, \$80,000 of the fee is designated for spokesperson Russell Frisby to be billed in equal monthly installments. The remaining \$180,000 will be billed as follows:
  - 1. \$150,000 to be billed in equal monthly installments of \$15,000 beginning March 1, 2009.

- 2. \$30,000 shall be billed for organizational dues, printing and travel on a reimbursement basis.

The Board of Advisors shall conduct a review of PEAT every ninety (90) days to assure the program is meeting the specified objectives. If it is determined PEAT is not meeting the objectives and should be terminated, all contracts related to PEAT will be terminated within thirty (30) days upon prior written notice.

- N. Web site maintenance for the Maryland Power Coalition – Within the current budget, the Service Provider shall assume the responsibilities from the current vendor for maintenance of the Maryland Power Coalition web site for a monthly fee of \$2,500 plus expenses for web hosting, photography rights and other incidentals beginning April 1, 2009.
- O. Thomas Bloss shall be a sub-contractor through Pritchard Electric (“Pritchard”) to coordinate efforts with labor relating to the project for \$50,000 plus expenses. These funds have been pre-approved by PATH Allegheny but will be transferred to this contract. Pritchard shall submit invoices on a monthly basis to Service Provider for services rendered in a timely fashion to be combined with the Service Provider’s fee. Upon receipt from PATH Allegheny, the Service Provider shall remit payment to sub-contractors by the following business day for their portion of the cash received.

This Amendment #2 shall be effective as of March 1, 2009 and shall terminate, unless agreed to by the parties in writing, on December 31, 2009.

All other terms and conditions contained in the original documents shall remain in effect unless changes are made and agreed upon by both parties in writing.

**PATH ALLEGHENY TRANSMISSION COMPANY, LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**CHARLES RYAN AND ASSOCIATES, LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**CHARLES RYAN AND ASSOCIATES, LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**AMENDMENT #3**

This Amendment # 3 to Services Agreement, dated as of February 29, 2008 as amended by Amendments #1 and #2, effective dated February 29, 2008 and March 1, 2009 is entered into by and between **PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC**, a Delaware limited liability company ("PATH West Virginia"), and **CHARLES RYAN AND ASSOCIATES, LLC** ("Service Provider").

**WHEREAS**, PATH West Virginia intends to enter into this Amendment #3 with Service Provider who will provide the services defined in the Services Agreement.

**NOW THEREFORE**, PATH West Virginia and Service Provider for good and valuable consideration the sufficiency of which is hereby acknowledged, agree to the following changes to the terms and conditions of the Services Agreement as amended as follows:

**1. Section L will be replaced in its entirety by the following:**

L. PATH Education & Awareness Team – Service Provider will assist in the creation of the PATH Education & Awareness Team ("PEAT") comprising technical experts, environmentalists, labor and business representatives from West Virginia for a fee of \$370,000 plus expenses beginning March 1, 2009 to be billed as follows:

1. \$150,000 to be billed in equal monthly installments of \$15,000 beginning March 1, 2009.
2. \$190,000 shall be billed to PATH West Virginia for spokespersons on a reimbursement basis. Of this amount, Tom Bloss is to be billed at \$85 per hour plus expenses totaling up to \$50,000.
3. \$30,000 shall be billed for expenses, organizational dues, printing and travel on a reimbursement basis.

The Board of Advisors shall conduct a review of PEAT every ninety (90) days to assure the program is meeting the specified objectives. If it is determined PEAT is not meeting the objectives and should be terminated, all contracts related to PEAT will be terminated within thirty (30) days upon prior written notice.

**2. The following will be added to the services outlined as a new Section N:**

N. Efforts in Virginia - For a total fee of up to \$100,000 plus reasonable expenses. The Service Provider shall coordinate efforts and facilitate PATH West Virginia's involvement and activity in Virginia regarding the PATH project and its promotion. Monthly fee breakdown shall be per the attached schedule.

This Amendment #3 shall be effective as of March 1, 2009 and shall terminate, unless agreed to by the parties in writing, on December 31, 2009.

All other terms and conditions not herein modified shall remain in full force and effect.

**PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC**

By: James R. Haney  
Name: JAMES R. HANEY  
Title: Co-President

**CHARLES RYAN AND ASSOCIATES, LLC**

By: Susan D. Lavenski  
Name: Susan D. Lavenski  
Title: Sr. Vice President

**SCHEDULE****SECTION N - Efforts in VA monthly fee breakdown**

<b>DATE</b>	<b>FEE</b>
May 1, 2009	\$41,250.00
May 1, 2009	\$25,000.00
September 30, 2009	\$16,875.00
November 30, 2009	\$16,875.00



**AMENDMENT #4**

This Services Agreement, dated as of January 1, 2010 is by and between **PATH ALLEGHENY TRANSMISSION COMPANY, LLC**, a Delaware limited liability company ("PATH Allegheny"), and **CHARLES RYAN AND ASSOCIATES, LLC** ("Service Provider").

**WHEREAS**, PATH Allegheny intends to enter into this Amendment #4 with Service Provider who will provide the services defined in the Services Agreement:

**NOW THEREFORE**, PATH Allegheny and Service Provider have negotiated and agree to the following changes to the original terms and conditions as follows:

**SCHEDULE 1 – CONTRACTED SERVICES****II. STATEMENT OF WORK**

- K. Maryland Reliable Power Coalition** – Service Provider will oversee and coordinate the efforts of the Maryland Reliable Power Coalition ("Coalition") for a fee of \$68,000 plus expenses beginning January 1, 2010. The Coalition will be managed by sub-contractor The Artemis Group ("Artemis"). The total budget for Artemis is \$102,000, plus expenses, to be billed in equal monthly installments of \$8,500 beginning January 1, 2010. Artemis shall submit invoices on a monthly basis to Service Provider for services rendered in a timely fashion to be combined with the Service Provider's fee. Upon receipt from PATH Allegheny, the Service Provider shall remit payment to Artemis by the following business day for their portion of the cash received. The Coalition will also have available up to \$45,000 for paid advertisements, sponsorships, and expenses and up to \$25,000 available to sponsor a spokesperson.
- L. Efforts in Virginia** – For a fee of up to \$80,000 plus expenses beginning January 1, 2010 the Service Provider shall coordinate efforts to facilitate PATH Allegheny's involvement and activity in Virginia regarding the PATH project and the management of a Reliable Power Coalition in Virginia. The Coalition will also have available up to \$45,000 for paid advertisements, sponsorships, and expenses and up to \$25,000 available to sponsor a spokesperson. Subcontractors, including McGuire Woods Consulting will be utilized in this effort.
- M. PATH Education & Awareness Team** – Service Provider will manage PATH Education & Awareness Team ("PEAT") comprising technical experts, labor and business representatives from Maryland and Virginia for a fee of \$262,500 plus expenses beginning January 1, 2010.
1. \$117,500 for services rendered beginning January 1, 2010.
  2. Up to \$125,000 shall be billed to PATH Allegheny for spokespersons on a reimbursement basis.

- 3. Up to \$20,000 shall be billed for organizational dues, chamber dues, printing, travel and other expenses on a reimbursement basis.

The Board of Advisors shall conduct a review of PEAT every ninety (90) days to ensure the program is meeting the specified objectives. If it is determined PEAT is not meeting the objectives and should be terminated, all contracts related to PEAT will be terminated within thirty (30) days upon prior written notice.

- N. Web site maintenance for the Maryland Power Coalition - The Service Provider shall continue the responsibilities for maintenance of the Maryland Power Coalition web site for a monthly fee of \$1666.67 plus expenses for web hosting, photography rights and other incidentals beginning January 1, 2010.

This Amendment #4 shall be effective as of January 1, 2010 and shall terminate, unless agreed to by the parties in writing, on December 31, 2010.

All other terms and conditions contained in the original documents shall remain in effect unless changes are made and agreed upon by both parties in writing.

**PATH ALLEGHENY TRANSMISSION COMPANY, LLC**

By: James R. Haney  
 Name: James R. Haney  
 Title: Vice President

**CHARLES RYAN AND ASSOCIATES, LLC**

By: Susan O. LavenSKI  
 Name: Susan O. LavenSKI  
 Title: Sr. Vice President

## AMENDMENT #5

This Amendment #5 to Services Agreement, dated as of February 29, 2008 as amended by Amendments #1, #2, #3, and #4, effective dated February 29, 2008, March 1, 2009, March 1, 2009, and January 1, 2010 respectively, is entered into by and between **PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC**, a Delaware limited liability company (“**PATH West Virginia**”), and **CHARLES RYAN AND ASSOCIATES, LLC** (“**Service Provider**”).

**WHEREAS**, PATH West Virginia intends to enter into this Amendment #5 effective dated January 1, 2011 with Service Provider who will provide the services defined in the Services Agreement.

**NOW THEREFORE**, PATH West Virginia and Service Provider have negotiated and agree to the following changes to the original terms and conditions of the Services Agreement as amended as follows:

### SCHEDULE 1 – CONTRACTED SERVICES

#### II. STATEMENT OF WORK

- K. West Virginia Reliable Power Coalition – Service Provider will oversee and coordinate the efforts of the West Virginia Reliable Power Coalition (“Coalition”) for a fee of \$68,000 plus expenses beginning January 1, 2011. The Coalition will be managed by sub-contractor Brown Communications (“Brown”). The total budget for Brown is \$102,000 plus expenses to be billed in equal monthly installments of \$8,500 beginning January 1, 2011. Brown shall submit invoices on a monthly basis to Service Provider for services rendered in a timely fashion to be combined with the Service Provider’s fee. Upon receipt from PATH West Virginia, the Service Provider shall remit payment to Brown by the following business day for their portion of the cash received. The Coalition also will have available up to \$160,000 for paid advertisements, sponsorships, spokespersons and expenses.
- L. PATH Education & Awareness Team – Service Provider will manage the PATH Education & Awareness Team (“PEAT”) comprising technical experts, labor and business representatives from West Virginia for a fee of \$380,000 plus expenses beginning January 1, 2011, to be billed as follows:
1. \$180,000 for services rendered beginning January 1, 2011.
  2. Up to \$150,000 shall be billed to PATH West Virginia for spokespersons on a reimbursement basis.
  3. Up to \$50,000 shall be billed for organizational dues, chamber dues, printing, travel and other expenses on a reimbursement basis.

The Board of Advisors shall conduct a review of PEAT every ninety (90) days to ensure the program is meeting the specified objectives. If it is determined PEAT is not meeting the objectives and should be terminated, all contracts related to PEAT will be terminated within thirty (30) days upon prior written notice.

- M. Web site maintenance for the West Virginia Power Coalition – The Service Provider shall continue the responsibilities for maintenance of the West Virginia Power Coalition Web site for a monthly fee of \$1,666.67 plus expenses for Web hosting, photography rights and other incidentals beginning January 1, 2011.
- N. Efforts in Virginia – For a fee of up to \$48,000 plus expenses beginning January 1, 2011 the Service Provider shall coordinate efforts to facilitate PATH West Virginia’s involvement and activity in Virginia regarding the PATH project and the management of a Reliable Power Coalition in Virginia. The Coalition also will have available up to \$20,000 for paid advertisements, sponsorships, spokesperson, and expenses. Subcontractors, including McGuire Woods Consulting, will be utilized in this effort.
- O. Additional services – For a fee of up to \$125,000 plus expenses beginning January 1, 2011, the Service Provider can subcontract additional outreach efforts to individuals as approved by PATH West Virginia or to cover costs for additional services as requested.

This Amendment #5 shall be effective as of January 1, 2011, and shall terminate, unless agreed to by the parties in writing, on December 31, 2011.

All other terms and conditions contained in the original documents shall remain in effect unless changes are made and agreed upon by both parties in writing.

**PATH WEST VIRGINIA TRANSMISSION COMPANY, LLC**

CHK By: James R. Haney  
Name: JAMES R. HANEY  
Title: Co-President

**CHARLES RYAN AND ASSOCIATES, LLC**

By: Susan Laveniski  
Name: Susan Laveniski  
Title: Managing Director

# **Exhibit No. NH-8**

**PATH Response to Data Request STAFF-PATH-I-1.4e**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Potomac-Appalachian Transmission Highline, LLC, )      Docket Nos. ER09-2156-002  
and PJM Interconnection, L.L.C.                     )      ER12-2708-003**

**POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE, LLC  
RESPONSE TO  
COMMISSION TRIAL STAFF'S FIRST SET OF DATA REQUESTS**

**STAFF-PATH-I-1.4e**

The following data requests relate to PATH's case-in-chief submitted on May 12, 2014:

- e. In reference to lines 8-10 on page 9 of Exhibit No. PTH-7:
- i. Please explain if PATH or PATH's contractors relayed any potential consequences or disadvantages that could occur as a result of the PATH Project being built during "balanced, productive discussions of the need for the Project."
  - ii. Please provide any materials distributed to the public describing any potential consequences or disadvantages that could occur as a result of the PATH Project being built.

**RESPONSE:**

- i.-ii. Lines 8-10 on page 9 of Exhibit No. PTH-7, the Prepared Direct Testimony of Jay A. Ruberto, are part of Mr. Ruberto's discussion of the PATH Companies' establishment of the PATH Education and Awareness Team (PEAT). Generally, throughout the development of the Project, the PATH team, including PATH's contractors, addressed perceived disadvantages or consequences of the Project and shared information to allay fears or concerns among impacted property owners and communities. In some cases, these campaigns and materials were developed to respond to misinformation circulated by Project opponents. Potentially negative consequences addressed included declining property values, electric and magnetic fields (EMF), viewshed impacts, potential effects on livestock, and water wells and line noise. PEAT also addressed these issues during community presentations. The PATH Companies are searching archived databases for any materials distributed by PEAT to the public during the community presentations.

Prepared by or under the supervision of:

Douglas Colafella

# **Exhibit No. NH-9**

**PATH Six-Month Communications Plan  
for the period July 2009 – February 2010**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

IND-PATH-II-17 Attachment C



## PATH Communications Plan

### PATH Project

#### July 2009 – February 2010

#### Executive Summary:

During the first six months of 2009, our public outreach has focused on educating the public about the need for PATH and communicating the rationale for the proposed route. So far, our efforts have supported key milestones in the early stages of the project, including:

- the filing of regulatory applications in all three states, including the proposed route;
- property owner notification, in writing or in person;
- and, the public input hearings in Virginia.

Polling research completed at the beginning of the year indicated that a majority of residents believed that new transmission lines are important to maintain reliable service to their communities. However, there was a significant statistical difference between those who support transmission lines in general – and those who specifically support PATH.

We believe that the emotion and politics surrounding controversial projects like PATH are driving this image gap. As a result, Allegheny and AEP will continue to execute a fact-driven campaign with a clearly-defined strategy: *to help create a public climate that allows the regulatory review process to proceed in a fair and timely manner and enables the facts to prevail over emotions and politics.*

The tactics in this plan reflect the extent of our public communications over the ensuing six-month period, which comprises the remaining public input hearings this fall and the commencement of evidentiary hearings early next year. During this period, it is essential that the companies “maintain a public voice” to demonstrate our unwavering commitment to PATH. But in light of the constraints of the evidentiary process – and the public’s skepticism of any company proposing such projects – we should likely rely more on the efforts of coalitions and third-party supporters to help provide cover for elected officials and to “balance the scales” in the court of public opinion.



## IND-PATH-II-17 Attachment C

**Communications Strategy**

In light of our current position, our communications strategy for the next six months will remain unchanged:

***Help create a public climate that allows the regulatory review process to proceed in a fair and timely manner and enables the facts to prevail over emotions and politics.***

This will be accomplished using four strategies:

- Increasing public awareness and understanding of the need for PATH
- Establishing public confidence in the openness, fairness and independent competence of the regulatory process
- Establishing trust with property owners and building confidence in the fact they will be treated fairly during the easement acquisition process
- Maintaining constructive dialogue with elected officials

**Communications Tactics:**

Outlined below are the tactics supporting each strategy:

**Strategy: Increasing public awareness and understanding of the need for PATH****Tactic: Transmission Line Media Event (September or October)**

Following the success of the 7/29 event in Virginia, a second event in the Charleston area is recommended approximately a week prior to public hearings, AEP will take the lead on the event since it will likely be held in its service territory.

## IND-PATH-II-17 Attachment C

**Tactic: Social Media**

Beginning July 20, we began monitoring the Internet using Radian6. This software tracks all mentions of PATH on blogs, online media sources and other social media networks to see what is being said about the project by supporters and opponents. We will be able to better understand what messaging is working and what misperceptions persist. CRA will present preliminary findings from Radian6 to the companies in mid-August and determine whether social media tactics can support our objective.

**Tactic: Tracking Research (September 14)**

CRA recommends conducting another round of tracking research the week of September 14. This will assist in determining which messages are resonating with the public as well as point us in the right direction for the next phase of the communications strategy. We will revise and create new messaging as needed.

The tracking research will be conducted in affected counties along the proposed PATH route in West Virginia, Virginia and Maryland. The interviews will be conducted by phone from a call center in Charleston, W.Va.

**Tactic: Focus Groups (November)**

By November it will have been almost two years since the initial PATH focus groups were conducted. CRA recommends additional focus group testing in select counties along the proposed route. Focus groups at this stage of the project will be beneficial in gauging what the public has heard about PATH, what they think about the project and where they are getting their information. These groups will also be used to test possible messaging and creative concepts for any future advertising campaigns.

CRA recommends holding two to four focus groups in the following counties: Frederick, Md., Loudoun, Va., Kanawha, Jefferson and Grant/Hardy, W.Va.

**Tactic: 'Local Business/Community Representatives' Paid Advertising Campaign (September 28-December 18)**

For the final paid advertising campaign of the year, CRA recommends PATH focus on support from local businesses and community representatives. The television, print, banner and radio ads will feature business owners and PEAT representatives discussing their company/industry's need for reliable electricity and the need for PATH. This campaign builds off of the Experts Campaign but will focus more on the local need for electricity. A similar campaign was used for AEP's JFW project with great success.

This campaign is slated to be shot the first week of September in various locations pending the final list of participating businesses. The television and radio components are slated to begin on September 28 with the print and Web banners following shortly after. It is recommended this media buy be similar to

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the “Landowners” buy, which is currently running across the project area. The campaign will end on December 18.

### **2010 Paid Advertising Campaign (January-March)**

With the state proceedings lasting into the spring of 2010, CRA recommends continuing a paid advertising component of the public education campaign. Although the strategic ideas for this campaign will be determined in December, advertising has played a vital role in gaining support and understanding of PATH to date and continuing it into at least March should be considered. However, depending on the research findings this fall it is a possibility that previously produced creative can be reused during this time. The combination of tracking research and focus groups will provide valuable information into that decision.

### **Tactic: PEAT Involvement**

To have the most impact with PATH’s public outreach efforts, the companies have created the PATH Education & Awareness Team (PEAT) comprising third-party technical experts, labor and business representatives from West Virginia, Maryland and Virginia. This is a company-sponsored effort and we are upfront about its origin. The Team officially kicked off its efforts the week of August 3, meeting with reporters in Frederick, Md., Winchester, Va., Leesburg, Va., Charles Town, W.Va., Shepherdstown, W.Va., Martinsburg, W.Va., and Charleston, W.Va.

The goal of PEAT is to be aggressive in educating the public, media, elected officials and community leaders about the project, clear up misconceptions and keep those audiences aware of significant milestones concerning PATH in order to help them make informed decisions about the project. These efforts will be strategically and tactically coordinated with the PATH communications plan.

### **Tactic: Coalition Involvement**

In addition to PEAT, the companies support reliable power coalitions in each state. The main goal of the three coalitions (West Virginians for Reliable Power, Marylanders for Reliable Power and Virginians for Reliable Energy) is to participate in local speaking engagements, annual meetings, media opportunities and energy summits to affirm the need for reliable energy and support upgrading the nation’s electric systems to allow for the power demands of a new century.

### **Strategy: Establishing public confidence in the openness, fairness and independent competence of the regulatory process**

### **Tactic: Organizational Support/Letter Writing Campaign (July-February)**

As the opposition’s outreach to the PSC/SCC and elected officials increases, we must continue to work with various organizations and groups to garner support for the project. Vendors, suppliers, customers, labor organizations and Reliable Power Coalition members will be targeted to write letters of support for the project to elected officials, the state commissions and the media.

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Additionally, CRA will work with the PATH communications and external affairs teams to notify potential speakers of public and evidentiary hearings. We will collaborate with AEP, Allegheny, PEAT and the coalitions in each state to put together a list of potential speakers and then work on booking them for the PSC/SCC hearings in each state. CRA will coordinate what days speakers can attend and be on hand before each hearing to answer any questions they may have.

#### **Tactic: Editorial Board Meetings (October)**

It is suggested Vern Estel and Archie Pugh attend meetings with various newspaper editorial boards throughout PATH's proposed route to discuss the public hearing process. This is an opportunity to reach out to the public and discuss the hearings from our perspective, instead of reacting to negative stories that will surely be generated during the hearings. New material from our rebuttal testimony may be highlighted. Editorial board meetings will not likely be needed in the Charleston area if we conduct the transmission line media event.

#### **Tactic: Media Outreach around Evidentiary Hearing Process (January-February)**

Before the evidentiary hearings begin in 2010, "desk-side" briefings are recommended to inform the public about the process. This is an opportunity to reach out to the public and discuss the hearings from our perspective, instead of reacting to negative stories that will surely be generated during the hearings.

#### **Strategy: Establishing trust with property owners and demonstrating commitment to treating them fairly**

#### **Media Outreach for Property Owner Notification Process (August-September)**

In order to prepare property owners and inform the general public about the landowners' process, we have proactively reached out to the media in the project area in Virginia to provide a briefing about what people can expect during this time. It is recommended this process continue in West Virginia in August and Maryland in the fall. Again, localized media coverage will help explain the process and most importantly, prevent property owners from being caught by surprise when company representatives contact them.

#### **4. Maintaining constructive dialogue with elected officials and business leaders**

#### **PEAT and the Reliable Energy/Power Coalitions (July-March)**

Over the next six months the PATH communications team is going to be very limited in what correspondence it can have with the public due to the ongoing state proceedings. Because of this CRA will be working with Allegheny and AEP's external affairs teams to guide the actions of PEAT and the coalitions in all three states. These groups will be able to aggressively reach out to elected officials and business leaders in counties along the route of PATH and keep an open line of communication with them.

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PEAT has already attended the County Commissioners Association of West Virginia annual meeting and WV Coal Association annual meeting. They are scheduled to attend and present at no fewer than 13 more events, including various groups' annual meetings and an assortment of rotary club monthly meetings.

# **Exhibit No. NH-10**

**Draft form letter to the Virginia Corporation Commission  
supporting the PATH project**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

Office of the Clerk  
State Corporation Commission  
Commonwealth of Virginia  
P.O. Box 1197  
Richmond, Virginia 23218

Re: PUE-2009-00043

Dear Commissioners:

I'm writing in support for the Potomac-Appalachian Transmission Highline (PATH) project and much needed investment in our electric infrastructure to meet the increasing energy demands of our growing region.

The number of residents and businesses that call Northern Virginia home has grown considerably over the past three decades. What once were bedroom communities to Washington, D.C. have transformed into exurban business centers that support a mix of government agencies, industries and private enterprises.

Today, Northern Virginia is a high tech hub, serving as the economic engine of the state. Jobs and the high quality of life offered by the region and its localities make the area a very attractive place to live and work. And with these high tech jobs come the community and local business infrastructure to support them, from our local grocery store to new schools and hospitals.

While the residential and commercial growth experienced throughout the region has strengthened our economy, it has also increased demand for reliable energy and stressed the electrical infrastructure that delivers it.

An investment in electrical infrastructure is needed to sustain job growth, strengthen our economy, preserve our quality of life, and ensure a reliable and uninterrupted supply of power is available to help secure national interests across the National Capital Region.

~~I support the Potomac-Appalachian Transmission Highline (PATH) project and much needed investment to meet the increasing energy demands of our growing region.~~

Thank you,

XXXXX

# **Exhibit No. NH-11**

**PATH Public Involvement Plan from Line Routing Evaluation**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



## NPS-7

**Transmittal of Information and Documents for the PATH Project by PATH Allegheny Transmission Company, LLC; PATH West Virginia Transmission Company; PATH Allegheny Virginia Transmission Corporation; PATH Allegheny Maryland Transmission Company, LLC and The Potomac Edison Company**

*Date: February 16, 2010*

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In an email dated, February 8, 2010, the NPS stated that “[t]he team is developing their public involvement plan. The team would like information on 1) when and where PATH companies had previous meetings, 2) if and where any future ones may be planned and 3) if there is any summary on the Public's input to the PUC process on PATH, which PATH companies may share with the team.”

**PATH Companies Response:**

- (1) Information regarding the PATH Companies' extensive public outreach efforts with respect to the proposed siting of the PATH Project is detailed in the Line Route Evaluations (LREs) provided to the NPS and USFS in June 2009. The most relevant information from the LREs regarding the public outreach process is excerpted and included as Attachment A to this response. These excerpts include information on the location and dates of PATH Companies public outreach meetings and a summary of issues identified in those outreach meetings. Also, the PATH Companies note that Appendix B to each of the LREs contains copies of correspondence from federal and state agencies received during the route evaluation process.
- (2) Numerous public comment hearings with regard to the applications for authorization to construct the PATH Project have been conducted by the Virginia State Corporation Commission and the Public Service Commission of West Virginia in various locations in those states. Transcripts of those hearings are attached to this transmittal as Attachment B. The Maryland Public Service Commission has not scheduled public comment hearings but is expected to do so when the procedural schedule is developed for the pending application in that state.

The PATH Companies also note that all applications, pre-filed testimony, motions to intervene, comments by interested persons, various motions and other pleadings and orders issued by the state commissions in the state proceedings are

included in the public dockets for the respective applications. The dockets for each of those proceedings can be found at the following urls:

**West Virginia Public Service Commission**

Case Number: 09-0770-E-CN

<http://www.psc.state.wv.us/webdocket/default.htm>

**Virginia State Corporation Commission:**

Case Number is PUE-2009-00043

SCC: <http://docket.scc.virginia.gov/vaprod/main.asp>

**Maryland Public Service Commission**

Prior Case Number 9198

[http://webapp.psc.state.md.us/Intranet/Casenum/CaseAction\\_new.cfm?RequestTimeout=500](http://webapp.psc.state.md.us/Intranet/Casenum/CaseAction_new.cfm?RequestTimeout=500)

A case number for the new application submitted by The Potomac Edison Company has not yet been assigned.

- (3) As mentioned in prior discussions and communications with the federal agencies, the PATH Companies maintain a publicly-available website for the PATH Project at [www.pathtransmission.com](http://www.pathtransmission.com) that includes links, maps, information and frequently asked questions regarding the PATH Project. The GIS database that was provided to the NPS and Forest Service on January 25, 2010 includes all of the maps included on the website.

**ATTACHMENT A**

**Excerpts Regarding Public Input from the Line Route Evaluation for the Amos to Welton Spring Segment of the PATH Project (dated April 2, 2009)**

**Excerpts Regarding Public Input from the Line Route Evaluation for the Welton Spring to Kemptown Segment of the PATH Project (dated April 2, 2009)**

**ATTACHMENT B**

**Transcripts of Public Hearings in WV PSC Proceeding 90-0770-E-CN (dates 8/10/09; 9/22/09; 9/23/09; 9/28/09; 10/2/09; 10/13/09; and 10/22/09)**

**Transcripts of Public Hearings in VA SCC Proceeding Case PUE-2009-00043 (dates 8/3/09; 8/4/09; 8/5/09 and 8/6/09).**

**Record of Appearances for Nov. 19<sup>th</sup> Public Input Hearing in VA SCC Proceeding Case PUE-2009-00043 (Transcript has not yet been posted).**

### 2.1.5 Public Involvement Activities

PATH Project staff developed, monitored, and administered a public outreach data collection effort (as it related to siting and routing) using a comprehensive public outreach campaign and multiple data management tools. The public outreach campaign included opportunities for the public to give their input on the PATH Project at multiple open houses throughout the study area, and/or by also submitting comments electronically (through the PATH project website), by phone, or by U.S. mail.

The public outreach campaign educated the public on project need for the PATH Project and on substantial issues related to the planning, siting, construction, and operation of a 765 kV transmission line. The ultimate goal in this effort was to educate the public about the project and provide as many avenues and opportunities as possible for the public to provide input on the project. These efforts were primarily directed at residents of West Virginia, Virginia, and Maryland; however, AEP and Allegheny also opened up a website, a mailing address, and a toll-free telephone number for stakeholders outside of the region.

After three months of planning, PATH Project staff launched a year-long public outreach effort that included: focus groups and research; coordination and implementation of 24 open houses across three states; outreach to media; production of an educational DVD; and production of an interactive online open house for the PATH Project web site.

Public comments were received and coordinated through a public comment database. Public comments were compiled from a variety of sources, including:

- electronic comments submitted by the public through the project website;
- letters to the PATH Project owners, the Routing Team and the West Virginia Public Service Commission;
- letters from concerned citizens and property owners
- phone records from telephone calls to PATH Project owners and Routing Team; and
- comments from public meetings.

Because the public input was collected in one repository, this report reflects the data collected for the PATH Project in its entirety.

#### *Public Workshops*

Public workshops were held in and around the more densely populated areas along the Potential Routes for the entire study area.<sup>1</sup> Project staff set up stations at the meetings related to engineering and design of the structures, EMF concerns, project schedule, project need (with PJM in attendance), real estate and ROW agents, natural and cultural resources, and siting and routing experts. Representatives were available to talk with the

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<sup>1</sup>Because public input was gathered through a variety of methods and many of the comments received were either non-geographically specific or covered multiple parts of the entire Amos to Kemptown line, the results of the overall public involvement process are presented here for the entire PATH Project.

public specifically about siting and routing, cultural and natural resources, and public outreach initiatives.

Printed maps at a scale of 1 inch = 500 feet were provided for the public to review and provide written comment concerning sensitive resources in their local environment. Workshop participants were provided pens and encouraged to document the location of their house, place of business, property of concern, etc. on the printed maps. After each meeting, hand written comments were digitized and entered into a GIS database, and all aerial photo maps were scanned for later reference. Routing team staff reviewed many comments in the field and, where applicable, incorporated information derived from the public workshops when reviewing, revising, and comparing Potential Routes. In addition to supplying maps at public meetings, staff provided visual aids and web-enabled maps through the PATH Project website to reflect the progress of the project.

Comment cards were distributed at every meeting. All meeting attendees were given a card with an identification number. The public was asked to fill out the card completely, including contact information. The bottom of the card detached and the public was given additional space to express more specific comments. All comment cards were entered into the public comment database as a record of meeting attendance. Those who completed the form in its entirety (i.e., provided a complete name and address and comment) were documented as a participant in the public involvement process. The following table provides a list of the conference attendees at each of the public workshops for the entire PATH Project (Amos to Kemptown).

<b>Date</b>	<b>Open House Location</b>	<b>Conference Attendance</b>
July 21, 2008	Roanoke, WV	15
July 22, 2008	Glenville, WV	2
July 23, 2008	Spencer, WV	55
July 24, 2008	Flatwoods, WV	12
July 28, 2008	Buckhannon, WV	88
July 29, 2008	Elkins, WV	48
July 30, 2008	Mount Storm, WV	6
July 31, 2008	Romney, WV	29
August 4, 2008	Institute, WV	60
August 5, 2008	Davis, WV	65
August 6, 2008	Martinsburg, WV	160
August 7, 2008	Frederick County, VA	65
August 11, 2008	Harpers Ferry, WV	125
August 11, 2008	Moorefield, WV	35
August 12, 2008	Frederick, MD	125
August 13, 2008	Boonsboro, MD	130
August 14, 2008	Lovettsville, VA	30
August 14, 2008	Berkeley Springs, WV	268
August 18, 2008	New Market, MD	130
August 19, 2008	Middletown, MD	112
December 2, 2008	Clear Brook, VA	126

December 3, 2008	Charles Town, WV	190
December 4, 2008	Frederick, MD	180
January 22, 2009	Lovettsville, VA	365
	Total	<b>2,426</b>

*Summary of Public Comments Received*

As of January 22<sup>nd</sup>, 2009, there were 2,420 comments submitted on the PATH Project. Approximately 391 of those comments, or 16 percent, were received between December 9, 2008, and January 9, 2009. *(Hosier recommended we delete this line; I agree – MJG)* The highest volume of comments was received over the month of August, which was when the majority of the public workshops were held.

All comments were catalogued and categorized through review of the email/letter, phone memo, or comment card. Categories of noted public concern included aesthetics, property values, conservation (environmental), health, wildlife, historic/cultural resources, need, water resources, recreation, EMF, vegetation management, and simply asking to be kept informed. Approximately 500 people requested to be

Category	Count
Keep Informed	19%
Aesthetics	17%
Property Values	17%
Conservation	9%
Health	7%
Wildlife	6%
Historic / Cultural	5%
Need	4%
Maps Requested	4%
Water	4%
Recreation	3%
Electromagnetic Field	2%
Vegetation Management	2%
Noise	1%

kept informed about the project but did not voice specific concerns. The top three issues of concern included: aesthetics, property values/residential concerns, and conservation (environmental concerns). Health effects followed in the second tier.

In addition, there were almost 500 entries in the database, representing individuals who attended the public meeting, but did not provide a comment or complete contact information. These people are listed as “Other: attended meeting” in the database. Approximately half of these people attended meetings for the section of the proposed routes west of the Welton Spring Substation.

## **Exhibit No. NH-13**

**Example Charles Ryan Associates Invoice for  
West Virginians for Reliable Power Expenses for May 2010**

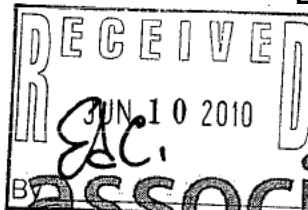
**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



PATH-IV-4.2 ATTACHMENT F



Charles Ryan Associates • PO Box 2464 • Charleston WV 25329-2464 • 304-342-0161 • 304-347-9815 Fax • info@charlesryan.com

**INVOICE**

West Virginia Reliable Power Coalition  
 PATH West Virginia, LLC  
 P.O. Box 2021  
 Roanoke, VA 24022-2021  
 Attn: Ronald L. Poff

Invoice No. : 5040-0  
 Date : 6/10/2010  
 Page : 1

Payment due upon receipt. If payment is made by check, please remit to the following address:

Charles Ryan Associates  
 PO Box 11207  
 Charleston, WV 25339-1207

	Current
<b>Job: 000970 - West Virginians for Reliable Power Coalition 2010</b>	
<b>Component: 02 - Brown Communications</b>	
Consulting	7,500.00
<b>Total for Job</b>	<b>7,500.00</b>
<b>Job: 000970 - West Virginians for Reliable Power Coalition 2010</b>	
<b>Component: 03 - CRA Retainer</b>	
Retainer	8,000.00
<b>Total for Job</b>	<b>8,000.00</b>
<b>Job: 000970 - West Virginians for Reliable Power Coalition 2010</b>	
<b>Component: 04 - Paid Advertising</b>	
Miscellaneous	7,421.00
<b>Total for Job</b>	<b>7,421.00</b>
<b>Job: 000970 - West Virginians for Reliable Power Coalition 2010</b>	
<b>Component: 05 - Paid Spokespersons</b>	
Spokesperson	5,233.63
<b>Total for Job</b>	<b>5,233.63</b>
<b>Job: 000970 - West Virginians for Reliable Power Coalition 2010</b>	
<b>Component: 06 - Expenses</b>	
Meetings	350.00
Miscellaneous	5,609.40

FF-PATH-IV-4.2 ATTACHMENT F



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**INVOICE**

West Virginia Reliable Power Coalition  
PATH West Virginia, LLC  
P.O. Box 2021  
Roanoke, VA 24022-2021  
Attn: Ronald L. Poff

Invoice No. : 5040-0  
Date : 6/10/2010  
Page : 2

	Current
<b>Job: 000970 - West Virginians for Reliable Power Coalition 2010</b>	
<b>Component: 06 - Expenses</b>	
Shipping/Delivery	17.34
Sponsorship	500.00
<b>Total for Job</b>	<b>6,476.74</b>
<b>Job: 000970 - West Virginians for Reliable Power Coalition 2010</b>	
<b>Component: 07 - Web Site</b>	
Retainer	1,666.67
<b>Total for Job</b>	<b>1,666.67</b>
<b>Job: 000970 - West Virginians for Reliable Power Coalition 2010</b>	
<b>Component: 08 - Web Hosting</b>	
Web Hosting	200.00
<b>Total for Job</b>	<b>200.00</b>

**Invoice Total \$36,498.04**

\$ 2400
for
sponsorships

# **Exhibit No. NH-14**

**PATH emails discussing formation of Reliable Power Coalitions**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

---

**From:** Warnock, L. Aldie  
**Sent:** Tuesday, February 03, 2009 3:49 PM  
**To:** Estel, C. Vernon, Jr.  
**Subject:** RE: proposal for PATH Coalition and Virginia Reliable Power Coalition

thanks

Aldie Warnock  
Allegheny Energy  
VP, External Affairs  
800 Cabin Hill Drive  
Greensburg, Pa 15601  
[awarnoc@alleghenyenergy.com](mailto:awarnoc@alleghenyenergy.com)  
724-331-9545  
724-853-4485 (fax)

-----Original Message-----

From: Estel, C. Vernon, Jr.  
Sent: Tuesday, February 03, 2009 10:45 AM  
To: Warnock, L. Aldie  
Subject: RE: proposal for PATH Coalition and Virginia Reliable Power Coalition

Aldie,  
We will be meeting with Jim and Mike for a dinner meeting tonight and for an engineering meeting Wednesday morning. I hope to work in some amount of discussion with both of them. I am sure to get to Jim as we are driving out to Columbus together. Vern

-----Original Message-----

From: Warnock, L. Aldie  
Sent: Monday, February 02, 2009 8:47 PM  
To: Estel, C. Vernon, Jr.  
Subject: Fw: proposal for PATH Coalition and Virginia Reliable Power Coalition

Are you and ron still planning to get with mike and jim tomorrow on this issue?

Aldie Warnock  
Vice President, External Affairs  
Allegheny Energy  
800 Cabin Hill Drive  
Greensburg, Pennsylvania. 15601  
(W) 724-838-6971  
(C) 724-331-9545  
(F) 724-838-6764

----- Original Message -----

From: Susan Lavenski <[SLavenski@CharlesRyan.com](mailto:SLavenski@CharlesRyan.com)>  
To: Warnock, L. Aldie; [medempsey@aep.com](mailto:medempsey@aep.com) <[medempsey@aep.com](mailto:medempsey@aep.com)>; [rlpoff@aep.com](mailto:rlpoff@aep.com) <[rlpoff@aep.com](mailto:rlpoff@aep.com)>; Estel, C. Vernon, Jr.  
Sent: Mon Feb 02 19:09:07 2009

Subject: proposal for PATH Coalition and Virginia Reliable Power Coalition

Good evening gentlemen!

Based on our meetings last week, attached is the proposal for your meeting tomorrow with the PATH board.

In the proposal, you will find an outline, budget and tactics for each coalition.

As discussed, there is a 'Board of Council' for each group comprised of Aldie, Mark and me. This Board of Council will not be a public group but will make overall recommendations and decisions for both the PATH Coalition and the Reliable Power Coalitions. Other members can be added as these groups continue to grow.

As for the fees allocated to CRA for these coalitions, we have based these figures on other coalitions we have built, so we have a pretty good sense of what it takes to get them up and running.

As always, it was great to see all of you last week! If you have any questions or concerns, please let me know.

THANKS!!!!

Susan Lavenski | Senior Vice President

main: 877-342-0161 • direct: 304-556-9129 • cell: 304-545-8006 [slavenski@charlesryan.com](mailto:slavenski@charlesryan.com)  
<<mailto:slavenski@charlesryan.com>> • [www.charlesryan.com](http://www.charlesryan.com) <<http://www.charlesryan.com>>

<<http://www.charlesryan.com/vcards/slavenski.vcf>> Download V-Card  
<<http://www.charlesryan.com/vcards/slavenski.vcf>>

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---

**From:** Friddle, Charles H., III  
**Sent:** Tuesday, July 31, 2007 4:03 PM  
**To:** Johnson, David P.; Warnock, L. Aldie; Eckard, J. M.; Blankenship, George B.; Grabiak, Terri J.; Kriner, Michael T.; Kruft, Charles J.; Mason, Jay E.; Menhorn, Cynthia A.; Minardi, Samuel A.; Kuniansky, Max, Jr.; Haney, James R.; Meyers, Todd L.; Colafella, Douglas G.; Jim Cunningham  
**Subject:** RE: State Labor/Industry Coalition Names

**Dave:**

I like the "Reliable Power" better than "Dependable Power", however I have some reservations about naming all the states. Why not name the group "Concerned Citizens for Reliable Power". Just a thought.

Charles H. Friddle, III  
Manager, Local Affairs  
Allegheny Energy  
50 Kennedy Drive  
Elkins, WV 26241

**Tel:** 304/635-0286  
**Cell:** 304/642-8968  
**Fax:** 304/368-4835

-----Original Message-----

**From:** Johnson, David P.

**Sent:** 7/30/2007 1:23 PM

**To:** Warnock, L. Aldie; Eckard, J. M.; Blankenship, George B.; Grabiak, Terri J.; Kriner, Michael T.; Kruft, Charles J.; Mason, Jay E.; Menhorn, Cynthia A.; Minardi, Samuel A.; Friddle, Charles H., III; Kuniansky, Max, Jr.; Haney, James R.; Meyers, Todd L.; Colafella, Douglas G.; Cunningham, Jim

**Subject:** State Labor/Industry Coalition Names

Team:

During our external affairs staff meeting earlier, we proposed to narrow the list of potential names for the state coalitions (below) to 2. They are:

Pennsylvanians/West Virginians/Marylanders/Virginians for Reliable Power

Pennsylvanians/West Virginians/Marylanders/Virginians for Dependable Power

Our first choice would be "reliable" power as the California group we are modeling this coalition on is named "Californians for Reliable Power" and we feel using the same name provides benefits above and beyond our initial expectations.

We would appreciate your feedback on our thought process and we still plan to have the 2:30 conference call to discuss in more detail.

Thanks,

-----  
Below are several suggested names for the coalition. The idea would be to keep these coalition names as local as possible. Please let us know your thoughts.

- Pennsylvanians/West Virginians/Marylanders/Virginians for Dependable Power
- No Blackouts PA/WV/MD/VA
- The Pennsylvania/West Virginia/Maryland/Virginia Energy Initiative
- PA/WV/MD/VA Power Alliance
- PA/WV/MD/VA Electricity Policy Institute
- Pennsylvanians/West Virginians/Marylanders/Virginians for Energy Security
- Alliance for Dependable Power

David P. Johnson

External Affairs Specialist

Allegheny Energy, Inc.

800 Cabin Hill Drive

Greensburg, PA 15601

Office: 724.838.6530

Cell: 724.961.5625

Fax: 724.838.3028

[www.alleghenyenergy.com](http://www.alleghenyenergy.com)



## **Exhibit No. NH-15**

**Screen shot of Marylanders for Reliable Power website, 2010**

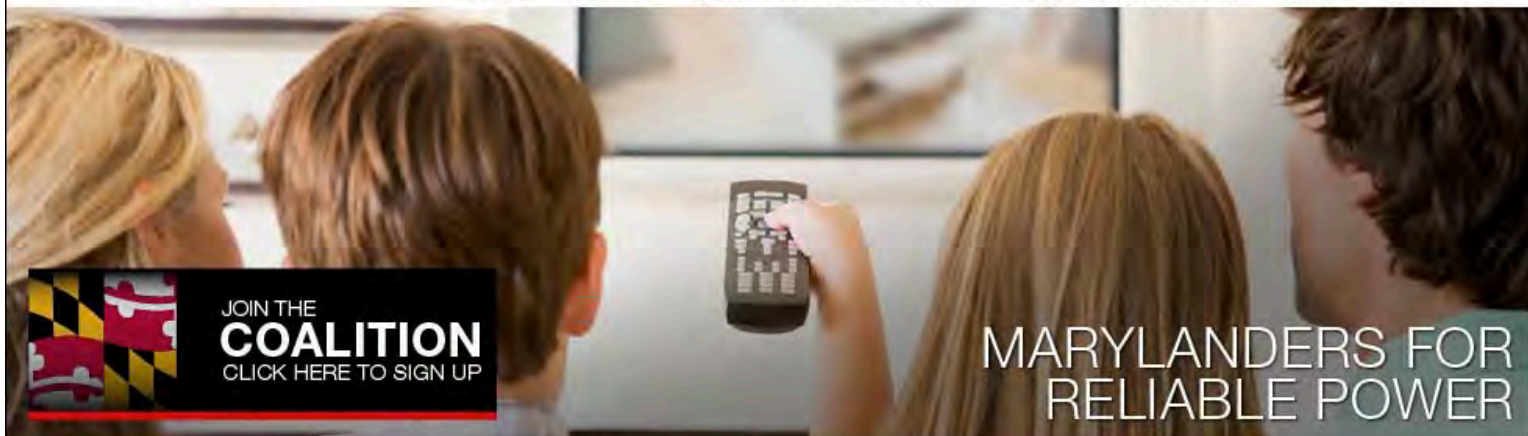
**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

# Marylanders FOR Reliable Power

[HOME](#) [ABOUT](#) [BENEFITS & SOLUTIONS](#) [FAQ](#) [NEWSROOM](#) [JOIN](#) [CONTACT](#)



[About MDRP](#) | [Become a Member](#) | [Current Members](#) | [Understanding the Need](#)

## About MDRP

Marylanders for Reliable Power (a 501 (c)(3) corporation) is a coalition of citizens, businesses, and organizations that want to ensure that Maryland's future electricity needs are met through additional generation of electricity from traditional and renewal sources, improvement of transmission capacity and conservation. The coalition will work to inform the public of the critical need to act now so that electricity is available to support the state's productivity, public health, and security and to achieve public policy that supports an abundant and reliable electricity supply.

[Back to Top](#)

## Introducing Marylanders for Reliable Power

For an informational presentation, [click here](#). (PDF: [get viewer](#))

[Back to Top](#)

## Join Marylanders for Reliable Power

Marylanders for Reliable Power  
59 Franklin Street  
Annapolis, MD 21401

# **Exhibit No. NH-16**

**Reliable Power Coalition domain name registration records**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

# Whois: wvForReliablePower.com

Acquire this Domain Name

Search Whois Records

Search

Add Missing Thumbnail:  
[Queue Thumbnail For Addition](#)

Exhibit No. NH-16  
Page 1 of 3

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

- Whois Record
- Site Profile
- Registration
- Server Stats
- My Whois

## Whois Record

### Related Domains For Sale or At Auction

1 2 3 More >

- [PowerBird.com](#) (\$1,888)
- [NeoPower.com](#) (\$999)
- [PowerTwist.com](#) (\$544)
- [PowerNorth.com](#) (\$1,888)
- [PowerRed.com](#) (\$1,395)
- [PowerStrobe.com](#) (\$695)

Registrant Search: **"Hall, K"** owns about [20 other domains](#)

Registrar History: [1 registrar](#)

NS History: [2 changes](#) on 3 unique name servers over 1 year.

IP History: [2 changes](#) on 3 unique name servers over 1 years.

Whois History: [8 records](#) have been archived since 2009-05-23 .

Reverse IP: [3 other sites](#) hosted on this server.

[Log In](#) or [Create a FREE account](#) to start monitoring this domain name

**DomainTools for Windows®**  
Now you can access domain ownership records anytime, anywhere... right from your own desktop! [Download Now>](#)

### Registrant:

Hall, K  
ATTN WVFORRELIABLEPOWER.COM  
care of Network Solutions  
PO Box 459  
Drums, PA. US 18222

Domain Name: WVFORRELIABLEPOWER.COM

### Administrative Contact, Technical Contact:

Hall, K [vt8k885f3mr@networksolutionsprivateregistration.com](mailto:vt8k885f3mr@networksolutionsprivateregistration.com)

ATTN WVFORRELIABLEPOWER.COM  
care of Network Solutions  
PO Box 459  
Drums, PA 18222  
US  
570-708-8780

Record expires on 21-May-2011.

Record created on 21-May-2009.

### Domain servers in listed order:

NS1.REVINTERACTIVE.COM 207.97.211.10  
NS2.REVINTERACTIVE.COM 207.97.211.10



### Country TLDs

### General TLDs

- [wvForReliablePower.at](#) [Buy](#)
- [wvForReliablePower.be](#) [Buy](#)
- [wvForReliablePower.ch](#) [Buy](#)
- [wvForReliablePower.cn](#) [Buy](#)
- [wvForReliablePower.co.uk](#) [Buy](#)
- [wvForReliablePower.de](#) [Buy](#)

[Show all \(17\) >](#)

**Buy all selected >**



Whois Record Site Profile Registration Server Stats My Whois

Whois Record

Related Domains For Sale or At Auction

1 2 3 More >

- [NewsPower.com](#) (\$1,500)
- [PowerTwist.com](#) (\$544)
- [PowerCpa.com](#) (\$500)
- [PowerStrobs.com](#) (\$695)
- [PowerZip.com](#) (\$1,250)
- [NeoPower.com](#) (\$999)

Registrant Search: "Hall, K" owns about 20 other domains

Registrar History: 1 registrar

NS History: 2 changes on 3 unique name servers over 1 year.

IP History: 2 changes on 3 unique name servers over 1 years.

Whois History: 8 records have been archived since 2009-05-22 .

Reverse IP: 3 other sites hosted on this server.



Log In or Create a FREE account to start monitoring this domain name



DomainTools for Windows®

Now you can access domain ownership records anytime, anywhere... right from your own desktop! Download Now>

Registrant:

Hall, K

ATTN MARYLANDERSFORRELIABLEPOWER.COM  
care of Network Solutions  
PO Box 459  
Drums, PA. US 18222

Domain Name: MARYLANDERSFORRELIABLEPOWER.COM

Administrative Contact, Technical Contact:

Hall, K vt8k885f3mr@networksolutionsprivateregistration.com

ATTN MARYLANDERSFORRELIABLEPOWER.COM  
care of Network Solutions  
PO Box 459  
Drums, PA 18222  
US  
570-708-8780

Record expires on 21-May-2011.

Record created on 21-May-2009.

Domain servers in listed order:

NS1.REVINTERACTIVE.COM 207.97.211.10  
NS2.REVINTERACTIVE.COM 207.97.211.10

**GRAB YOUR .CO:UK DOMAIN FOR ONLY 6EUR / \$9.00\***  
\*For Indication Purposes

Country TLDs

General TLDs

- [MarylandersForReliablePower.at](#) [Buy](#)
- [MarylandersForReliablePower.be](#) [Buy](#)
- [MarylandersForReliablePower.ch](#) [Buy](#)
- [MarylandersForReliablePower.cn](#) [Buy](#)
- [MarylandersForReliablePower.co.uk](#) [Buy](#)
- [MarylandersForReliablePower.de](#) [Buy](#)

Show all (18) >

**Buy all selected >**

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

WHOIS information for [forreliablepower.org](http://www.whois.net/whois/forreliablepower.org) :

[Querying whois.publicinterestregistry.net]

[whois.publicinterestregistry.net]

NOTICE: Access to .ORG WHOIS information is provided to assist persons in determining the contents of a domain name registration record in the Public Interest Registry

20141121-5112 FERC PDF (Unofficial) 11/21/2014 10:29 AM  
The data in this record is provided by Public Interest Registry for informational purposes only, and Public Interest Registry does not guarantee its accuracy. This service is intended only for query-based access. You agree that you will use this data only for lawful purposes and that, under no circumstances will you use this data to: (a) allow, enable, or otherwise support the transmission by e-mail, telephone, or facsimile of mass unsolicited, commercial advertising or solicitations to entities other than the data recipient's own existing customers; or (b) enable high volume, automated, electronic processes that send queries or data to the systems of Registry Operator or any ICANN-Accredited Registrar, except as reasonably necessary to register domain names or modify existing registrations. All rights reserved. Public Interest Registry reserves the right to modify these terms at any time. By submitting this query, you agree to abide by this policy.

Domain ID:D149001911-LROR  
Domain Name:FORRELIABLEPOWER.ORG  
Created On:30-Aug-2007 13:27:43 UTC  
Last Updated On:19-Apr-2010 08:56:17 UTC  
Expiration Date:30-Aug-2010 13:27:43 UTC  
Sponsoring Registrar:Network Solutions LLC (R63-LROR)  
Status:CLIENT TRANSFER PROHIBITED  
Registrant ID:43528733-NSI  
Registrant Name:K Hall  
Registrant Street1:P.O.Box 2464  
Registrant Street2:  
Registrant Street3:  
Registrant City:Charleston  
Registrant State/Province:WV  
Registrant Postal Code:25329  
Registrant Country:US  
Registrant Phone:+1.3045657541  
Registrant Phone Ext.:  
Registrant FAX:  
Registrant FAX Ext.:  
Registrant Email:klh92@yahoo.com  
Admin ID:43528733-NSI  
Admin Name:K Hall  
Admin Street1:P.O.Box 2464  
Admin Street2:  
Admin Street3:  
Admin City:Charleston  
Admin State/Province:WV  
Admin Postal Code:25329  
Admin Country:US  
Admin Phone:+1.3045657541  
Admin Phone Ext.:  
Admin FAX:  
Admin FAX Ext.:  
Admin Email:klh92@yahoo.com

# **Exhibit No. NH-17**

**West Virginia Secretary of State Business Name Reservation  
for West Virginians for Reliable Power**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

20141121-5112 FERC PDF (Unofficial) 11/2014 08:29 PM

Natalie E. Tennant  
Secretary of State  
1900 Kanawha Blvd E.  
Bldg 1, Suite 157-K  
Charleston, WV 25305



Penney Barker, Manager  
Corporations Division  
Tel: (304)558-8000  
Fax: (304)558-8381  
www.wvsos.com

### APPLICATION FOR NAME RESERVATION

FILE ONE ORIGINAL  
FEE: \$15.00

Hrs: 8:30 a.m. - 5:00 p.m. ET

1. I want to reserve the following name for a period of one hundred twenty (120) days:

West Virginians for Reliable Power

2. The name will be used for a: (check one)

- Corporation
- Voluntary Association
- Limited Liability Company
- Limited Liability Partnership
- Business Trust
- Limited Partnership

**FILED**

APR 29 2010

3. The person or company reserving this name intends to: (check one)

- Organize as a West Virginia company
- Qualify as a foreign company in WV
- Change the present company name

IN THE OFFICE OF  
SECRETARY OF STATE

4. The name and address of the applicant (person or company) is:

Name: Keryn Newman  
 Street: 6 Ella Dr.  
 City/State/Zip: Shepherdstown, WV 25443

5. Signature: Keryn Newman Title: President

#### ACKNOWLEDGEMENT (For office use only)

#### TO THE APPLICANT:

The name is reserved for the exclusive use of the applicant for **120 days** beginning 4/29/2010 and ending 8/27/2010

The name is NOT available (see attached conflict), and the application is accordingly denied.

NATALIE E. TENNANT  
Secretary of State

BY: Lauren Vaughn  
Business & Licensing Clerk



## **Exhibit No. NH-18**

**PATH emails regarding registration of reliable power coalition  
business names, June 2010**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** deheydlauff@aep.com  
**Sent:** Monday, June 7, 2010 5:30 AM  
**To:** Susan Lavenski <slavenski@charlesryan.com>  
**Cc:** Warnock, L. Aldie <awarnoc@alleghenyenergy.com>; Colafella, Douglas G. <dcolafe@alleghenyenergy.com>; Matt Sutton <msutton@charlesryan.com>; taholiday@aep.com  
**Subject:** Re: Name Reservation Update

---

Great, fast work, Susan.

Thank you.

Dale

Dale E. Heydlauff  
Vice President-Corporate Communications  
American Electric Power  
1 Riverside Plaza  
Columbus, Ohio 43215  
Phone: 614/716-1280  
Fax: 614/716-2699

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"Susan Lavenski" <SLavenski@CharlesRyan.com>

To <deheydlauff@aep.com>,  
cc "Matt Sutton" <msutton@C  
Subject Name Reservation Update

06/04/2010 03:32 PM

Here is latest update on the name situation for the coalitions.

WVRE

- Keryn Newman reserved both West Virginians for Reliable Power and West Virginia for Reliable Power
- Bryan Brown completed application and submitted request for West Virginians for Reliable Energy and West Virginia for Reliable Energy on 6/2/10
- Received e-mail confirmation that both were available on 6/3/10 for West Virginia Secretary of State's office
- Will be receiving letter confirmation shortly

We are in the process of changing the website and all of the collaterals. Additionally Charlie Friddle was concerned about the event in Harrison County in a few weeks - due to this situation. He doesn't want to put them in a difficult situation so we discussed postponing it for a few weeks. The Chamber was a little hesitant in the beginning but did it as a favor to Charlie. So we need to gauge their comfort level. Bryan was going to call them.

VRE

PATH00003024

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

- Virginians for Reliable Energy was available
- Heather Martin completed paperwork and submitted to Virginia Secretary of State on 6/4/10

MDRP

- There is no form to fill out in MD. You simply have to write a letter to the Secretary of State asking to reserve the name. This was sent today.

Let me know if you have any questions!!

Have a great weekend!



Scott C.

main: 87  
421-205

[scott@ema](#)

 [Down](#)

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20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Susan Lavenski <slavenski@charlesryan.com>  
**Sent:** Wednesday, June 2, 2010 1:50 PM  
**To:** deheydlauff@aep.com  
**Subject:** RE: FW: caryn neuman / wv reliable power

---


Well-played on her part. She only registered it for 90 days.



Susan Lavenski | Managing Director

main: 877-342-0161 • direct: 304-556-9129 •

[slavenski@charlesryan.com](mailto:slavenski@charlesryan.com) •

 [Download V-Card](#)

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**From:** deheydlauff@aep.com [mailto:deheydlauff@aep.com]  
**Sent:** Wednesday, June 02, 2010 2:34 PM  
**To:** Susan Lavenski  
**Cc:** Warnock, L. Aldie; Colafella, Douglas G.; Matt Sutton; Scott Castleman; taholiday@aep.com  
**Subject:** Re: FW: caryn neuman / wv reliable power

Very sneaky on her part. I do think you should research this and if necessary, we should change the name to energy and register it ourselves.

Dale

Dale E. Heydlauff  
Vice President-Corporate Communications  
American Electric Power  
1 Riverside Plaza  
Columbus, Ohio 43215

PATH00003028

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Phone: 614/716-1280

Fax: 614/716-2699

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To "Warnock, L. Aldie" <awar

cc "Matt Sutton" <msutton@C

Subject FW: caryn neuman / ww re

"Susan Lavenski" <SLavenski@CharlesRyan.com>

06/02/2010 02:31 PM

Please see Bryan's note below. Caryn has registered the name with the Sec. of State, so she says. We are calling to clarify and see if she has set it up as a 501 c 3 or to see if you can simply fill out a form for the name. We also need to see when she filed the paperwork.

I am alerting the other coalitions. We will set up a call to see if we need to change WW for Reliable Power to Energy. I suspect they will try to do the same thing with the other coalitions. Stay tuned.

Susan Laver

main: 877-34  
304-545-900

[slavenski@cl](mailto:slavenski@cl)  
[www.charlesr](http://www.charlesr)

 Download



PATH00003029

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

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---

**From:** Bryan Brown [mailto:bryan@browncomm.com]

**Sent:** Wednesday, June 02, 2010 2:02 PM

**To:** Susan Lavenski; Scott Castleman; Matt Sutton

**Subject:** caryn neuman / ww reliable power

Caryn Neuman, the activist in Martinsburg, asked the Daily Mail for a correction on the Monday brief announcing the WVRP Putnam Co. Forum. Neuman stated that she is the legal owner of the group name "West Virginiansfor Reliable Power" and that she has it registered with the Sec. of State's office. My assumption is that she is reaching out to all local media that ran a story on the event to do the same.

Bryan

PATH00003030

## **Exhibit No. NH-19**

**PATH Response to Data Request IND-PATH-I-14,  
Reliable Power Coalition business reservation form**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Potomac-Appalachian Transmission Highline, LLC, )     Docket Nos. ER09-2156-002  
and PJM Interconnection, L.L.C.                     )     ER12-2708-003**

**POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE, LLC  
RESPONSE TO  
PRO SE'S FIRST SET OF DATA REQUESTS**

**IND-PATH-I-14:**

For each "reliable power coalition" (West Virginians for Reliable Power or Energy, Marylanders for Reliable Power and Virginians for Reliable Energy), provide the following information:

- a. Is coalition a legal entity or corporation duly registered in any state either currently or at any time in the past? If so, please provide the name of the state in which it was legally incorporated or in which it has reserved a corporate name, and a copy of coalition's Articles of Incorporation, By-Laws and list of officers of the corporation or copy of coalition's corporate name reservation showing owner of reserved corporate name.
- b. Is/was coalition a 501(c)3 or other tax exempt or charitable organization registered with the Internal Revenue Service?
- c. Does/did coalition have a board of directors or steering committee? If so, list members of board or committee.
- d. Does/did coalition receive financial donations from members or other outside parties?
- e. List key spokesperson(s) recruited for the coalition, hours worked and compensation (to include source of compensation), if any, received by each.

**RESPONSE:**

- a. The business names West Virginians for Reliable Power and West Virginians for Reliable Energy were registered in 2010 and 2011. See Attachments A and B.
- b. The reliable power coalitions were not 501(c)3 or other tax exempt or charitable organizations.
- c. No.
- d. The PATH Companies did not oversee the coalitions and so have no direct knowledge of all aspects of their funding.



- e. Spokespersons for the reliable power coalitions were not recruited, but consisted of volunteers from the coalitions' membership. No compensation was provided to these volunteers.

Prepared by or under the supervision of:

Jay Ruberto

## West Virginia Secretary of State — Online Data Services

### Business and Licensing

Online Data Services Help

### Business Name Registration/Reservation Detail

#### WEST VIRGINIANS FOR RELIABLE ENERGY, VA.

<b>Name Registration/Reservation Information</b>				
Type	Name	Effective Date	Termination Date	Renewed
NRS   Name Reservation	WEST VIRGINIANS FOR RELIABLE ENERGY, VA.	10/4/2010	2/1/2011	No

<b>Applicant Information</b>		
Registrant	Address	Country
BROWN COMMUNICATIONS LLC	P O BOX 20426 CHARLESTON WV 25362	USA

<b>Images</b>				
View	Name	Date Added	Date Effective	Type
View	WEST VIRGINIANS FOR RELIABLE ENERGY, VA.	10/5/2010	10/4/2010	R - Reservations & Registrations
View	Name	Date Added	Date Effective	Type

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## West Virginia Secretary of State — Online Data Services

### Business and Licensing

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### Business Name Registration/Reservation Detail

#### WEST VIRGINIANS FOR RELIABLE ENERGY, VA

<b>Name Registration/Reservation Information</b>				
Type	Name	Effective Date	Termination Date	Renewed
NRS   Name Reservation	WEST VIRGINIANS FOR RELIABLE ENERGY, VA	2/2/2011	6/2/2011	No

<b>Applicant Information</b>		
Registrant	Address	Country
BROWN COMMUNICATIONS LLC	PO BOX 20426 CHARLESTON WV 25362	USA

<b>Images</b>				
View	Name	Date Added	Date Effective	Type
View	WEST VIRGINIANS FOR RELIABLE ENERGY, VA	2/21/2011	2/2/2011	R - Reservations & Registrations
View	Name	Date Added	Date Effective	Type

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## West Virginia Secretary of State — Online Data Services

### Business and Licensing

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### Business Name Registration/Reservation Detail

#### WEST VIRGINIANS FOR RELIABLE POWER, VA

<b>Name Registration/Reservation Information</b>				
Type	Name	Effective Date	Termination Date	Renewed
NRS   Name Reservation	WEST VIRGINIANS FOR RELIABLE POWER, VA	10/4/2010	2/1/2011	No

<b>Applicant Information</b>		
Registrant	Address	Country
BROWN COMMUNICATIONS LLC	P O BOX 20426 CHARLESTON WV 25362	USA

<b>Images</b>				
View	Name	Date Added	Date Effective	Type
View	WEST VIRGINIANS FOR RELIABLE POWER, VA	10/5/2010	10/4/2010	R - Reservations & Registrations
View	Name	Date Added	Date Effective	Type

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## West Virginia Secretary of State — Online Data Services

### Business and Licensing

Online Data Services Help

### Business Name Registration/Reservation Detail

#### WEST VIRGINIANS FOR RELIABLE POWER, VA

<b>Name Registration/Reservation Information</b>				
Type	Name	Effective Date	Termination Date	Renewed
NRS   Name Reservation	WEST VIRGINIANS FOR RELIABLE POWER, VA	2/2/2011	6/2/2011	No

<b>Applicant Information</b>		
Registrant	Address	Country
BROWN COMMUNICATIONS, LLC	PO BOX 20426 CHARLESTON WV 25362	USA

<b>Images</b>				
View	Name	Date Added	Date Effective	Type
View	WEST VIRGINIANS FOR RELIABLE POWER, VA	2/25/2011	2/2/2011	R - Reservations & Registrations
View	Name	Date Added	Date Effective	Type

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## **Exhibit No. NH-20**

**“PATH questions remain,” The Journal,  
Martinsburg, W.Va., May 5, 2010**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

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## PATH questions remain

May 5, 2010 - By Jenni Vincent / Journal Staff Writer

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MARTINSBURG - The tone of discussion at Tuesday's Electric Energy Forum quickly shifted when audience members were allowed to question guest speakers Susan Eisenhower and Mark Robinson.

That's because several individuals who have been fighting the proposed Potomac Appalachian Transmission Highline, or PATH, not only questioned the need for it but other planned changes to the nation's energy infrastructure.

Their comments came at the end of the session, which was sponsored by the Berkeley County Development Authority, the Eastern Panhandle Business Association, the Chamber of Commerce of Martinsburg and Berkeley County in partnership with West Virginians for Reliable Power.

Prior to the meeting, which was held at the Holiday Inn and attracted about 50 participants, organizer Bryan Brown, the state coordinator for West Virginians for Reliable Power, said no specific power projects such as PATH were on the agenda to be discussed.

As proposed, PATH is a 765-kilovolt multi-state power line that would directly impact some Jefferson County residents.

He said that statewide coalition has more than 120 different organizations including business trade associations, labor unions and individual businesses.

"We're working to educate state residents and policy leaders on the need for and the benefits of improving our energy infrastructure in West Virginia. The major focus in the last two years has been on the need for improving our transmission infrastructure in the region and nationally. We're not talking about PATH, we're talking about power lines in general," Brown said.

Brown said his group does not support or advocate for any individual project.

However, anti-PATH activist Keryn Newman said she had a hard time believing that either the organization or its leaders are not supporting the proposal.

Research had convinced her "it's not an independent coalition," Newman said prior to the meeting.

"So if PATH is paying for all of this and they're telling us it's an independent coalition, yet all the PATH costs are being put on the rate payers in 13 states, I feel they should do it under their own name if they want to do marketing and advertising. Sunshine is the best disinfectant, so I want this out in the open and I want them to



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admit that PATH is doing this," Newman said.

She also said research shows that electric consumption is declining nationally, which makes the need for this type of power line even more questionable.

Eisenhower, who is the granddaughter of the late President Dwight D. Eisenhower, said she had come to speak about the "strategic energy challenges" facing the country that must be met if the United States can continue to compete globally.

"There has never been a time when America needed to think strategically more," Eisenhower said, adding that energy planning often involves long lead times such as in the case of building new transmission lines or nuclear power plants.

"Electricity is the lifeblood of our economy," according to Eisenhower, who said the bulk of it is generated from coal and nuclear while some renewable sources are now coming online.

"However many promising sources, including wind in the Midwest and solar in the Southwest, aren't connected to the national grid yet," she said.

Providing electricity to a large, growing nation provides special challenges, and "if we have a national grid, it has to be truly national," Eisenhower said.

In the end, Eisenhower said she welcomed the "diverse range of opinions" offered at the meeting and also promised to look into some of the information that had been presented by the anti-PATH audience members.

For example, Patience Wait challenged Eisenhower's statement that a New York City blackout in 2003 had been caused by "too much congestion on (power) lines across the country."

When Wait told her where to find a dissenting view, Eisenhower took note and promised to read the article.

Robinson, who worked for the United States Federal Energy Regulatory Commission for 31 years but is now a principal in the firm of JMR Energy Infra LLC, spoke about his experience citing facilities and lines.

Although he acknowledged electric growth is expected to slow in the next three coming decades, even that doesn't mean no new transmission capabilities are needed, Robinson said.

"You can only mine the existing system so long," he said.

It also is important to remember that energy projects and transmission lines are economic interdependent projects, he said.

"Sometimes a major energy infrastructure development is not state specific as much as it is regional - at a minimum," Robinson said.

However, both Wait and fellow anti-PATH speaker Roger Eitelman agreed that this particular proposal is beneficial only to the electric utility industry.

PATH is a joint project of American Electric Power and Allegheny Energy,

The companies maintain it is needed to provide electric power for much of the East Coast.

It has been structured to amount to little more than a "profit center," Wait said.

Eitelman, president of Stop PATH West Virginia, said it is worth noting FERC had issued a rule pertaining to this particular situation. That happened when Robinson was still with FERC, Eitelman said,



"In 2005, FERC set a new rule that said for all approved major transmission lines - the 50 million electric customers in this interconnected region which is 13 states, I believe - will pay full costs of the transmission lines plus a 14.3 percent profit. That happens through a bond issue that they pay over 30 years," he said.

"So we will pay for PATH if it happens and any other lines that come along. And we will be paying for it whether electricity flows or not," Eitelman said.

Since electric consumption is down, profits to electric shareholders also are down, and companies have to find a way to augment that, he said.

"Demand is down and the immediate profits to utility shareholders are also down, which makes the incentive to build transmission lines with a guaranteed 14.3 percent profit much stronger. There is literature saying that these projects have become the new profit centers for the utilities," Eitelman said.

- Staff writer Jenni Vincent can be reached at 304-263-8931, ext. 138, or [jvincent@journal-news.net](mailto:jvincent@journal-news.net)

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# **Exhibit No. NH-21**

**PATH emails regarding purpose of reliable power coalitions  
on behalf of Keryn Newman and Alison Haverty  
Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** deheydlauff@aep.com  
**Sent:** Wednesday, January 12, 2011 4:38 PM  
**To:** Susan Lavenski <slavenski@charlesryan.com>  
**Cc:** Warnock, L. Aldie <awarnoc@allegHENyenergy.com>; Colafella, Douglas G. <dcolafe@allegHENypower.com>; Matt Sutton <msutton@charlesryan.com>; taholiday@aep.com  
**Subject:** Re: next steps

---

I believe this captures our discussion. It is now time for us to realize the yield on our investment in the coalitions and PEAT groups, and to ensure that we are doing everything we can to support the critically important regulatory decisions that will be made in the coming months. If we get adverse decisions, our work on this project could come to a screeching halt quite rapidly.

Good luck with the execution.

Dale

Dale E. Heydlauff  
Vice President-Corporate Communications  
American Electric Power  
1 Riverside Plaza  
Columbus, Ohio 43215  
Phone: 614/716-1280  
Fax: 614/716-2699

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"Susan Lavenski" <SLavenski@CharlesRyan.com>

To <deheydlauff@aep.com>,  
cc "Matt Sutton" <msutton@C  
Subject next steps

01/12/2011 01:21 PM

Good afternoon!

Based on our conversation yesterday, here are our immediate action items:

Speaker recruitment for hearings in VA

Schedule a conference call with Russell, Clint, Tom Bloss, Roger and Ron Poff tomorrow at 10 am to discuss media tour

PATH00001607

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Schedule a call to discuss TrAIL event in Winchester and possibly Morgantown for the week of January 31

Work with Heather and Hugh to schedule event to announce Hugh's role with coalition

Work with all three coalitions to set up media events with business and labor (Hugh believes this will get covered in VA as well)

Begin preparations for Coalition Energy Forums in each state for early February

Begin preparations for PLA announcement

Continue scheduling PEAT speaking engagements in all three states

Media recommendations for TrAIL/PATH spots:

**Entire Project Area**

\$160,000 project-wide 13-week cable buy January 31-first week of May

**Virginia**

If the schedule in Virginia proceeds as currently planned, we suggest the following:

\$50,000 13-week radio and online buy in Virginia January 31-first week of May  
\$10,000 to \$15,000 print buy in Virginia during public hearings in early February  
Add business leaders spots to the rotation in April

**Maryland**

If Maryland does not grant the tolling schedule and hearings take place in May, we suggest the following:

PATH00001608

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Film Kathy Snyder, Don Frye, one additional business leader; add them to the current business leader spot with Rod Easter and Barry Ronan  
\$40,000 cable buy in Baltimore running this new business leader spot (recommended by Russell and Shaila) middle March – middle June  
\$70,000 print, radio, online and network buy middle March – middle June  
\$5,000 extension of the western Maryland cable buy through middle June  
Add business leaders creative to rotation in all mediums in early May

Additional media recommendations will be provided for summer/fall, depending on the project schedule.

Please let me know if you have any questions.

Thanks!

Susan



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20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Colafella, Douglas G. <dcolafe@alleghenypower.com>  
**Sent:** Thursday, December 3, 2009 11:05 AM  
**To:** Susan Lavenski <slavenski@charlesryan.com>  
**Cc:** Neurohr, David <dneuroh@alleghenypower.com>; taholliday@aep.com  
**Subject:** PATH Comms Plan

---

Susan,

Thanks for taking the time to discuss the 2010 plan with Tom and me yesterday. With the regulatory schedules back on track and a filing in MD imminent, the table is set for us to effectively chart our strategy and key milestones for next year.

We have but one singular goal – to help get PATH approved. But as I’ve heard Aldie say in the past, we don’t need to win a popularity contest. There are clearly two camps – those fervently against the project and those who support it. Neither group is going to change their mind, so let’s focus on keeping everyone else from joining the debate and generating the political cover that commissioners/legislators need to “do the right thing.”

As you and your team consider how we pull this off, a few considerations come to mind:

- In light of the constraints of the evidentiary process – and the public’s skepticism of any company proposing such projects – should we continue to rely more on the efforts of coalitions and third-party supporters to support this project (and others like it) to achieve the political cover we need and to “balance the scales” in the court of public opinion? If so, in the strategy let’s define the extent to which the project team needs to maintain a public voice and when it’s most appropriate, and what should be handled by third parties.
- How aggressive should we be with advertising next year? We’re open to your counsel on this, but you’ll need to make a solid case for a sustained advertising campaign in the strategy document if that’s the course you recommend. I’m aware that some folks here (including Vern) are partial to a more low-key ad presence this year in exchange for a willingness to tackle issues head-on as they arise. But again we’re open to your thoughts, and let’s consider how we can glean insights from the polling about how our ads are being perceived.

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

- While this is technically a “communications plan” requested by Max – and PEAT and coalition activities are not included in his budget – it seems to make sense that the plan should acknowledge our strategy for leveraging PEAT and coalition support. So let’s consider their role in meeting the objectives in our strategy document, and significant PEAT and Coalition activities should be inserted into the tactical timeline.
- As we discussed, there are potential scenarios that could unfold next year – such as a rejection in Virginia before we even have WV hearings – but I agree that it’s hard to come up with specific strategies when we don’t know yet what are legal options are. In the meantime, I’ll gingerly broach this topic with Palmer, but the plan should at least acknowledge that we’re aware such scenarios could occur and that we’ll be prepared to move quickly with response(s).

Just a few thoughts, I may share some additional considerations as I think more about next year. Feel free to call me if you have any questions. Susan, to the extent you can be the author of the upfront strategy doc, the better – you have a good track record of persuasive presentations to our teams and we’re looking for that to carry through in written form as well.

Doug

Doug Colafella

Manager, External Communications

Allegheny Energy

Office: (724) 838-6387

Mobile: (724) 875-3452

PATH00012402

# **Exhibit No. NH-22**

**Letter of Agreement between Brown Communications and PATH**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



## Letter of Agreement

\*PATH West Virginia Transmission Company, LLC (PATH-WV), has asked Brown Communications to provide communications consulting services to the organization from June 1, 2008, through May 31, 2009.

\*Brown Communications LLC proposes to assist PATH-WV grow and promote the *West Virginians for Reliable Power (WVRP)* coalition in order to build support for rebuilding and expanding West Virginia and the nation's aging electric infrastructure.

\*Brown Communications proposes to assist PATH-WV in the following ways:

- Review what has been to date in the formation and recruitment of coalition members.
- Identify potential new members and request their participation in the coalition.
- If needed, facilitate the creation of coalition collateral (white paper, website, brochure, etc.) to assist in communicating key messages.
- Identify and recruit key spokesperson(s) for the coalition and train them on our messages (if needed).
- Conduct coalition events to promote West Virginians for Reliable Power and publicize the need for a reliable, strong and secure transmission grid.
- Activate allies at key times to respond to the media (Op-ed's, letters-to-the-editor, etc.) or contact key influencers (via letter, phone, email, etc.)
- Promote the coalition and our key messages through public/media relations tactics to include:
  - Coalition events
  - Coalition Media Tour and/or Editorial Board Visits
  - Speakers Bureau in Targeted Areas
  - Regular news releases on issues of importance
  - Op-ed's, letters-to-the-editor, etc.
- Managing and coordinating coalition activities
  - Coordinate coalition consultant(s)
  - Provide ongoing administrative support to coalition steering committee and its activities
  - Attend and staff coalition partner events, meetings and other trade shows, as well as other prominent events
  - Develop and implement targeted paid advertising campaign to support coalition activities and the need for additional transmission investment in WV
    - Proposed budget of \$125,000
  - Provide support and guidance to coalition on grassroots activities
- Maintain an accurate list of coalition members and provide such list to PATH-WV as requested.

\*These tactics and activities would be timed around key dates associated with the approval process for the PATH-WV project.

**TIMELINE:**

*Items listed below are tentative and will change based on PATH-WV timelines.*

<b>May – July:</b>	<ul style="list-style-type: none"> <li>WVRP Steering Committee Meeting</li> <li>Coalition recruitment</li> <li>Develop collateral materials</li> <li>Coalition trade show attendance</li> <li>Earned media outreach</li> <li>Speakers Bureau</li> </ul>
<b>August - October:</b>	<ul style="list-style-type: none"> <li>Energy symposium (Eastern Panhandle)</li> <li>Grassroots activities, as needed</li> <li>WVRP Steering Committee Meeting</li> <li>Coalition recruitment</li> <li>Coalition trade show attendance</li> <li>Earned media outreach</li> <li>Speakers Bureau</li> <li>Paid Media (potential)</li> </ul>
<b>November - January:</b>	<ul style="list-style-type: none"> <li>Infrastructure conference (Charleston)</li> <li>Develop strategy for 2009 &amp; Leg. Session</li> <li>Grassroots activities, as needed</li> <li>WVRP Steering Committee Meeting</li> <li>Coalition recruitment</li> <li>Coalition trade show attendance</li> <li>Earned media outreach</li> <li>Speakers Bureau</li> <li>Paid Media (potential)</li> </ul>
<b>February - April:</b>	<ul style="list-style-type: none"> <li>Grassroots activities, as needed</li> <li>WVRP Steering Committee Meeting</li> <li>Coalition recruitment</li> <li>Coalition trade show attendance</li> <li>Earned media outreach</li> <li>Speakers Bureau</li> <li>Paid Media (potential)</li> </ul>

\*Charges for these services will be \$7,500 a month from June 1, 2008, through May 31, 2009.

\*Out-of-pocket expenses, if any, will be billed as incurred. It is understood that Brown Communications will seek prior approval before incurring such expenses.

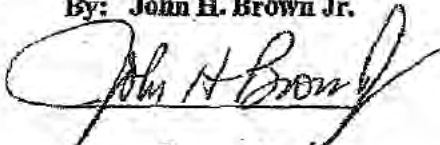
\*PATH-WV may terminate this letter agreement for its convenience by giving ten (10) days prior written notification to Brown Communications. PATH-WV shall compensate Brown Communications for prorata charges earned and actual out-of-pocket expenses incurred prior to the termination date.

\*This Letter Agreement is subject to the Potomac-Appalachian Transmission Highline, LLC, General Terms and Conditions for Consulting Services attached hereto.

Acknowledged, accepted and agreed to this 17 day of July 2008.

**Brown Communications**

By: **John H. Brown Jr.**



Its: President

**PATH West Virginia Transmission Company, LLC**

By: James R. Honey

Its: CO-PRESIDENT

# **Exhibit No. NH-23**

**PATH Purchase Order to The Artemis Group  
for Maryland Coalition Services**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

Purchase Order



Allegheny Energy Service Corporation  
an Allegheny Energy company

ISSUED BY

AGENT-FOR-BUYER  
800 Cabin Hill Drive  
Attn: Procurement  
Greensburg, PA 15601-1650  
FAX: (724) 830-5692

Page 1 of 2  
PO# 4500120394

Exhibit NH-23  
Page 1 of 2

THE ARTEMIS GROUP  
ATTN: PAT SCHIAVONE  
59 FRANKLIN ST  
ANNAPOLIS MD 21401-2726

Your Vendor Number with us  
10027456

Please Deliver to :  
PATH Allegheny Transmission  
Company, LLC  
Attn: Chuck Kruff  
800 Cabin Hill Drive  
Greensburg PA 15601

Bill and Mail Invoices to :

Buyer :

PATH Allegheny Transmission Company,

Disbursement Accounting  
800 Cabin Hill Drive  
Greensburg, PA 15601-1650

Purchase Order

Purchasing Document Date  
4500120394 04-15-2008

Purchasing Buyer Telephone  
Diane Radvansky 724-838-6010

Fax number Our Reference  
724-830-5692 LISA DUGAN

All Correspondence, Shipping Papers, Invoices, Bills of Lading and Packages must show the Stock Number, Purchase Order Number and Change Order Number. ( If Applicable )

ANY AGENT, REPRESENTATIVE, CONSULTANT OR CONTRACTOR PROVIDING SERVICES TO ALLEGHENY ENERGY IS EXPECTED TO FOLLOW ALLEGHENY ENERGY'S CODE OF BUSINESS CONDUCT AND ETHICS, WHICH IS AVAILABLE ON THE COMPANY'S WEBSITE, WWW.ALLEGHENYENERGY.COM, IN THE CORPORATE GOVERNANCE SECTION. IT IS ALSO AVAILABLE AT HTTP://MEDIA.CORPORATE-IR.NET/MEDIA\_FILES/NYS/AYE/CORPGOV/CODE4.PDF

IncoTerms : FOB N/A

Currency : USD

Terms of Payment : Within 45 days Due Net

This offer to purchase includes all the terms and conditions applicable to this purchase order. Acknowledgement is required for services or exceptions only. Shipment of goods will constitute your acceptance of this purchase order's terms and conditions.

AUTHORIZED BY:

Header text

BUYER: PATH ALLEGHENY TRANSMISSION COMPANY, LLC

This purchase order is issued for developing and implementing a Public Advocacy Campaign, to support building the Marylanders for Reliable Power Coalition.

Purchase Order shall be effective upon issuance through December 31, 2009.

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.



**Allegheny Energy Service Corporation**  
an Allegheny Energy company

ISSUED BY  
AGENT-FOR-BUYER  
800 Cabin Hill Drive  
Attn: Procurement  
Greensburg, PA 15601-1650  
FAX: (724) 630-6692

**Exhibit NH-23**  
**Page 2 of 2**

Tasks shall include but are not limited to the following:

- Coalition Development and Recruitment**
- Develop third party support and champions
  - Develop "Grasstops"
  - Develop coalition materials, training workshops for the grassroots
  - Coalition members, and schedule special events.
  - Quantitative and Qualitative Research and Analysis

- Coalition Management**
- Database design, integration and management
  - Make determinations with client

- Media Relations**
- Develop theme with key messages for the Coalition
  - Develop and implement a strategic communications plan

**Measure Success**

Hourly rates, estimated hours, scope of services, terms and conditions are in accordance with the following documents, which are attached hereto and/or incorporated herein by reference and made a permanent part hereof:

- A. Allegheny Energy Inquiry DMR028, dated 12/05/07, as posted on the Power Advocate on-line bidding platform;
- B. The Artemis Group LLC Proposal for Developing and Implementing a Public Advocacy Campaign dated December 18, 2007, and associated information submitted via the Power Advocate on-line bidding platform, Allegheny Energy Collective Number DMR028;
- C. E-Mail from Patricia Schiavone of The Artemis Group LLC dated February 6, 2008, with revised hourly rates and revised time estimates;
- D. PATH Allegheny Transmission Company, LLC General Terms and Conditions for Professional Services dated February 26, 2008 (attached hereto).

These documents shall constitute the entire agreement between the parties. The terms and conditions on the back of this purchase order are of no force and effect.

Item	Material	Order Qty.	UOM	Unit Price	Per	Net Value
00010		1	AU	\$ 136,300.00	1	\$ 136,300.00
<b>Description :</b> Coalition Services						
<b>Required Date :</b> 12-31-2009						
<b>Purch. Req. Number :</b> 10103491		<b>Purch. Req. Item :</b> 00010				
<b>Tax Code Description :</b> Vendor Bills Tax						
<b>The item covers the following services :</b>						
	<b>Service Item</b>	<b>Service Number</b>	<b>Service Description</b>	<b>Qty</b>	<b>UOM</b>	<b>Rate</b>
	10		MD Coalition Services	136,300.000	AU	\$ 1.00
<b>Total Net Value</b>						<b>\$ 136,300.00</b>

**End of Purchase Order**

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

# **Exhibit No. NH-24**

**Engagement Letter between McGuire Woods Consulting  
and Charles Ryan**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

McGuireWoods Consulting LLC  
One James Center  
901 East Cary Street  
Richmond, VA 23219-4030  
Phone: 804.775.1900  
Fax: 804.775.1061  
www.mwcllc.com

Heather L. Martin  
Direct: 804.775.1979

McGUIREWOODS  
CONSULTING

hmartin@mwcllc.com  
Direct Fax: 804.225.5342

May 18, 2009

Susan Lavenski  
Senior Vice President  
Charles Ryan Associates  
300 Summers Street  
Suite 1100  
Charleston, WV 25301

Dear Susan:

Thank you for the opportunity to submit the following engagement letter to Charles Ryan Associates ("CRA") in connection with the development of the proposed Virginia Energy Coalition and the enhanced programs associated with the energy coalition. This letter constitutes the proposal of McGuireWoods Consulting LLC ("MWC") for such representation, and, with your approval on behalf of CRA and Allegheny, will constitute our agreement.

MWC will organize and manage a statewide energy coalition on behalf of AEP, Allegheny Power and Dominion (revised memorandum attached dated May 8 2009) that will include the development and maintenance of an energy coalition website, engagement and reactivation of former coalition members of the "Coalition for Reliable Energy", a monthly web based newsletter and the initial announcement of the Virginia Energy Coalition. We will directly engage as well as hire and supervise independent contractors to focus on developing support for the coalition in regional forums and utilizing the coalition website. The support will be shown in various forms that will include providing testimony at public hearings, written testimony to the SCC, state legislators and local officials. MWC will also work with Virginia Coalition Partners to organize media opportunities.

MWC will provide the above-described services for a contract fee of \$165,000 during the period commencing May 1, 2009 and continuing until May 1, 2010, unless earlier terminated by either party for any reason upon thirty (30) days' written notice. MWC and CRA will determine the need for professional services in 2010, by November 1, 2009.

CRA agrees under this contract to a fee amount of \$165,000.00 and a payment schedule as outlined below.



May 18, 2009  
Page 2

May 1, 2009	\$41,250	Coalition Activation Services during May & June
July 31, 2009	\$41,250	Services for July and August
September 30, 2009	\$41,250	Services for September and October
November 30, 2009	\$41,250	Services for November 2009 through April 2010

Contract fees will be due and payable as described in the schedule above. MWC will provide an invoice before the scheduled payment date in May, July, September, and November 2009 to CRA in the amount of \$41,250 for a total of \$165,000 beginning May 1, 2009. Upon receipt from PATH Allegheny, CRA shall remit payment to MWC by the following business day.

In the course of performing services, the parties recognize that MWC may come in contact with or become familiar with information which CRA or its clients may be considered confidential. This information may include, but not limited to, information pertaining to design methods, pricing information, or work methods of CRA, as well as information provided by clients of CRA for inclusion in work to be developed for clients, which may be of value to competitors of the CRA or its clients. MWC agrees to only share information with coalition members and only to the extent required to develop the coalition project.

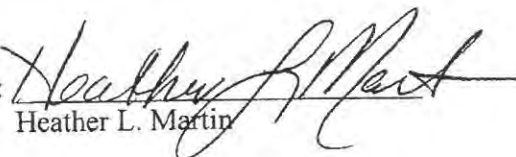
We wish to reiterate that MWC is a wholly owned subsidiary of the McGuireWoods LLP law firm, and that it is not necessary for you to engage the McGuireWoods law firm in order to use MWC, or vice versa. From time to time various attorneys at the McGuireWoods law firm provide non-legal services to MWC clients, but MWC does not provide legal services or advice, nor does this agreement encompass the rendering of legal services by the McGuireWoods law firm or give rise to an attorney-client relationship or privilege. Should you require legal services from McGuireWoods during the course of this work or otherwise, a separate engagement with the law firm will be necessary for that purpose.

MWC's maximum liability relating to services rendered under this agreement (whether in tort, contract, strict liability, or otherwise) shall be limited to the fees paid to MWC for the portions of its services giving rise to liability. In no event shall MWC be liable for any consequential, special, indirect, incidental, or punitive damages or expenses (including, without limitation, lost profits, opportunity costs, etc.) even if it has been advised of the possible existence of such damages. This provision shall survive the completion of this engagement.

If the foregoing terms are agreeable to you, please sign below to indicate your approval of this agreement on behalf of CRA. We look forward to working with you on this important project.

May 18, 2009  
Page 3

Sincerely,  
MCGUIREWOODS CONSULTING LLC

By:   
Heather L. Martin

Approved:  
SUSAN LAVENSKI

By:   
Charles Ryan Associates

Date: May 19, 2009

## **Exhibit No. NH-25**

**Minutes of PATH's External/Communications Committee and  
PATH Steering Committee meetings, 2008 – 2011**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

## IND-PATH-I-2 ATTACHMENT I

Final  
PATH External/Communications Committee Update  
March 11, 2008  
Meeting Minutes

Attendees:	Vicki Audia (AP)	Tom Holliday (AEP)
	Susan Boggs (AP)	Chuck Kruft (AP)
	Scott Castleman (CRA)	Susan Lavenski (CRA)
	Doug Colafella (AP)	Jeri Matheney (AEP)
	Mark Dempsey (AEP)	Tim Nicholson (AEP)
	Vern Estel (AP)	Ron Poff (AEP)
	Charlie Friddle (AP)	Darren Smith (AEP)
	Heather Geiger (AEP)	Laura Thomas (AEP)
	Dan Groff (AEP)	

## Risk Committee

- Heather explained her group re-vamped the original Risk and Milestone report
- Darren reviewed the attachments sent with the agenda
  - Purpose of the risk report is to put a common framework in place for each committee to report and quantify risks their group is subject to
  - He reviewed the Control Activity Procedure Document and Excel spreadsheet to identify budget and schedule risks associated with the respective committees
  - Both documents should be updated monthly, as they are needed for the board package
  - Tom will coordinate the update for this committee and send to each member for review

## Immersion Session

- Charles Ryan Associates (CRA) facilitated a strategy session March 6, 2008, at Stonewall Resort in Roanoke, West Virginia
- CRA Project Lead Susan Lavenski said the group is ready to begin focus groups and surveys
  - She needs a list of PATH attendees for the focus groups to make accommodations
  - The focus group meetings will be recorded and made available for viewing
  - Doug will respond to Susan's suggestion to edit footage into a presentation for senior management (**action item**)
    - This was not included in the CRA contract and will need to be approved prior to production

**IND-PATH-I-2 ATTACHMENT I**

## Presentation of Communications Plan

- CRA will need approximately 1.5 hours to present and expects approximately 45 minutes for questions and discussion
- Vicki Audia will contact Oglebay Resort to inquire about meeting space availability on April 15 for approximately 30 attendees (**action item**)
- CRA will also give a preview of their plan to the communications committee during the Tuesday, April 8, conference call

## CRA/External Affairs meeting

- Members of AEP and Allegheny's External Affairs groups will meet with CRA at the Charleston office on April 1, to discuss political and community landscape, as well as the stakeholder and public meeting process
- Jeri Matheney will attempt to locate a "tour guide" for the Amos substation following this meeting (**action item**)

## Web Material Update

- Tom advised that the PATH website had been updated with both companies' press releases on the recent FERC decision

###

## IND-PATH-I-2 ATTACHMENT I

Final  
PATH External/Communications Committee Update  
March 25, 2008  
Meeting Minutes

Attendees: Vicki Audia (AP)                      Chuck Kruff (AP)  
Mark Dempsey (AEP)                      Susan Lavenski (CRA)  
Vern Estel (AP)                              Jeri Matheney (AEP)  
Charlie Friddle (AP)                      Melissa McHenry (AEP)  
Dale Heydlauff (AEP)                      Julie Sherwood (AEP-IR)  
Tom Holliday (AEP)

Absentees: Doug Colafella (AP)  
Aldie Warnock (AP)

## Focus Groups/Survey

- Susan advised there were consistent themes found in both the surveys and focus groups
  - Themes include jobs, economic development, participants didn't see that the line would bring jobs to the area but would bring outsiders in to work on the line, overall distrust of corporate America, they don't believe the power is for them, and they thought there were alternatives to the line that should be considered
  - Little education of how the grid actually works
  - Susan gave an example of a TrAIL activist participating in the Parsons focus group who was very passionate in what she said but her facts were incorrect – other participants agreed with her comments due to her conviction
- Participants were not familiar with PJM, as they thought it to be the same as Allegheny Power; but they found WVU is a credible source
  - Possibly try to create a relationship with WVU to help bolster support of the line
- Formal report will be presented April 15 at Salt Fork, along with the communications plan
- More preliminary findings will be available for the next committee meeting, April 8

## Sharepoint

- Tom explained he's uploaded the current approved communications materials in Sharepoint for AEP employees to view
- IT is still working to allow shared access to Allegheny employees

## CRA Report

## **IND-PATH-I-2 ATTACHMENT I**

- Committee members and AEP and Allegheny Power management staff will convene at Salt Fork State Park on April 15 to hear Charles Ryan Associate's formal presentation of the communications plan

### **PATH – EMF Document**

- Tom Jones is drawing up a document to establish a common PATH position on EMF and has asked for CorpComm's assistance. Tom has drafted something and is seeking approval at AEP before he sends it to Doug for a review by the appropriate AE reviewers.

###

## IND-PATH-I-2 ATTACHMENT I

Final  
PATH External/Communications Committee Update  
April 22, 2008  
Meeting Minutes

## Attendees:

Vicki Audia (AP)	Tim Gaul (Louis Berger)	Jeri Matheney (AEP)
Scott Castleman (CRA)	Dale Heydlauff (AEP)	Jay Mason (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Sam Minardi (AP)
Mark Dempsey (AEP)	Chuck Kruft (AP)	Erin O'Leary (Louis Berger)
Vern Estel (AP)	Takis Laios (AEP)	Julie Sherwood (AEP-IR)
Charlie Friddle (AP)	Susan Lavenski (CRA)	

## Absentees:

Melissa McHenry (AEP)  
Aldie Warnock (AP)

## PATH Benefits Language

- Takis Laios explained the Need Committee is now the System Studies Committee and will direct the need testimony
  - Will review and approve common themes
  - Vern reminded this group to keep the engineering need separate from benefits to WV
  - Susan also cautioned that we should keep the economic impact message as local as possible, using third party statements
  - Sam reviewed the third parties we have on board and mentioned they would be giving a presentation on the economic benefit this Friday in Charleston
  - The group also discussed possibly commissioning a university to conduct a study on the economic benefits

## Potential Impact of Delay on Communication Timeline

- Vern noted that, although we are sensitive to the August 2<sup>nd</sup> date, we should continue with the communications plan
  - He reviewed a draft of a schedule for open houses (attached to these minutes) that begins advertising for them beginning the week of July 7<sup>th</sup>
  - Charlie suggested moving the Tucker County open house after August 2<sup>nd</sup> due to the sensitivity of the area
  - Siting vendors have given preliminary approval as long as we stay within the suggested timeframe (August 8<sup>th</sup> for Louis Berger and August 15<sup>th</sup> for Burns and McDonnell)
  - **Action item: Conduct a conference call May 2<sup>nd</sup> to discuss open house schedule with project managers, siting committee,**



## IND-PATH-I-2 ATTACHMENT I

**siting vendors, and communications committee. Vicki Audia to send out save the date email.**

### Timing of Messaging and Training

- Tentatively scheduled for the week of May 5<sup>th</sup>
- Plan to develop messages and send out schedules

### Advertising Expenditures

- Tom sent Vern a revised proposal of advertising expenditures to review with the board

###

**IND-PATH-I-2 ATTACHMENT I**

Final  
PATH External/Communications Committee Update  
May 6, 2008  
Meeting Minutes

**Attendees:**

Vicki Audia (AP)	Chuck Krufft (AP)
Doug Colafella (AP)	Susan Lavenski (CRA)
Mark Dempsey (AEP)	Jay Mason (AP)
Vern Estel (AP)	Mark Nitowski (AP)
Charlie Friddle (AP)	Erin O'Leary (Louis Berger)
Tim Gaul (Louis Berger)	Erin Slattery (Burns and McDonnell)
Mike Hosier (AP)	Aldie Warnock (AP)
Tom Holliday (AEP)	

**Absentees:**

Dale Heydlauff (AEP)  
Jeri Matheney (AEP)  
Melissa McHenry (AEP)  
Julie Sherwood (AEP-IR)

**Primary Messages**

- Tom and Doug sent approved language to Susan regarding potential PATH incentives
- The Rates Group is helping to develop an explanation of a potential difference in monthly cost to the customer
- Vern and Randy are talking to Dr. Tom Witt later today to discuss the possibility of an economic benefit study
- Messaging needs to be completed by the end of this week
- Outreach and physical contacts are scheduling to begin the week of May 19<sup>th</sup>
  - Chuck and Jay have already met with Maryland's Frederick and Washington Counties' staff to give a PATH update

**Advertising**

- The :60 television and :30 radio spots promoting reliability began airing this week on eight cable systems throughout the project area
- Newspaper ad will begin Sunday
- All ads will run from May 5 to June 9
- Next phase of advertising is grid education
  - Scripts will be available later today

## IND-PATH-I-2 ATTACHMENT I

- Susan confirmed plans for the importance of consideration of recreational and historical concerns, especially in Maryland
  - Vern proposed a newspaper ad relating to the siting process with this in mind

### **Experts**

- Susan requested names of possible contributors and/or experts to provide endorsement of the project
- Contacting universities (WVU, University of Maryland, Frostburg State), NERC, PJM, EEI, and labor groups

### **Public Workshops**

- Doug, Tom, and Susan scheduled a conference call for Thursday at 1:30pm to develop a detailed plan for the Public Workshops

###

Draft  
PATH External/Communications Committee Update  
May 20, 2008  
Meeting Minutes

**Attendees:**

Vicki Audia (AP)	Pat Henlepp (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Mike Hosier (AP)	Erin O'Leary (Louis Berger)
Mark Dempsey (AEP)	Tom Holliday (AEP)	Ron Poff (AEP)
Vern Estel (AP)	Susan Lavenski (CRA)	Erin Slattery (Burns and McDonnell)
Dale Heydlauff (AEP)	Jeri Matheney (AEP)	Cyril Welter (Burns and McDonnell)

**Absentees:**

Tim Gaul (Louis Berger)	Melissa McHenry (AEP)
Charlie Friddle (AP)	Julie Sherwood (AEP-IR)
Chuck Kruff (AP)	Aldie Warnock (AP)
Jay Mason (AP)	

**PATH Allegheny Informational Meetings**

- Vern Estel reviewed Allegheny's position for holding preliminary informational meetings in Maryland, including the regulatory environment in Maryland, as well as to stay consistent with PEPCO's MAPP public input process since both projects will be presented to MD's PSC at approximately the same time
- Ron Poff noted that former WV Consumer Advocate Billy Jack Gregg strongly recommended we do NOT host these types of meetings in West Virginia
- Susan Lavenski reviewed the proposed plan for the informational meetings, to be held the week of June 16
  - Will meet with media and elected officials the week of June 2 in anticipation of these meetings
  - Timeline plan is being routed for review through communications group; once approved it will be distributed to the rest of the committee
- Allegheny will proceed with the preliminary informational meetings in MD
- Tuesday's meeting Pittsburgh has been cancelled

**Advertising**

- Script is being finalized for the Grid spot
  - Wordsmithing continuing on the National Security language
  - Voice-over to begin this week

- Campaign begins airing June 14<sup>th</sup>
- Expert and Process campaign will begin shooting June 23<sup>rd</sup>
  - This highlights the siting process
  - Working to collaborate with NERC, PJM, DOE, and EEI
  - Will begin airing July 21

**Budget**

- Tom Holliday and Doug Colafella are working together to update the budget

###

**IND-PATH-I-2 ATTACHMENT I**

Final  
PATH External/Communications Committee Update  
May 20, 2008  
Meeting Minutes

**Attendees:**

Vicki Audia (AP)	Pat Henlepp (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Mike Hosier (AP)	Erin O'Leary (Louis Berger)
Mark Dempsey (AEP)	Tom Holliday (AEP)	Ron Poff (AEP)
Vern Estel (AP)	Susan Lavenski (CRA)	Erin Slattery (Burns and McDonnell)
Dale Heydlauff (AEP)	Jeri Matheney (AEP)	Cyril Welter (Burns and McDonnell)

**Absentees:**

Tim Gaul (Louis Berger)	Melissa McHenry (AEP)
Charlie Friddle (AP)	Julie Sherwood (AEP-IR)
Chuck Krufft (AP)	Aldie Warnock (AP)
Jay Mason (AP)	

**PATH Allegheny Informational Meetings**

- Vern Estel reviewed Allegheny's position for holding preliminary informational meetings in Maryland, including the regulatory environment in Maryland, as well as to stay consistent with PEPSCO's MAPP public input process since both projects will be presented to MD's PSC at approximately the same time
- Ron Poff noted that an influential member of the regulatory arena strongly recommended we do NOT host these types of meetings in West Virginia
- Susan Lavenski reviewed the proposed plan for the informational meetings, to be held the week of June 16
  - Will meet with media and elected officials the week of June 2 in anticipation of these meetings
  - Timeline plan is being routed for review through communications group; once approved it will be distributed to the rest of the committee
- Allegheny will proceed with the preliminary informational meetings in MD
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**Advertising**

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  - Voice-over to begin this week
  - Campaign begins airing June 14<sup>th</sup>

## **IND-PATH-I-2 ATTACHMENT I**

- Expert and Process campaign will begin shooting June 23<sup>rd</sup>
  - This highlights the siting process
  - Working to collaborate with NERC, PJM, DOE, and EEI
  - Will begin airing July 21

### **Budget**

- Tom Holliday and Doug Colafella are working together to update the budget

###

**IND-PATH-I-2 ATTACHMENT I**

Final  
PATH External/Communications Committee Update  
June 3, 2008  
Meeting Minutes

**Attendees:**

Vicki Audia (AP)	Pat Henlepp (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Mike Hosier (AP)	Erin O'Leary (Louis Berger)
Mark Dempsey (AEP)	Tom Holliday (AEP)	Ron Poff (AEP)
Vern Estel (AP)	Susan Lavenski (CRA)	Erin Slattery (Burns and McDonnell)
Dale Heydlauff (AEP)	Jeri Matheney (AEP)	Cyril Welter (Burns and McDonnell)

**Absentees:**

Tim Gaul (Louis Berger)	Melissa McHenry (AEP)
Charlie Friddle (AP)	Julie Sherwood (AEP-IR)
Chuck Krufft (AP)	Aldie Warnock (AP)
Jay Mason (AP)	

**Status of outreach to elected officials/media in Maryland**

- Vern Estel, Ron Poff, and Todd Meyers are meeting with media in Maryland today
- Meeting with a newspaper, television station and radio station

**Status of planning for June 17-18 informational meetings (CRA)**

- Mike Gogol and Cyril Welter have contacted planning officials in all six counties in study area of PATH Allegheny
- Susan explained there will be six large banners with table details
- Several posters around the room

**Status of Advertising development (CRA)**

- Preparing Grid/Demand ads to begin airing June 16<sup>th</sup>
- Newspaper ad was sent to communications groups for review and final approval is due June 12<sup>th</sup>

**Roundtable**

- Tom noted, as information, that AEP will be hiring a contract employee (AEP retiree) to assist Jeri Matheney

###



## IND-PATH-I-2 ATTACHMENT I

Final  
PATH External/Communications Committee Update  
June 16, 2008  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Mike Hosier (AP)	Mark Nitowski (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Erin O'Leary (Louis Berger)
Mark Dempsey (AEP)	Susan Lavenski (CRA)	Julie Sherwood (AEP-IR)
Vern Estel (AP)	Jeri Matheney (AEP)	Erin Slattery (Burns and McDonnell)
Dale Heydlauff (AEP)	Todd Meyers (AP)	Cyril Welter (Burns and McDonnell)

**Absentees:**

Charlie Friddle (AP)	Jay Mason (AP)
Tim Gaul (Louis Berger)	Melissa McHenry (AEP)
Pat Henlepp (AEP)	Ron Poff (AEP)
Chuck Krufft (AP)	Aldie Warnock (AP)

**Status of planning for June 17-18 informational meetings**

- MD Informational meetings scheduled for Frederick on Tuesday and Boonsboro on Wednesday
- Advertising is running steadily
- Everything is printed, CRA will be reviewing banners and posters today and tomorrow in preparation
- All staff to meet at 3:00pm for logistics meeting on Tuesday

**Open Houses Locations and Schedule**

- Working to create a list of dates and locations
- Waiting for a better idea of line routes
- Vern recommended using the tentative schedule to book locations, as they can be modified as necessary
  - **Action item:** CRA and Corporate Communications will contact venues
- Vern will provide routing feedback from Berger following a meeting on June 24
  - Will not be final routes but we may be able to rule out some locations

**Advertising**

- Grid ad is complete and will begin airing this week

**IND-PATH-I-2 ATTACHMENT I**

###

**IND-PATH-I-2 ATTACHMENT I**

Final  
PATH External/Communications Committee Update  
July 15, 2008  
Meeting Minutes

**Attendees:**

Louise Aery (Artemis Group)	Charlie Friddle (AP)	Erin O'Leary (Louis Berger)
Vicki Audia (AP)	Tom Holliday (AEP)	Julie Sherwood (AEP-IR)
Susan Boggs (AP, for first agenda item)	Susan Lavenski (CRA)	Erin Slattery (Burns and McDonnell)
Doug Colafella (AP)	Jay Mason (AP)	Cyril Welter (Burns and McDonnell)
Mark Dempsey (AEP)	Gary McGraw (AEP)	

**Absentees:**

Vern Estel (AP)	Jeri Matheney (AEP)
Tim Gaul (Louis Berger)	Melissa McHenry (AEP)
Pat Henlepp (AEP)	Todd Meyers (AP)
Dale Heydlauff (AEP)	Mark Nitowski (AP)
Mike Hosier (AP)	Ron Poff (AEP)
Chuck Krufft (AP)	Aldie Warnock (AP)

**2009 Budget**

- Recast due July 18. AE will include funding for CRA, Brown Communications and Pritchard Electric contracts in their part of the budget.
- CRA budget will be the same as 2008 but will be distributed over 12 months instead of a partial year

**Open Houses Locations and Schedule**

- Security
  - AEP and Allegheny will provide security at venues
  - Gary McGraw of AEP indicated he will contact CRA to coordinate plain-clothes officers for the Institute open house.
- CRA has developed a spreadsheet to inventory handouts and posters
- Doug Colafella sent booth assignments and Vicki Audia is handling hotel arrangements

**Berger Comment Console**

## IND-PATH-I-2 ATTACHMENT I

- Doug will set up a conference call with Jay to discuss adding a link to the PATH website

###

## IND-PATH-I-2 ATTACHMENT I

Final  
PATH External/Communications Committee Update  
July 29, 2008  
Meeting Minutes**Attendees:**

Louise Aery (Artemis Group)	Vern Estel (AP)	Josh Polk (AEP)
Vicki Audia (AP)	Tom Holliday (AEP)	Erin O'Leary (Louis Berger)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Jeri Matheney (AEP)	Erin Slattery (Burns and McDonnell)

**Absentees:**

Doug Colafella (AP)	Mike Hosier (AP)	Todd Meyers (AP)
Charlie Friddle (AP)	Chuck Krufft (AP)	Mark Nitowski (AP)
Tim Gaul (Louis Berger)	Jay Mason (AP)	Ron Poff (AEP)
Pat Henlepp (AEP)	Gary McGraw (AEP)	Aldie Warnock (AP)
Dale Heydlauff (AEP)	Melissa McHenry (AEP)	Cyril Welter (Burns and McDonnell)

**Open Houses**

- Vern noted the remainder of the maps needs to be posted online, as well as the online open houses.
  - CRA is waiting for video and approval from Allegheny
- Tom will follow up with Josh Polk to confirm this will be done
- Moorefield, WV open house added for August 11

**Advertising**

- Four "Experts" spots are running in each area
- Susan described them and will email them to the group
- Working on an eight minute video overview of the project

###

**IND-PATH-I-2 ATTACHMENT I**PATH External/Communications Committee Update  
August 12, 2008  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Susan Lavenski (CRA)	Sam Minardi (AP)
Doug Colafella (AP)	Louise Haymond (Artemis Group)	Erin O'Leary (Louis Berger)
Mark Dempsey (AEP)	Dale Heydlauff (AEP)	Julie Sherwood (AEP-IR)
Vern Estel (AP)	Tom Holliday (AEP)	Erin Slattery (Burns and McDonnell)
Charlie Friddle (AP)	Todd Meyers (AP)	

**Absentees:**

Louise Aery (Artemis Group)	Chuck Krufft (AP)	Mark Nitowski (AP)
Roger Dyer (AEP)	Jay Mason (AP)	Ron Poff (AEP)
Tim Gaul (Louis Berger)	Jeri Matheney (AEP)	Josh Polk (AEP)
Pat Henlepp (AEP)	Gary McGraw (AEP)	Aldie Warnock (AP)
Mike Hosier (AP)	Melissa McHenry (AEP)	Cyril Welter (Burns and McDonnell)

**Open Houses**

- Todd and Vern gave an update of the recent Harpers Ferry and Moorefield Open Houses
  - Harpers Ferry had approximately 100 attendees, while Moorefield had between 40 and 50
  - No organized opposition

**Transmission Tax**

- WV Governor Manchin is proposing a transmission tax, citing WV residents should receive something for bearing the brunt of transmission lines in the state
- Regular legislative session begins in February, expected to take this issue up

**Reliable Power Coalitions**

- Bryan Brown, Brown Communications, gave a brief presentation at the WV Coal Association Annual meeting
- Bill Rainey requested support of the coalition
- Added six new members as a result of this event
- Media outlets are using experts for interviews and references

**Advertising**

- Online open house print ad is running

## **IND-PATH-I-2 ATTACHMENT I**

- Campaign four will be an environmental spot and is expected to run from September 8 until the end of October

### **Comment Console**

- Doug, Tom, Vicki, Erin O'Leary and Erin Slattery to meet and settle issues surrounding data entry for public comments

###

**IND-PATH-I-2 ATTACHMENT I**PATH External/Communications Committee Update  
August 26, 2008  
Meeting Minutes**Attendees:**

Louise Aery (Artemis Group)	Charlie Friddle (AP)	Jeri Matheney (AEP)
Vicki Audia (AP)	Mike Gogol (AP)	Ron Poff (AEP)
Doug Colafella (AP)	Chuck Krufft (AP)	Julie Sherwood (AEP-IR)
Vern Estel (AP)	Susan Lavenski (CRA)	Cyril Welter (Burns and McDonnell)

**Absentees:**

Mark Dempsey (AEP)	Tom Holliday (AEP)	Sam Minardi (AP)
Roger Dyer (AEP)	Mike Hosier (AP)	Mark Nitowski (AP)
Tim Gaul (Louis Berger)	Jay Mason (AP)	Josh Polk (AEP)
Louise Haymond (Artemis Group)	Todd Meyers (AP)	Aldie Warnock (AP)
Pat Henlepp (AEP)	Gary McGraw (AEP)	Erin O'Leary (Louis Berger)
Dale Heydlauff (AEP)	Melissa McHenry (AEP)	Erin Slattery (Burns and McDonnell)

**Open Houses**

- Open Houses have concluded
  - Receiving a lot of questions via phone and email
  - Maps are expected to be online by the end of next week
    - Corp Communications will send out a blast email when they are available
- A Calhoun County (WV) group seems to be organizing opposition to the line

**Advertising**

- Experts ads end today
- Environmental/Wildlife Campaign
  - TV and radio spots feature Archie Pugh and Kristy Flavin
  - Will air September 8 – October 25
  - This is the last ad campaign of the year

**Polling**

- CRA to conduct polling in the fourth quarter to determine if our messaging is reaching the targets, as well as to see if our value has changed

**Comment Console**

- Cyril mentioned that the comments written on the maps by property owners at the open houses need to be entered into the console

###



**IND-PATH-I-2 ATTACHMENT I**PATH External/Communications Committee Update  
September 9, 2008  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Mike Hosier (AP)	Ron Poff (AEP)
Doug Colafella (AP)	Susan Lavenski (CRA)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Jeri Matheney (AEP)	Cyril Welter (Burns and McDonnell)
Chuck Krufft (AP)	Mark Nitowski (AP)	
Tom Holliday (AEP)	Erin O'Leary (Louis Berger)	

**Absentees:**

Louise Aery (Artemis Group)	Louise Haymond (Artemis Group)	Todd Meyers (AP)
Roger Dyer (AEP)	Pat Henlepp (AEP)	Sam Minardi (AP)
Vern Estel (AP)	Dale Heydlauff (AEP)	Josh Polk (AEP)
Charlie Friddle (AP)	Jay Mason (AP)	Erin Slattery (Burns and McDonnell)
Tim Gaul (Louis Berger)	Gary McGraw (AEP)	Aldie Warnock (AP)
Mike Gogol (AP)	Melissa McHenry (AEP)	

**Advertising**

- Environmental/Wildlife Campaign
  - TV and radio spots feature Archie Pugh and Kristy Flavin
  - Began airing yesterday and will run until October 25
  - This is the last ad campaign of the year

**Polling**

- Continue to look into post-message surveying
  - Need to determine what is working and what messages we should focus on in the new year

**Coalition Activities**

- West Virginians for Reliable Power
  - Tom Bloss has been working with labor groups
  - Voted unanimously to join coalition and will be asking the companies they work with
  - Expecting 12 new members
- Marylanders for Reliable Power
  - 30 members
  - Russell Frisby has been active in public speaking
  - Artemis Group is getting articles published and aired
  - Planning an Energy Summit in November

###

**IND-PATH-I-2 ATTACHMENT I**

Final  
PATH External/Communications Committee Update  
September 23, 2008  
Meeting Minutes

**Attendees:**

Vicki Audia (AP)	Louise Haymond (Artemis Group)	Erin Slattery (Burns and McDonnell)
Jim Brooks (AEP, PATH Risk Cmte)	Tom Holliday (AEP)	Matt Sutton (CRA)
Scott Castleman (CRA)	Mike Hosier (AP)	Aldie Warnock (AP)
Doug Colafella (AP)	Rick Mogielski (CRA)	Cyril Welter (Burns and McDonnell)
Roger Dyer (AEP)	Mark Nitowski (AP)	
Tim Gaul (Louis Berger)	Julie Sherwood (AEP-IR)	

**Absentees:**

Louise Aery (Artemis Group)	Dale Heydlauff (AEP)	Melissa McHenry (AEP)
Mark Dempsey (AEP)	Chuck Kruft (AP)	Todd Meyers (AP)
Vern Estel (AP)	Susan Lavenski (CRA)	Sam Minardi (AP)
Charlie Friddle (AP)	Jay Mason (AP)	Erin O'Leary (Louis Berger)
Mike Gogol (AP)	Jeri Matheney (AEP)	Ron Poff (AEP)
Pat Henlepp (AEP)	Gary McGraw (AEP)	Josh Polk (AEP)

**Risk Report**

- Jim Brooks, Risk Committee member, gave an overview of the new risk reports
- He reminded the group to mark all submissions as "draft."
- First due date is 30 days from today
- Send reports to Dawn Del Bianco

**Community/Media Issues**

- Due to increased organized opposition, CRA proposes to have Ron and Vern travel to Morgan and Berkeley Counties to meet with media and get our messages out
  - The committee agreed to postpone outreach activities in these areas until we have a clearer understanding of the timing for announcing any project changes
- Also plan to restructure ad campaign to focus on this area
- Doug will work with CRA to determine timing of media visits and ensure the messages are clear

**Comment Console**

- Roger noted that a majority of the input is coming from the Eastern WV Panhandle and Maryland
- Are also receiving postcards from Berkeley Springs
- Have received petitions from residents of Calhoun County, WV
- Roger is handling emails; Vicki is handling hotline calls and letters

###

**IND-PATH-I-2 ATTACHMENT I**

Final  
PATH External/Communications Committee Update  
October 7, 2008  
Meeting Minutes

**Attendees:**

Vicki Audia (AP)	Charlie Friddle (AP)	Julie Sherwood (AEP-IR)
Doug Colafella (AP)	Mike Hosier (AP)	Erin Slattery (Burns and McDonnell)
Dawn Del Bianco (AEP)	Chuck Krufft (AP)	Matt Sutton (CRA)
Roger Dyer (AEP)	Susan Lavenski (CRA)	

**Absentees:**

Louise Aery (Artemis Group)	Dale Heydlauff (AEP)	Rick Mogielski (CRA)
Scott Castleman (CRA)	Tom Holliday (AEP)	Mark Nitowski (AP)
Mark Dempsey (AEP)	Jay Mason (AP)	Erin O'Leary (Louis Berger)
Vern Estel (AP)	Jeri Matheney (AEP)	Josh Polk (AEP)
Tim Gaul (Louis Berger)	Gary McGraw (AEP)	Ron Poff (AEP)
Mike Gogol (AP)	Melissa McHenry (AEP)	Aldie Warnock (AP)
Louise Haymond (Artemis Group)	Todd Meyers (AP)	Cyril Welter (Burns and McDonnell)
Pat Henlepp (AEP)	Sam Minardi (AP)	

Doug began the meeting by announcing TrAIL had been approved by the Virginia commission.

**External Affairs**

- Berkeley and Jefferson counties have passed resolutions in opposition of PATH
  - Hardy County is considering a similar action
- WV PSC consumer advocate asked us to participate in a public meeting in Martinsburg, details to come

**Community/Media Issues**

- Continue outreach regarding PATH messaging by sending letters to legislators and follow up with blast e-mail
- Some letters will be hand-delivered by External Affairs

**Coalition Activities**

- Activities on hiatus until the end of the year

###

**IND-PATH-I-2 ATTACHMENT I**

Final  
PATH External/Communications Committee Update  
October 21, 2008  
Meeting Minutes

**Attendees:**

Vicki Audia (AP)	Mike Hosier (AP)	Mark Nitowski (AP)
Doug Colafella (AP)	Chuck Krufft (AP)	Erin O'Leary (Louis Berger)
Dawn Del Bianco (AEP)	Susan Lavenski (CRA)	Josh Polk (AEP)
Mark Dempsey (AEP)	Jay Mason (AP)	Julie Sherwood (AEP-IR)
Roger Dyer (AEP)	Jeri Matheney (AEP)	Erin Slattery (Burns and McDonnell)
Vern Estel (AP)	Todd Meyers (AP)	Matt Sutton (CRA)
Charlie Friddle (AP)	Sam Minardi (AP)	Cyril Welter (Burns and McDonnell)
Tom Holliday (AEP)		

**Absentees:**

Louise Aery (Artemis Group)	Louise Haymond (Artemis Group)	Melissa McHenry (AEP)
Scott Castleman (CRA)	Pat Henlepp (AEP)	Rick Mogielski (CRA)
Tim Gaul (Louis Berger)	Dale Heydlauff (AEP)	Ron Poff (AEP)
Mike Gogol (AP)	Gary McGraw (AEP)	Aldie Warnock (AP)

**Reconfiguration**

- Media – Most hits in Eastern Panhandle, affected area
- Opposition holding meetings in Martinsburg area last week and this week
- Little pushback from elected officials

**Opposition Meeting**

- WV Governor Manchin requests WV PSC CAD, AEP and AP, to meet with concerned citizens
- Tentatively scheduled for Monday, October 27; meeting location TBD

**Website**

- Maps to be updated showing the reconfigured project and new study area
- Expected to be completed next week

**Opposition Meetings**

- Susan gave brief overview of the opposition meetings

**Open House Schedule**

- Looking at early December for open houses in reconfigured area

###

## IND-PATH-I-2 ATTACHMENT I

Final  
PATH External/Communications Committee Update  
November 18, 2008  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Kline, Dave (AP)	Susan Lavenski (CRA)
Mark Dempsey (AEP)	Louise Haymond (Artemis Group)	Julie Sherwood (AEP-IR)
Roger Dyer (AEP)	Tom Holliday (AEP)	Erin Slattery (Burns and McDonnell)
Vern Estel (AP)	Mike Hosier (AP)	Werth, Dusty (Burns and McDonnell)

**Absentees:**

Louise Aery (Artemis Group)	Chuck Krufft (AP)	Ron Poff (AEP)
Scott Castleman (CRA)	Jay Mason (AP)	Josh Polk (AEP)
Doug Colafella (AP)	Jeri Matheney (AEP)	Matt Sutton (CRA)
Dawn Del Bianco (AEP)	Todd Meyers (AP)	Aldie Warnock (AP)
Charlie Friddle (AP)	Rick Mogielski (CRA)	Cyril Welter (Burns and McDonnell)
Tim Gaul (Louis Berger)	Mark Nitowski (AP)	
Dale Heydlauff (AEP)	Erin O'Leary (Louis Berger)	

## Outreach for December PATH open houses

- Media Interviews scheduled for tomorrow and Thursday
- Print and radio ads will begin this week
- Posters will be placed in area libraries
- Blast e-mail to subscribers this week
- Website updated today with open house information

## Open House logistics

- Vicki and Doug are working on information to be distributed to participants via meeting notices
- Burns and Mac is working on updated maps for the website

###

**IND-PATH-I-2 ATTACHMENT I**

**Final  
PATH External/Communications Committee Update  
December 2, 2008  
Meeting Minutes**

**Attendees:**

T. Holliday (AEP)	D. Heydlauff (AEP)	V. Estel (AE)	R. Poff (AEP)
J. Matheney (AEP)	S. Lavenski (CRA)	J. Croom (AEP)	D. Del Bianco (AEP)
C. Friddle (AE)	J. Mason (AE)	M. Hosier (AE)	R. Dyer (AEP)
L. Heyman (Artemis)	J. Vieweg (CRA)	D. Colafella (AE)	

**Absentees:**

M. Dempsey (AEP)	T. Gaul (LBG)	P. Hemlepp (AEP)	T. Meyers (AE)
M. McHenry (AEP)	M. Nitowski (AE)	A. Warnock (AE)	J. Polk (AEP)
E. O'Leary (LBG)	E. Slattery (BM)	C. Welter (BM)	J. Sherwood (AEP)
C. Krufft (AE)	M. Gogol (AE)	S. Aery (Artemis)	V. Audia (AE)

**Open Houses**

The group discussed the status of planning and preparations for the three open houses that will take place this week in West Virginia, Virginia and Maryland. No unusual issues were raised and committee members enroute to the first workshop indicated that they felt adequately prepared for the next three evenings.

**Sugarloaf Conservancy Meeting**

Mike Hosier provided a brief summary of the face-to-face meeting with six members of the Sugarloaf Conservancy. He indicated that the group seems to be composed of area residents who will be affected by PATH's construction; not an organized non-government organization opposed to the project. Nonetheless, Mike indicated that they group plans to send a sizable contingent to the open house in Frederick, Maryland, and that the group will continue to oppose our efforts as the project moves forward.

**Web Updates**

Jennifer Vieweg of CRA indicated that we are awaiting final map updates from the Berger Group, and that once the maps were available they would be posted on the web. Updates to the Online Open House page and a link to a new, updated DVD will probably be completed on Dec. 3.

**External/Community Affairs**

Charlie Friddle reported on his efforts to dampen the desires of county commissions in Upshur and Roane counties to prepare resolutions opposing PATH. And Jay Mason alerted us to a Frederick County "pre-session" Chamber of Commerce meeting staged by the Frederick county delegation scheduled for Dec. 6. The Sugarloaf Conservancy plans to attend. Jay will attend as an observer as well.

**Project Updates**

Vern noted that this Thursday (Dec. 4), some of our folks will be involved in a technical conference with the VA-SCC staff. PJM will be presenting information on the need for the project and information on the re-configuration. And a meeting is planned with the PUC in Charleston to go over routing alternatives on Dec. 15.

## IND-PATH-I-2 ATTACHMENT I

**Final**  
**PATH External/Communications Committee Update**  
**December 16, 2008**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Charlie Friddle (AP)	Susan Lavenski (CRA)
Scott Castleman (CRA)	Mike Gogol (AP)	Jeri Matheney (AEP)
Doug Colafella (AP)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Jana Croom (AEP-IR)	Tom Holliday (AEP)	Erin Slattery (Burns and McDonnell)
Vern Estel (AP)	Mike Hosier (AP)	

**Absentees:**

Shaila Aery (Artemis Group)	Dave Kline (AP)	Josh Polk (AEP)
Mark Dempsey (AEP)	Chuck Krufft (AP)	Julie Sherwood (AEP-IR)
Roger Dyer (AEP)	Jay Mason (AP)	Matt Sutton (CRA)
Dawn Del Bianco (AEP)	Todd Meyers (AP)	Dusty Werth (Burns and McDonnell)
Louise Haymond (Artemis Group)	Ron Poff (AEP)	Aldie Warnock (AP)

## Open Houses

- Planning additional open house in Lovettsville, VA, in mid-January
- Same format and presentation materials as previous events

## Surveying

- Will conclude surveying by end of the week
- Tracking data in specific counties and compare to original surveying from earlier in 2008
- Expecting results by mid-January to plan for remainder of 2009

## Opposition

- Roane County (WV) Commissioners have adopted resolution in opposition of PATH
- Upshur County (WV) Commissioners also have passed resolution in opposition but recognized need for more transmission

## Testimony

- Testimony is in development for the upcoming filings. The Communications team will initiate discussions with the regulatory team to determine when drafts might be available. The intention will be to ensure that communications messages are aligned with the testimony.

## IND-PATH-I-2 ATTACHMENT I

**Final**  
**PATH External/Communications Committee Update**  
**December 30, 2008**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Dawn Del Bianco (AEP)	Jeri Matheny (AEP)
Scott Castleman (CRA)	Vern Estel (AP)	Matt Sutton (CRA)
Jana Croom (AEP-IR)	Tom Holliday (AEP)	Aldie Warnock (AP)
Roger Dyer (AEP)	Susan Lavenski (CRA)	

**Absentees:**

Shaila Aery (Artemis Group)	Mike Hosier (AP)	Josh Polk (AEP)
Doug Colafella (AP)	Dave Kline (AP)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Chuck Krufft (AP)	Erin Slattery (Burns and McDonnell)
Charlie Friddle (AP)	Jay Mason (AP)	Dusty Werth (Burns and McDonnell)
Mike Gogol (AP)	Todd Meyers (AP)	
Louise Hayman (Artemis Group)	Mark Nitowski (AP)	
Dale Heydlauff (AEP)	Ron Poff (AEP)	

## Lovettsville Open House

- To be held January 22<sup>nd</sup> at Lovettsville Elementary School
- Media to begin January 9
- Vicki is handling hotel arrangements

## Planning Meeting

- CRA coordinating logistics for meeting with coalitions to discuss direction of 2009 activities
- **Action Item:** Aldie and Susan will work together to create agenda
- Review survey/research results
- To be held January 16 at Stonewall Resort in Roanoke, WV

## Roundtable

- **Action item:** Vern to discuss with legal the resident notification process in regards to filing



## IND-PATH-I-2 ATTACHMENT I

Final  
PATH External/Communications Committee Update  
April 8, 2008  
Meeting Minutes

## Attendees:

Vicki Audia (AP)  
Doug Colafella (AP)  
Mark Dempsey (AEP)  
Charlie Friddle (AP)  
Tim Gaul (Louis Berger)  
Heather Geiger (AEP)  
Dale Heydlauff (AEP)  
Max Kuniansky (AP)  
Susan Lavenski (CRA)  
Rick Mogielski (CRA)  
Ron Poff (AEP)  
Aldie Warnock (AP)

## Absentees:

Vern Estel (AP)  
Chuck Krufft (AP)  
Tom Holliday (AEP)  
Jeri Matheney (AEP)  
Melissa McHenry (AEP)  
Julie Sherwood (AEP-IR)

In preparation of next Tuesday's Charles Ryan Associates Communications Strategy Presentation meeting at Salt Fork, Susan Lavenski and Rick Mogielski provided an overview of the plan. Attached to these minutes are the outline and tentative timelines they reviewed.

The discussion points raised during the meeting included:

- Additional wordsmithing is required on the script for the *Identity/Need* paid advertisements. There is concern of sending a mixed message regarding renewable energy.
- Legal issues concerning proposed online chats with PATH officials.

More discussion on these topics is slated for the entire group during the presentation next Tuesday.

###

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update  
May 5, 2009  
Meeting Minutes**

**Attendees:**

Scott Castleman (CRA)	Vern Estel (AP)	Dave Kline (AP)
Doug Colafella (AP)	Heather Geiger (AP)	Chuck Kruff (AP)
Dawn Del Bianco (AEP)	Mike Gogol (AP)	Susan Lavenski (CRA)
Mark Dempsey (AP)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Roger Dyer (AEP)	Tom Holliday (AEP)	Ron Poff (AEP)

**Absentees:**

Vicki Audia (AP)	Jay Mason (AP)	Julie Sherwood (AEP-IR)
Jana Croom (AEP-IR)	Todd Meyers (AP)	Allen Staggers (AP)
Charlie Friddle (AEP)	Josh Polk (AEP)	Aldie Warnock (AEP)

## CPCN filings

- May 15<sup>th</sup> filing date remains in place, with an additional delay possible
- Elected official/media outreach to occur on the 15<sup>th</sup>
- MD stakeholder meeting set for the 18<sup>th</sup>; M. Gogol to check with M. Hosier on status of Maryland PPRP and PSC staff meetings

## NEPA Filing

- Expected to take place the week following the

## Advertising

- Ads underway – grid spots currently running across project area
- Property owners and animated benefits in the review process
- It was recommended that we share the property owners with the CLS rights of way agent staff; Doug will follow up with T. Bundy to incorporate into training
- Property owner outreach DVD/kits development underway

## Coalitions

- PEAT contract amendment signed
- PEAT materials being reviewed by AE/AEP

## Vendor Relations

- Doug/Mark to develop outline for a webpage communicating project opportunities with vendors

###

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update  
May 19, 2009  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Louise Hayman (Artemis Group)	Jeri Matheney (AEP)
Scott Castleman (CRA)	Dale Heydlauff (AEP)	Todd Meyers (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Phil Moyer (AEP)
Roger Dyer (AEP)	Mike Hosier (AP)	Mark Nitowski (AP)
Vern Estel (AP)	Joe Jones (AEP)	Ron Poff (AEP)
Charlie Friddle (AEP)	Dave Kline (AP)	Allen Staggers (AP)
Mike Gogol (AP)	Susan Lavenski (CRA)	Aldie Warnock (AEP)

**Absentees:**

Jana Croom (AEP-IR)	Chuck Krufft (AP)
Dawn Del Bianco (AEP)	Jay Mason (AP)
Mark Dempsey (AP)	Josh Polk (AEP)
Heather Geiger (AP)	Julie Sherwood (AEP-IR)

## Media/Stakeholder Outreach in re: CPCN filings

- Filed CPCN in WV on Friday, May 15
- WV PSC ordered public notice
- Everyone noted the outreach went well, nothing to note

## Kanawha County Request for Affected Landowner List

- Will not release names of affected landowners due to privacy issues

## Final Stakeholder Meeting

- Mike Hosier reviewed the event
- Approximately 20 participants, no media

## PJM HVDC Study

- Frederick County Commissioners received letter from PJM detailing their commission of an HVDC study

## External/Coalition

- Aldie met with Delegate May yesterday and discussed environmental issues
- Hiring consulting firm to handle Loudoun County issues
- MD Coalition
  - Approx 20 members will send letters to PUC in support of PATH
  - Created op-ed to appear in Baltimore Sun
  - Seven new members in last six weeks
- WV Coalition
  - Identified eight businesses to send letters to PSC and Governor
- VA Coalition

## IND-PATH-I-2 ATTACHMENT J

- Maguire Woods will run coalition in partnership with Allegheny, AEP and Dominion
- Revamping website and getting previous members back
- PEAT
  - Technical experts are writing op-eds in support of PATH
  - Developed presentation materials
  - Participating in speaking engagements

### Project Update

- Welton Spring
  - Both properties are under contract
- Contract Land Staff
  - Hired as ROW acquisition contractor

### Salt Fork All-Committees meeting

- Ron will be sending details to committee leads
- Will be a limited group of participants

###

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update**  
**June 2, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Mike Gogol (AP)	Jeri Matheney (AEP)
Scott Castleman (CRA)	Dale Heydlauff (AEP)	Todd Meyers (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Mark Nitowski (AP)
Dawn Del Bianco (AEP)	Mike Hosier (AP)	Julie Sherwood (AEP-IR)
Mark Dempsey (AP)	Chuck Kruff (AP)	Allen Staggers (AP)
Vern Estel (AP)	Susan Lavenski (CRA)	
Charlie Friddle (AEP)	Heather Martin (McGuire Woods)	

**Absentees:**

Jana Croom (AEP-IR)	Joe Jones (AEP)	Aldie Warnock (AEP)
Roger Dyer (AEP)	Dave Kline (AP)	
Heather Geiger (AP)	Phil Moye (AEP)	
Louise Hayman (Artemis Group)	Ron Poff (AEP)	

## Project Update

- CLS will hold ROW agent training June 18 and 19 in Martinsburg

## New Comment Console Protocol

- Roger will continue to handle all inquiries sent via the website
- Legal and Corp Comm crafted standard response to direct people to the testimony online

## PEAT Outreach Effort

- Petition signatures and company employees – Vern/Ron will discuss with the steering committee how/if this activity might proceed
- Susan provided update on PEAT activities

## Public Meeting Requests

- Agreed to refer invitations to the commission process of public hearings and input process

## Property Owner Notification

- Letters in MD and VA to be distributed in the upcoming 1-2 months
- Will develop media outreach to coincide with mailings

## Wild Turkey Federation Agreement

- Developing a partnership with foundation to promote environmental stewardship

###

## IND-PATH-I-2 ATTACHMENT J

PATH External/Communications Committee Update  
June 16, 2009  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Louise Hayman (Artemis Group)	Jay Mason (AP)
Scott Castleman (CRA)	Dale Heydlauff (AEP)	Todd Meyers (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	David Neurohr (AP)
Dawn Del Bianco (AEP)	Mike Hosier (AP)	Mark Nitowski (AP)
Mark Dempsey (AP)	Dave Kline (AP)	Ron Poff (AEP)
Roger Dyer (AEP)	Chuck Kruff (AP)	Aldie Warnock (AEP)
Vern Estel (AP)	Susan Lavenski (CRA)	
Charlie Friddle (AEP)	Heather Martin (McGuire Woods)	

**Absentees:**

Jana Croom (AEP-IR)	Jeri Matheney (AEP)
Heather Geiger (AP)	Phil Moye (AEP)
Mike Gogol (AP)	Julie Sherwood (AEP-IR)
Joe Jones (AEP)	Allen Staggers (AP)

## Landowners Advertising

- Television and radio ads began yesterday
- Print and online ads begin next week
- CLS Agent training taking place in Martinsburg June 18 and 19

## New Date for Kanawha County Meeting

- Rescheduled for July 8

*Electric Perspectives* Article

- Doug writing article detailing the collaborative partnership between AEP and Allegheny for this project

## Project Update

- Virginia has released its regulatory schedule
- Two public meetings have been scheduled in VA on Aug 3 and 5, with evidentiary hearing on August 9
- EPC Committee will be split into two groups – Lines and Substation

## Coalitions/PEAT

- Aldie updated the labor union situation
- Roy Smith is no longer working with PEAT
- All PEAT materials are approved
- Training technical experts next week on presentations
- Identifying speaking engagement opportunities
- Petitions continue to circulate
- Public meeting in Upshur County tonight, hosted by the Calhoun County opponents

###

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update  
June 30, 2009  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Dale Heydlauff (AEP)	Jeri Matheney (AEP)
Scott Castleman (CRA)	Tom Holliday (AEP)	Todd Meyers (AP)
Doug Colafella (AP)	Mike Hosier (AP)	David Neurohr (AP)
Dawn Del Bianco (AEP)	Dave Kline (AP)	Mark Nitowski (AP)
Mark Dempsey (AEP)	Chuck Kruft (AP)	Ron Poff (AEP)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Aldie Warnock (AP)
Charlie Friddle (AEP)	Heather Martin (McGuire Woods)	
Louise Hayman (Artemis Group)	Jay Mason (AP)	

**Absentees:**

Jana Croom (AEP-IR)	Joe Jones (AEP)
Vern Estel (AP)	Phil Moyer (AEP)
Heather Geiger (AP)	Julie Sherwood (AEP-IR)
Mike Gogol (AP)	Allen Staggers (AP)

## 765 kV media tour

- Discussed offering a tour of AEP's existing 765 kV lines
- Use video from JFW project
- Take place prior to public input hearings in August
- Will also provide outreach to elected officials
- AP Corp Comm to determine location near Winchester, VA, along proposed PATH route

## PEAT/Coalition update

- WV for Reliable Power website went live yesterday, continue to work on VA site
- Materials are complete and approved
- Speaking engagements to begin in July

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**July 14, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Mark Dempsey (AEP)	Tom Holliday (AEP)	Mark Nitowski (AP)
Scott Castleman (CRA)	Roger Dyer (AEP)	Mike Hosier (AP)	Erin O'Leary (Berger)
Doug Colafella (AP)	Mike Gogol (AP)	Susan Lavenski (CRA)	Ron Poff (AEP)
Jana Croom (AEP-IR)	Dale Heydlauff (AEP)	Heather Martin (McGuire Woods)	Allen Staggars (AP)

**Absentees:**

Dawn Del Bianco (AEP)	Joe Jones (AEP)	Phil Moye (AEP)
Vern Estel (AP)	Dave Kline (AP)	David Neurohr (AP)
Charlie Friddle (AEP)	Chuck Kruft (AP)	Julie Sherwood (AEP-IR)
Heather Geiger (AP)	Jeri Matheney (AEP)	Aldie Warnock (AP)
Louise Hayman (Artemis Group)	Todd Meyers (AP)	

## Planned media event

- July 29 in Winchester, VA at farm near I-81, along PATH preferred route
  - Attendees will meet at Allegheny's Winchester Service Center and be shuttled to location
  - CRA to produce photos of AEP JFW line for 765 kV example
  - AEP to provide 6 bundle conductor for visual aid
  - Looking into having helicopter available for fly-overs

## Virginia Coalition launch

- Tentatively scheduled for July 22 (rescheduled from July 21)
  - Working with speakers to make sure new date works
  - VA Chamber of Commerce has agreed to attend and join the coalition

## Virginia Hearings

- CRA working on organizational plan for communications and coalition/PEAT activities for next four weeks
- Week of July 13
  - Working on Labor issues
  - AP Communications alerting media to property owner outreach
  - Contacting elected officials about landowner outreach
- Week of July 20
  - Potential media outreach in WV for property owner notification
  - VA Coalition launch
- Week of July 27
  - Media event in Winchester
- Week of Aug 3
  - Public hearings in VA begin
  - Blast email to PEAT members
  - WV Municipal League and WV Coal Association annual mtgs

###



**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**July 28, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Mike Gogol (AP)	Todd Meyers (AP)	Allen Stagers (AP)
George Blankenship (AP)	Louise Hayman (Artemis Group)	David Neurohr (AP)	Aldie Warnock (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Mark Nitowski (AP)	
Dawn Del Bianco (AEP)	Mike Hosier (AP)	Erin O'Leary (Berger)	
Mark Dempsey (AEP)	Dave Kline (AP)	Mike Thomas (McGuire Woods)	
Charlie Friddle (AEP)	Jeri Matheney (AEP)	Dan Tompkins (AP)	

**Absentees:**

Scott Castleman (CRA)	Heather Geiger (AP)	Susan Lavenski (CRA)	Julie Sherwood (AEP-IR)
Jana Croom (AEP-IR)	Dale Heydlauff (AEP)	Heather Martin (McGuire Woods)	
Roger Dyer (AEP)	Joe Jones (AEP)	Phil Moye (AEP)	
Vern Estel (AP)	Chuck Krufft (AP)	Ron Poff (AEP)	

## Planned media event

- Media event planned for tomorrow
- Expecting approximately 10 attendees

## August Information Day

- Planning public open house-type meeting in Sissonville, WV at request of Commissioner Carper
- Tentatively scheduled for August 18 at Sissonville HS

## Virginia Hearings

- AP corp communications will attend all VA hearings; AEP not attending

## PEAT/Coalition Update

- VA coalition working to recruit speakers for the public hearing
- Continue to work through labor issues
- Meeting with VA Governor Kaine to discuss project update
- WV County Commission Assn. and Municipal League meetings next week and will have PEAT demonstration

## WV PSC Hearing

- August 10 to determine intervenor status
- AEP and Allegheny will both attend

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**August 11, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Tim Gaul (Louis Berger)	Mark Nitowski (AP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Allen Staggers (AP)
Jana Croom (AEP-IR)	Tom Holliday (AEP)	Dan Tompkins (AP)
Dawn Del Bianco (AEP)	Susan Lavenski (CRA)	Aldie Warnock (AP)
Roger Dyer (AEP)	Heather Martin (McGuire Woods)	Cyril Welter (Burns & McDonnell)
Vern Estel (AP)	David Neurohr (AP)	

**Absentees:**

George Blankenship (AP)	Dale Heydlauff (AEP)	Todd Meyers (AP)
Doug Colafella (AP)	Mike Hosier (AP)	Phil Moye (AEP)
Mark Dempsey (AEP)	Joe Jones (AEP)	Erin O'Leary (Berger)
Charlie Friddle (AEP)	Dave Kline (AP)	Ron Poff (AEP)
Heather Geiger (AP)	Chuck Krufft (AP)	Julie Sherwood (AEP-IR)
Mike Gogol (AP)	Jeri Matheney (AEP)	

**Sissonville Meeting**

- Staffing has been completed, Tom reviewed assignments
- Will be held in Sissonville HS cafeteria on Aug 18

**VA Hearings**

- Mark Nitowski reviewed the hearings, including attendance, news articles related to the event
- Vern discussed specific speakers and their messages
- SCC commissioners sat at all four hearings

**Court of Appeals Decision**

- Corp Communications will develop talking points

**PEAT/Coalition Update**

- Scheduled meeting with VA Governor Kaine on Aug 19 to discuss update on Loudoun County
- Kicked off PEAT last week with blast email and three speaking engagements
- Susan reviewed MD and VA Coalition activities

**Project Management**

- In the middle of regulatory process
- Discovery requests continue to be received and responded to

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**August 25, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Charlie Friddle (AEP)	Todd Meyers (AP)
George Blankenship (AP)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Scott Castleman (CRA)	Tom Holliday (AEP)	Ron Poff (AEP)
Doug Colafella (AP)	Mike Hosier (AP)	Allen Staggars (AP)
Jana Croom (AEP-IR)	Dave Kline (AP)	Dan Tompkins (AP)
Dawn Del Bianco (AEP)	Chuck Krufft (AP)	Aldie Warnock (AP)
Mark Dempsey (AEP)	Heather Martin (McGuire Woods)	Cyril Welter (Burns & McDonnell)
Vern Estel (AP)	Jeri Matheney (AEP)	

**Absentees:**

Roger Dyer (AEP)	Louise Hayman (Artemis Group)	Erin O'Leary (Berger)
Tim Gaul (Louis Berger)	Joe Jones (AEP)	Julie Sherwood (AEP-IR)
Heather Geiger (AP)	Susan Lavenski (CRA)	
Mike Gogol (AP)	Phil Moye (AEP)	

**Advertising Campaign**

- Scheduling business-leader campaign participants for commercial shoot
- Approximately 10-15 already scheduled, looking for more
- Tentatively scheduled to air Sept 28-Dec 18

**YouTube page**

- Creating a channel that's open to the public but comments will be disabled
- To be posted:
  - All advertising spots
  - Landowners DVD
  - Project overview DVD
- Linked from PATH website to YouTube site

**Charleston-area media event**

- Looking for location to host an on-the-ground media event, similar to that of Winchester, VA
- Will visit potential site tomorrow and share info with the group

**PEAT/Coalition Update**

- Working with coalition to identify participants for advertising campaigns
- Recruiting individuals to speak at public hearings
- Continue membership recruitment and organizing events for the fall
- PEAT has attended speaking engagements, distributing petitions, collecting signatures

**Meeting with VA Governor**

- Successful meeting with Gov Kaine last week
- Discussed the low turnout at the VA public hearings

## **IND-PATH-I-2 ATTACHMENT J**

### Project Management

- Moving forward on line building contracts
- NEPA process is also progressing
- Expect resolution in WV labor situation soon

### Roundtable

- Todd explained process for Kemptown special exception permit, including hosting informational meeting

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**September 8, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Heather Geiger (AP)	Todd Meyers (AP)
George Blankenship (AP)	Mike Gogol (AP)	Mark Nitowski (AP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Erin O'Leary (Berger)
Doug Colafella (AP)	Dale Heydlauff (AEP)	Ron Poff (AEP)
Jana Croom (AEP-IR)	Tom Holliday (AEP)	Allen Staggers (AP)
Dawn Del Bianco (AEP)	Mike Hosier (AP)	Dan Tompkins (AP)
Vern Estel (AP)	Susan Lavenski (CRA)	Aldie Warnock (AP)
Charlie Friddle (AEP)	Heather Martin (McGuire Woods)	
Tim Gaul (Louis Berger)	Jeri Matheney (AEP)	

**Absentees:**

Roger Dyer (AEP)	Joe Jones (AEP)
Mark Dempsey (AEP)	Phil Moye (AEP)
Dave Kline (AP)	Julie Sherwood (AEP-IR)
Chuck Krufft (AP)	Cyril Welter (Burns & McDonnell)

**WV PSC Hearing Schedule**

- Announced Friday
- Doug and Jeri working on scheduling communications representation
- George will attend all the hearings for External Affairs, Jeri to check on AEP representation

**WV Media Event**

- Tentatively scheduled for September 21
- Tom will discuss date and logistics with helicopter personnel

**New Advertising Campaign**

- Susan reviewed the list of spokespeople
- May use some on the web and others on television/radio spots
- Scheduled to begin airing September 28

**PEAT/Coalition Update**

- Set up calls every two weeks in each state to identify speakers for the public hearings
- Coalitions are focusing on events before and after the hearings
- Several speaking engagements have been held by PEAT spokespeople, several scheduled in the future

**Kempton Meeting**

- Looking for appropriate venue
- Tentatively scheduled for late October
- Focal point will be simulations of Kempton site, created by Truescape
- Working on staffing, layout, security plans

## **IND-PATH-I-2 ATTACHMENT J**

### Project Management

- Ron provided an update on NEPA developments
- Closing on Welton Spring Substation property this week
- Survey permissions and ROW solutions are progressing very well

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**September 22, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Roger Dyer (AEP)	Louise Hayman (Artemis Group)
Doug Colafella (AP)	Vern Estel (AP)	Heather Martin (McGuire Woods)
Jana Croom (AEP-IR)	Charlie Friddle (AEP)	Jeri Matheney (AEP)
Dawn Del Bianco (AEP)	Heather Geiger (AP)	Dan Tompkins (AP)
Mark Dempsey (AEP)		

**Absentees:**

George Blankenship (AP)	Joe Jones (AEP)	Erin O'Leary (Berger)
Scott Castleman (CRA)	Dave Kline (AP)	Ron Poff (AEP)
Tim Gaul (Louis Berger)	Chuck Kruft (AP)	Julie Sherwood (AEP-IR)
Mike Gogol (AP)	Susan Lavenski (CRA)	Allen Staggers (AP)
Dale Heydlauff (AEP)	Todd Meyers (AP)	Aldie Warnock (AP)
Tom Holliday (AEP)	Phil Moye (AEP)	Cyril Welter (Burns & McDonnell)
Mike Hosier (AP)	Mark Nitowski (AP)	

## WV PSC Hearing

- Began today in Shepherdstown

## WV Media Event

- Successful event, several media outlets attending
- Coverage appeared to be balanced
- WV Metro News hosted an interview yesterday

## New Advertising Campaign

- "Local Business Leaders" has been filmed
- Scheduled to begin airing September 28

## PEAT/Coalition Update

- Small business forums to begin in Virginia
- PEAT will give presentations at local Rotary meetings

## Kempton Meeting

- Tentatively scheduled for November 9

## Project Management

- Ron provided an update on NEPA developments
- Closing on Welton Spring Substation property this week
- Survey permissions and ROW solutions are progressing very well

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**October 6, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Mike Gogol (AP)	Jeri Matheney (AEP)
George Blankenship (AP)	Louise Hayman (Artemis Group)	Todd Meyers (AP)
Scott Castleman (CRA)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Erin O'Leary (Berger)
Jana Croom (AEP-IR)	Mike Hosier (AP)	Julie Sherwood (AEP-IR)
Dawn Del Bianco (AEP)	Dave Kline (AP)	Allen Staggers (AP)
Roger Dyer (AEP)	Chuck Kruft (AP)	Aldie Warnock (AP)
Vern Estel (AP)	Susan Lavenski (CRA)	
Charlie Friddle (AEP)	Heather Martin (McGuire Woods)	

**Absentees:**

Mark Dempsey (AEP)	Joe Jones (AEP)	Dan Tompkins (AP)
Tim Gaul (Louis Berger)	Phil Moye (AEP)	Cyril Welter (Burns & McDonnell)
Heather Geiger (AP)	Ron Poff (AEP)	

**Business Leaders advertising campaign**

- Filmed 23 people over four weeks in three states
- 6 spots running now, 2 regional to WV and 2 regional to MD, 2 span across the project
- Incorporating labor speakers into ads, may hold until 2010

**WV Public Input Hearings**

- Hearings in Shepherdstown, Flatwoods and Charleston
- George and Susan provided an update on speakers for and against project, as well as attendance in general

**Status of MD Filing and Kemptown Public Info Meeting**

- Vern provided an update on Frederick County special exception filing
- Public Info meeting still tentatively scheduled for November 9
- Chuck gave an update on MD CPCN filing status

**PEAT/Coalition Update**

- WV – identifying speakers for public hearings and future evidentiary hearings
- Continue to work on getting signed petitions completed
- MD – holding forums and continue to work on member recruitment
- VA – holding forums and continue to work on member recruitment

**Project Update**

- Project Labor Agreement has been drafted and is under review

###



**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**October 20, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Louise Hayman (Artemis Group)	Todd Meyers (AP)
Scott Castleman (CRA)	Tom Holliday (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Mike Hosier (AP)	Ron Poff (AEP)
Roger Dyer (AEP)	Dave Kline (AP)	Allen Staggers (AP)
Vern Estel (AP)	Heather Martin (McGuire Woods)	Aldie Warnock (AP)
Charlie Friddle (AEP)	Jeri Matheney (AEP)	

**Absentees:**

George Blankenship (AP)	Mike Gogol (AP)	Erin O'Leary (Berger)
Jana Croom (AEP-IR)	Dale Heydlauff (AEP)	Julie Sherwood (AEP-IR)
Dawn Del Bianco (AEP)	Joe Jones (AEP)	Dan Tompkins (AP)
Mark Dempsey (AEP)	Chuck Krufft (AP)	Cyril Welter (Burns & McDonnell)
Tim Gaul (Louis Berger)	Susan Lavenski (CRA)	
Heather Geiger (AP)	Phil Moye (AEP)	

## VA Staff Motion

- Corp Communications has developed talking points
- Project Management is currently discussing a response

## Print Ad Status

- Begin sending to newspapers tomorrow
- For print and web banners project-wide

## Kempton Public Info Meeting

- Meeting has been placed on hold pending re-filing decision
- Aldie and Doug provided an overview of MD status

## Speakers for last WV Hearing

- Several speakers scheduled to participate in Buckhannon hearing on Thursday

## PEAT/Coalition Update

- Continue to work on getting signatures for petitions
- Forum in Norfolk, VA, tonight, new and existing members

## Project Update

- Preparing to meet with Building Trades and IBEW
- NEPA strategy development is ongoing
- Transmission construction reps are looking at project area, reviewing property
- ROW solution negotiations are ongoing
- Survey permission is approximately 80% accepted, 20% declined

**IND-PATH-I-2 ATTACHMENT J**

- AEP has finalized agreement for alliance with National Wild Turkey Federation...working on similar agreements for PATH Allegheny and PATH-WV
- VA scheduled another Public Hearing in Lovettsville on Nov 19

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**November 3, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Charlie Friddle (AEP)	Heather Martin (McGuire Woods)
George Blankenship (AP)	Mike Gogol (AP)	Jeri Matheney (AEP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Todd Meyers (AP)
Doug Colafella (AP)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Dawn Del Bianco (AEP)	Tom Holliday (AEP)	Ron Poff (AEP)
Roger Dyer (AEP)	Dave Kline (AP)	Dan Tompkins (AP)
Vern Estel (AP)	Susan Lavenski (CRA)	

**Absentees:**

Jana Croom (AEP-IR)	Joe Jones (AEP)	Allen Staggers (AP)
Mark Dempsey (AEP)	Chuck Krufft (AP)	Aldie Warnock (AP)
Tim Gaul (Louis Berger)	Phil Moye (AEP)	Cyril Welter (Burns & McDonnell)
Heather Geiger (AP)	Erin O'Leary (Berger)	
Mike Hosier (AP)	Julie Sherwood (AEP-IR)	

## Regulatory Situation

- Tom provided an overview of the motions in VA and WV to dismiss based on MD PSC decision
- Corp Comm will work closely with Legal/Regulatory group to form public response to company response to commissions

## Letters to Editors

- Asked organizations for names of people interested in writing letters to the editor
- First set scheduled to go out next week in all three states
- Also asked coalitions to identify five members to send out LTEs

## Cancellation of Nov 16 Loudoun County Public Meeting

- Decided to postpone meeting after discussing with county officials
- Want more certainty in relation to commission decisions

## PEAT/Coalition Update

- 6 PEAT speaking engagements over next few days in all three states
- Determining next steps and response to decisions
- Last VA forum to be held tonight
- Op Ed piece being sent to Baltimore Sun

## Project Update

- Ron provided a NEPA process overview
  - Had a few meetings with staff of various federal groups to discuss getting NEPA process started
- Over 800 survey permissions granted
- Right-of-Way solutions continue to progress

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**November 17, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Louise Hayman (Artemis Group)	Jeri Matheney (AEP)
Scott Castleman (CRA)	Tom Holliday (AEP)	Todd Meyers (AP)
Doug Colafella (AP)	Mike Hosier (AP)	Ron Poff (AEP)
Charlie Friddle (AEP)	Chuck Kruft (AP)	Matt Sutton (CRA)
Tim Gaul (Louis Berger)	Susan Lavenski (CRA)	Dan Tompkins (AP)
Mike Gogol (AP)	Heather Martin (McGuire Woods)	

**Absentees:**

George Blankenship (AP)	Heather Geiger (AP)	Erin O'Leary (Berger)
Jana Croom (AEP-IR)	Dale Heydlauff (AEP)	Julie Sherwood (AEP-IR)
Dawn Del Bianco (AEP)	Joe Jones (AEP)	Allen Staggers (AP)
Mark Dempsey (AEP)	Dave Kline (AP)	Aldie Warnock (AP)
Roger Dyer (AEP)	Phil Moye (AEP)	Cyril Welter (Burns & McDonnell)
Vern Estel (AP)	Mark Nitowski (AP)	

#### Communications Approach to VA and WV filings

- PATH filed revised comments to WV PSC today eliminating the bifurcated case and agreeing to an additional 30 days on the schedule
- Also noted that we intend to file in MD by the end of the year
- New talking points to be distributed later today
- Suspended advertising until the commission issues are resolved

#### Coalition Strategy

- Asked organizations for names of people interested in writing letters to the editor
- Op Ed sent to Baltimore Sun
- PLA has been signed and a couple labor organizations are joining the coalition

#### VA Public Hearing

- To be held Thursday evening
- Recruiting speakers to lend support at the hearings, expecting approximately 10

#### PJM Undergrounding Study

- To be released by PJM this week
- Will be directing any inquiries regarding the study to PJM
- Talking points will be distributed

#### Project Update

- Ron provided an update on the NEPA process

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**December 1, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Mike Gogol (AP)	Todd Meyers (AP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Mark Nitowski (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Ron Poff (AEP)
Mark Dempsey (AEP)	Mike Hosier (AP)	Julie Sherwood (AEP-IR)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Matt Sutton (CRA)
Vern Estel (AP)	Heather Martin (McGuire Woods)	Dan Tompkins (AP)
Charlie Friddle (AEP)	Jeri Matheney (AEP)	

**Absentees:**

George Blankenship (AP)	Dale Heydlauff (AEP)	Erin O'Leary (Berger)
Jana Croom (AEP-IR)	Joe Jones (AEP)	Allen Staggers (AP)
Dawn Del Bianco (AEP)	Dave Kline (AP)	Aldie Warnock (AP)
Tim Gaul (Louis Berger)	Chuck Krufft (AP)	Cyril Welter (Burns & McDonnell)
Heather Geiger (AP)	Phil Moye (AEP)	

**Advertising**

- Planning to begin airing again January 4, project-wide
- Will run Business and Civic Leaders campaign
- Research/polling will occur as soon as possible

**Maryland filing**

- Scheduled for December 18
- Expecting inquiries from MD media that day
- Special exception filing and public information meeting to be held after the first of the year

**Jan 19 VA Evidentiary Hearing**

- Coalition working to recruit members for support and to testify

**Coalition/PEAT Activities**

- WV for Reliable Power issuing press release about UMWA and IBEW joining the coalition next week
- Met with Building Construction Trades and ACT to support with coalitions
- Heather provided an update for VA coalition
- Louise provided a MD update
- PEAT representatives are attending various conferences and forums

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**December 15, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Louise Hayman (Artemis Group)	Jeri Matheney (AEP)
Scott Castleman (CRA)	Tom Holliday (AEP)	Todd Meyers (AP)
Doug Colafella (AP)	Mike Hosier (AP)	Mark Nitowski (AP)
Vern Estel (AP)	Dave Kline (AP)	Ron Poff (AEP)
Charlie Friddle (AEP)	Susan Lavenski (CRA)	Matt Sutton (CRA)
Tim Gaul (Louis Berger)	Heather Martin (McGuire Woods)	Dan Tompkins (AP)

**Absentees:**

George Blankenship (AP)	Heather Geiger (AP)	Phil Moye (AEP)
Jana Croom (AEP-IR)	Mike Gogol (AP)	Julie Sherwood (AEP-IR)
Dawn Del Bianco (AEP)	Dale Heydlauff (AEP)	Allen Staggers (AP)
Mark Dempsey (AEP)	Joe Jones (AEP)	Aldie Warnock (AP)
Roger Dyer (AEP)	Chuck Krufft (AP)	Cyril Welter (Burns & McDonnell)

## Maryland CPCN filing

- News release and talking points being reviewed in anticipation of filing

## VA Rebuttal testimony

- Planning outreach to coincide with filing rebuttal testimony, which is due Dec 31
  - Issue news release (tentatively Jan 4)
  - Complete round of newspaper interviews (week of Jan 13)

## Opinion Polling Update

- Planning to perform next round of surveys and polls in January
- Use results to complete 2010 communications plan

## Coalition/PEAT Activities

- Continue to work on 2010 plans
- PEAT/Coalition members will continue to handle speaking engagements and complete interviews

## Project Updates

- Line design review underway
- More than 900 survey permissions granted
- Met with IBEW to discuss the PLA

###

**IND-PATH-I-2 ATTACHMENT J**  
**PATH External/Communications Committee Update**  
**December 29, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Tom Holliday (AEP)	Allen Stagers (AP)
Scott Castleman (CRA)	Susan Lavenski (CRA)	Matt Sutton (CRA)
Doug Colafella (AP)	Heather Martin (McGuire Woods)	Dan Tompkins (AP)
Jana Croom (AEP-IR)	Jeri Matheney (AEP)	Aldie Warnock (AP)
Roger Dyer (AEP)	Todd Meyers (AP)	
Louise Hayman (Artemis Group)	Mark Nitowski (AP)	

**Absentees:**

George Blankenship (AP)	Heather Geiger (AP)	Chuck Kruff (AP)
Dawn Del Bianco (AEP)	Mike Gogol (AP)	Phil Moyer (AEP)
Mark Dempsey (AEP)	Dale Heydlauff (AEP)	Ron Poff (AEP)
Vern Estel (AP)	Mike Hosier (AP)	Julie Sherwood (AEP-IR)
Charlie Friddle (AEP)	Joe Jones (AEP)	Cyril Welter (Burns & McDonnell)
Tim Gaul (Louis Berger)	Dave Kline (AP)	

## VA SCC Amendment

- Requesting withdrawal of application due to upcoming RTEP; planning to re-file with new information
- Allegheny Corp Comm developing talking points and news release to be distributed for review today
- Website to be updated to reflect the new information

###

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update  
January 13, 2009  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Roger Dyer (AEP)	Mark Nitowski (AP)
Scott Castleman (CRA)	Vern Estel (AP)	Ron Poff (AEP)
Doug Colafella (AP)	Tom Holliday (AEP)	Matt Sutton (CRA)
Mark Dempsey (AEP)	Jeri Matheney (AEP)	Aldie Warnock (AP)

**Absentees:**

Shaila Aery (Artemis Group)	Dale Heydlauff (AEP)	Todd Meyers (AP)
Jana Croom (AEP-IR)	Mike Hosier (AP)	Josh Polk (AEP)
Dawn Del Bianco (AEP)	Dave Kline (AP)	Julie Sherwood (AEP-IR)
Charlie Friddle (AP)	Chuck Krufft (AP)	Erin Slattery (Burns and McDonnell)
Mike Gogol (AP)	Susan Lavenski (CRA)	Dusty Werth (Burns and McDonnell)
Louise Hayman (Artemis Group)	Jay Mason (AP)	

**Planning Meeting**

- Scheduled for Friday, January 16
- Agendas and materials have been distributed by CRA via e-mail
- Survey results to be presented

**Lovettsville Open House**

- Scheduled for January 22; media has been running in the area

**External Affairs**

- Continue to watch federal and state legislation for transmission-related items
- AEP has notified the WV governor's office they will not support transmission tax
- Two technical need conferences completed last week in WV and MD



## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update**  
**January 27, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Scott Castleman (CRA)	Tom Holliday (AEP)	Erin O'Leary (Louis Berger)
Doug Colafella (AP)	Mike Hosier (AP)	Ron Poff (AEP)
Dawn Del Bianco (AEP)	Dave Kline (AP)	Erin Slattery (Burns and McDonnell)
Vern Estel (AP)	Susan Lavenski (CRA)	Matt Sutton (CRA)
Charlie Friddle (AP)	Jeri Matheney (AEP)	Aldie Warnock (AP)

**Absentees:**

Shaila Aery (Artemis Group)	Louise Hayman (Artemis Group)	Josh Polk (AEP)
Jana Croom (AEP-IR)	Chuck Krufft (AP)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Jay Mason (AP)	
Roger Dyer (AEP)	Todd Meyers (AP)	

## Planning Meeting

- Met with CRA at Stonewall on January 16
- Will meet again this Thursday in Charleston to see CRA proposal for future projects

## Lovettsville Open House

- Held January 22, approximately 370 people attended

## External Affairs

- Have been meeting with local representatives to keep them updated on the project

## Roundtable

- LRE I draft has been responded to and LRE II is due at the end of this week
- Asset Allocation discussion is underway

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update  
February 10, 2009  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Roger Dyer (AEP)	Jay Mason (AP)
Scott Castleman (CRA)	Charlie Friddle (AP)	Jeri Matheney (AEP)
Doug Colafella (AP)	Dale Heydlauff (AEP)	Matt Sutton (CRA)
Jana Croom (AEP-IR)	Tom Holliday (AEP)	Harvey Valentine (Hawthorne Group)
Dawn Del Bianco (AEP)	Susan Lavenski (CRA)	Aldie Warnock (AP)

**Absentees:**

Shaila Aery (Artemis Group)	Dave Kline (AP)	Ron Poff (AEP)
Mark Dempsey (AEP)	Chuck Krufft (AP)	Josh Polk (AEP)
Vern Estel (AP)	Todd Meyers (AP)	Julie Sherwood (AEP-IR)
Louise Hayman (Artemis Group)	Mark Nitowski (AP)	Erin Slattery (Burns and McDonnell)
Mike Hosier (AP)	Erin O'Leary (Louis Berger)	Cyril Welter (Burns and McDonnell)

## Opposition Meetings

- Approx 150-200 people attended Jefferson Co Commission meeting
  - Anti-PATH petition being signed
  - Health and property values major issues
  - 3 of 5 commissioners attended meeting
- Gilmer County opposition meeting scheduled for tonight
- **Action Item:** Doug will develop FAQ material on property value information from TrAIL filing
- "Preserve Frederick" group will meet in Winchester Thursday evening

## Communications Strategy

- Will present plan to project management soon
- **Action Item:** Doug/Tom will send out appointments

## New Coalitions

- Aldie presenting plans to Allegheny management for new coalitions
  - PATH specific
  - Virginia

## Roundtable

- CPCNs will be filed within three week period, unable to file all at one time to prevent extended negative press
- **Action Item:** CRA will work with Jay Mason to set up meeting regarding Virginia plan for public and legislative outreach

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update**  
**February 24, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Vern Estel (AP)	Jeri Matheney (AEP)
Scott Castleman (CRA)	Tom Holliday (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Chuck Kruft (AP)	Ron Poff (AEP)
Jana Croom (AEP-IR)	Susan Lavenski (CRA)	Matt Sutton (CRA)
Roger Dyer (AEP)	Jay Mason (AP)	Aldie Warnock (AP)

**Absentees:**

Shaila Aery (Artemis Group)	Dale Heydlauff (AEP)	Josh Polk (AEP)
Dawn Del Bianco (AEP)	Mike Hosier (AP)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Dave Kline (AP)	Erin Slattery (Burns and McDonnell)
Charlie Friddle (AP)	Todd Meyers (AP)	Harvey Valentine (Hawthorne Group)
Louise Hayman (Artemis Group)	Erin O'Leary (Louis Berger)	Cyril Welter (Burns and McDonnell)

## Communications Strategy

- Working on scheduling a teleconference meeting to present plan to project management
  - Planning for March 5 or 6
  - Doug and Tom will send out appointments

## Local Official Outreach

- Contact local officials to make them aware of new filing schedule

## Expert Campaign

- Ads began running yesterday
- Clinton Miller, former VA SCC judge and state legislator, will be recorded and spot to be edited this week

## Filing Schedule

- Project management to discuss with legal changing date of filing from April 1 to April 2
- Discussed sending one release for all three filings, Doug to discuss with IR

## Coalition Update

- Vern and Aldie met with VA Governor and legislators last week to discuss project
  - Governor's office requested another open house/public forum, we respectfully declined and suggested they host this meeting
- Susan and Aldie met with Dominion to discuss their coalition
  - They were open to allowing us to participate
  - Will continue to coordinate activities with Dominion

## IND-PATH-I-2 ATTACHMENT J

- Project specific coalition is still coming together
- Consider joining some Chambers of Commerce in specific locations

## Project Update

- Testimony has been through two drafts as we move closer to filing date
- Close to agreement on asset allocation
- Midpoint Substation has been renamed “Welton Spring Substation”
- All three commission staffs have been or will have been briefed on CPCN filing schedule on Thursday
- Continue to negotiate contracts for several vendors
- **Action Item:** Media representatives will need to review testimony once it's finalized so they are prepared to handle media requests
- WV property owner notification – legal suggests a notice published in the newspaper
  - VA requires a letter
  - MD has no notice requirement
- Attorneys close to making NEPA filings for Monongahela Forest and Appalachian Trail

###

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update**  
**March 10, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Scott Castleman (CRA)	Tom Holliday (AEP)	Jay Ruberto (AP)
Doug Colafella (AP)	Dave Kline (AP)	Erin Slattery (Burns and McDonnell)
Jana Croom (AEP-IR)	Susan Lavenski (CRA)	Matt Sutton (CRA)
Roger Dyer (AEP)	Jay Mason (AP)	Aldie Warnock (AP)
Vern Estel (AP)	Jeri Matheney (AEP)	

**Absentees:**

Shaila Aery (Artemis Group)	Mike Hosier (AP)	Josh Polk (AEP)
Dawn Del Bianco (AEP)	Chuck Krufft (AP)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Todd Meyers (AP)	
Charlie Friddle (AP)	Erin O'Leary (Louis Berger)	
Louise Hayman (Artemis Group)	Ron Poff (AEP)	

## Communications Strategy

- CRA presented plan to PATH management last Friday
- Tom and Doug working on draft news releases and fact sheets for filings
- “Experts” campaign currently running in all three states

## Landowner Campaign

- CRA setting up shooting schedule for property owners, Ron and Vern
  - Will air based on when we will be in field
    - Will be based on Commissions’ orders to us to provide public notice

## Virginia Campaign

- Discussed a campaign in VA addressing how power gets to the state
- Proposed an extension of 2008 animated ad on how the grid works

## Coalition updates

- Distributing fact sheets to WV legislators today in preparation of tomorrow’s E-Day at legislature
  - Opposition will have a booth and demonstration against PATH at tomorrow’s event
- Still considering VA and PATH-specific coalition

## Roundtable

- Third and final MD Stakeholders meeting tentatively scheduled for evening of April 2

###

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update**  
**March 24, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Mike Hosier (AP)	Ron Poff (AEP)
Scott Castleman (CRA)	Dave Kline (AP)	Julie Sherwood (AEP-IR)
Doug Colafella (AP)	Susan Lavenski (CRA)	Erin Slattery (Burns and McDonnell)
Roger Dyer (AEP)	Jay Mason (AP)	Matt Sutton (CRA)
Vern Estel (AP)	Jeri Matheney (AEP)	Aldie Warnock (AP)
Charlie Friddle (AP)	Todd Meyers (AP)	
Tom Holliday (AEP)	Mark Nitowski (AP)	

**Absentees:**

Shaila Aery (Artemis Group)	Louise Hayman (Artemis Group)	Josh Polk (AEP)
Jana Croom (AEP-IR)	Dale Heydlauff (AEP)	
Dawn Del Bianco (AEP)	Chuck Kruft (AP)	
Mark Dempsey (AEP)	Erin O'Leary (Louis Berger)	

## CPCN filings

- Preparing communications materials in anticipation of filings
  - News Release, FAQs, Fact Sheet Drafts
  - CRA is working to update website, as well as DVD and creating maps
  - Conference call today with siting team to coordinate maps
  - Will discuss with Project Management and Legal about moving the WV filing date from April 10 due to Good Friday holiday

## Advertising

- Extended "Experts" campaign through the first set of filings
- Have updated other campaigns accordingly
- April 27 to begin animated "Need" campaign

## External Affairs

- Hired CRA to handle coalition public outreach
  - Working with WV coalition to update website and messages
  - Looking for MD participants to take part in public forums
  - Preparing for filing in VA
- Created advisory board to review all coalition activities
- Anti-PATH rally scheduled in Tucker Co on April 2
  - CRA will send representative

## Project News

- PJM's notification of changed in-service date is expected prior to the filing
  - Will ask PATH planning to look into this further

###

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update**  
**April 7, 2009**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Vern Estel (AP)	Jay Mason (AP)
Scott Castleman (CRA)	Charlie Friddle (AP)	Jeri Matheney (AEP)
Doug Colafella (AP)	Tom Holliday (AEP)	Ron Poff (AEP)
Jana Croom (AEP-IR)	Dave Kline (AP)	Matt Sutton (CRA)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Aldie Warnock (AP)

**Absentees:**

Shaila Aery (Artemis Group)	Mark Nitowski (AP)	Josh Polk (AEP)
Dawn Del Bianco (AEP)	Louise Hayman (Artemis Group)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Dale Heydlauff (AEP)	Erin Slattery (Burns and McDonnell)
Mike Hosier (AP)	Chuck Kruft (AP)	
Todd Meyers (AP)	Erin O'Leary (Louis Berger)	

## CPCN filings

- Ron and Vern reviewed PJM's latest analyses and advised the filings have been delayed
  - Final PJM report expected this week
  - Will review and determine filing dates then

## MD Stakeholders Meetings

- Will postpone until closer to the MD filings

###

## IND-PATH-I-2 ATTACHMENT J

**PATH External/Communications Committee Update**  
**April 21, 2009**  
**Meeting Minutes**

**Attendees:**

Shaila Aery (Artemis Group)	Dale Heydlauff (AEP)	Erin O'Leary (Louis Berger)
Vicki Audia (AP)	Mike Hosier (AP)	Ron Poff (AEP)
Scott Castleman (CRA)	Dave Kline (AP)	Erin Slattery (Burns and McDonnell)
Doug Colafella (AP)	Chuck Kruft (AP)	Allen Stagers (AP)
Dawn Del Bianco (AEP)	Susan Lavenski (CRA)	Matt Sutton (CRA)
Roger Dyer (AEP)	Jeri Matheney (AEP)	Aldie Warnock (AP)
Charlie Friddle (AP)	Todd Meyers (AP)	
Louise Hayman (Artemis Group)	Mark Nitowski (AP)	

**Absentees:**

Jana Croom (AEP-IR)	Jay Mason (AP)
Mark Dempsey (AEP)	Josh Polk (AEP)
Vern Estel (AP)	Julie Sherwood (AEP-IR)
Tom Holliday (AEP)	

## CPCN filings

- Ron provided an overview of the status of the filings
  - Waiting on final report from PJM and Need team to complete revisions of testimony
  - Project management has recommended to both companies' boards to proceed with NEPA filings

## NEPA Filing Outreach

- Planning to use same media strategy that we have with CPCN filings
- Mike Hosier will follow-up with Randy Palmer to determine which day this will take place

## Advertising

- Experts spots completed their run last week
- Adjusted advertising schedule based on filing schedule delay
- Will put Grid spot on for about five weeks, May 4 thru June 5
  - Animated Benefit spot will run in specific areas during the same time
- Landowners spot will follow, in conjunction with Benefit spot

## Coalitions

- PEAT teams
  - Technical experts are on board
  - Op-eds are written and ready to be distributed
  - Identified several speaking engagements to participate in



## IND-PATH-I-2 ATTACHMENT J

### Local Issues

- Interviewing Loudoun County firms to assist with outreach

###

## IND-PATH-I-2 ATTACHMENT K

PATH External/Communications Committee Update  
June 15, 2010  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Sammy Gray (AP)	Mark Nitowski (AP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Archie Pugh (AEP)
Doug Colafella (AP)	Dale Heydlauff (AEP)	Allen Staggers (AP)
Mark Dempsey (AEP)	Tom Holliday (AEP)	Matt Sutton (CRA)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Bart Taberner (AEP)
Vern Estel (AP)	Todd Meyers (AP)	Dan Tompkins (AP)
Mike Gogol (AP)	David Neurohr (AP)	

**Absentees:**

George Blankenship (AP)	Charlie Friddle (AP)	Emily Larson (Berger)
Jeff Britt (McGuire Woods)	Tim Gaul (Louis Berger)	Jeri Matheney (AEP)
Bryan Brown (Brown Communications)	Mike Hosier (AP)	Ron Poff (AEP)
Andrew Burke (Berger)	Joe Jones (AEP)	Julie Sherwood (AEP-IR)
Jana Croom (AEP-IR)	Dave Kline (AP)	Aldie Warnock (AP)
Alan Fleissner (AP)	Chuck Kruff (AP)	

## PJM's new in-service date

- News release prepared in the event of announcement from PJM

## Research/Focus Groups

- Susan reviewed results of the research studies
- Matt reviewed results of the focus groups

## Upcoming NEPA hearings

- Four scheduled in the next few weeks
- Preparing a brochure that focuses on the project and its relation to federal lands

## Anti-PATH blog mention of Cyberveillance

- AEP holds contract with Cyberveillance, but not specifically for PATH

## Coalition update

- Several new members to all coalitions
- Speaking engagements in MD and WV
- WV coalition changed name to West Virginians for Reliable Energy

## Project Update

- Vern noted that project cost estimates are increasing

###

**IND-PATH-I-2 ATTACHMENT K****PATH External/Communications Committee Update****June 29, 2010****Meeting Minutes****Attendees:**

Vicki Audia (AP)	Mike Gogol (AP)	Archie Pugh (AEP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Matt Sutton (CRA)
Mark Dempsey (AEP)	Dale Heydlauff (AEP)	Dan Tompkins (AP)
Roger Dyer (AEP)	Tom Holliday (AEP)	Aldie Warnock (AP)
Vern Estel (AP)	Jeri Matheney (AEP)	
Alan Fleissner (AP)	Ron Poff (AEP)	

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	Susan Lavenski (CRA)
Jeff Britt (McGuire Woods)	Sammy Gray (AP)	Todd Meyers (AP)
Bryan Brown (Brown Communications)	Mike Hosier (AP)	David Neurohr (AP)
Andrew Burke (Berger)	Joe Jones (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Dave Kline (AP)	Julie Sherwood (AEP-IR)
Jana Croom (AEP-IR)	Chuck Krufft (AP)	Allen Staggers (AP)
Charlie Friddle (AP)	Emily Larson (Berger)	Bart Taberner (AEP)

**Research/Focus Groups**

- Matt provided an executive summary of the focus group and tracking survey results

**Communications Plan**

- Working on plan for the remainder of the year, planning to have it reviewed by Board of Managers next month
- Possible media event in Maryland in anticipation of Kemptown public meeting

**Suuplemental Filings**

- Deadline in WV is next week
- Preparing news release once filing is completed

**NEPA Plans**

- CRA is coordinating letter-writing campaign from Coalition members
- Recruiting members to participate in the hearings

**Coalition update**

- All coalitions have more than 100 members
- All reached their goal of adding 25 members in the past few months

**Project Management**

- Met with IBEW to discuss PLA

###

## IND-PATH-I-2 ATTACHMENT K

PATH External/Communications Committee Update  
July 13, 2010  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Sammy Gray (AP)	Mark Nitowski (AP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Matt Sutton (CRA)
Doug Colafella (AP)	Tom Holliday (AEP)	Bart Taberner (AEP)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Aldie Warnock (AP)
Charlie Friddle (AP)	Heather Martin (McGuire Woods)	
Mike Gogol (AP)	Todd Meyers (AP)	

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	David Neurohr (AP)
Jeff Britt (McGuire Woods)	Dale Heydlauff (AEP)	Ron Poff (AEP)
Bryan Brown (Brown Communications)	Mike Hosier (AP)	Archie Pugh (AEP)
Andrew Burke (Berger)	Joe Jones (AEP)	Julie Sherwood (AEP-IR)
Jana Croom (AEP-IR)	Dave Kline (AP)	Allen Staggers (AP)
Mark Dempsey (AEP)	Chuck Kruft (AP)	Dan Tompkins (AP)
Vern Estel (AP)	Emily Larson (Berger)	
Alan Fleissner (AP)	Jeri Matheney (AEP)	

## Supplemental Filings

- Filing occurred last week and reaction was limited

## NEPA Scoping Hearings

- CRA is working with coalitions; 35 letters-to-the-editor have been written and ready for distribution to newspapers
- Planning to have five speakers at each meeting

## Communications Planning

- CRA developed plan based on research performed over the past month; currently under review

## Coalition update

- All coalitions are working on a new six-month plan for the remainder of the year
- Planning PEAT events

## Project Management

- Mike Gogol provided a brief update

###

**IND-PATH-I-2 ATTACHMENT K****PATH External/Communications Committee Update  
July 27, 2010  
Meeting Minutes****Attendees:**

Vicki Audia (AP)	Sammy Gray (AP)	Mark Nitowski (AP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Matt Sutton (CRA)
Doug Colafella (AP)	Tom Holliday (AEP)	Bart Taberner (AEP)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Aldie Warnock (AP)
Charlie Friddle (AP)	Heather Martin (McGuire Woods)	
Mike Gogol (AP)	Todd Meyers (AP)	

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	David Neurohr (AP)
Jeff Britt (McGuire Woods)	Dale Heydlauff (AEP)	Ron Poff (AEP)
Bryan Brown (Brown Communications)	Mike Hosier (AP)	Archie Pugh (AEP)
Andrew Burke (Berger)	Joe Jones (AEP)	Julie Sherwood (AEP-IR)
Jana Croom (AEP-IR)	Dave Kline (AP)	Allen Staggers (AP)
Mark Dempsey (AEP)	Chuck Kruff (AP)	Dan Tompkins (AP)
Vern Estel (AP)	Emily Larson (Berger)	
Alan Fleissner (AP)	Jeri Matheney (AEP)	

**NEPA Scoping Hearings**

- Doug and Matt gave an overview of last week's public scoping hearings

**Communications Planning**

- Doug sent out communications plan yesterday to the team
- Matt reviewed the plan through February 2011
- Beginning to schedule PEAT speaking engagements
- Revamping PEAT website to post relevant studies and reports

**Advertising Plans**

- Starting to produce paid advertising drafts, will send to project management for review

**Coalition/PEAT Activities**

- PEAT booth will be appearing at several functions next week

**Project Management**

- CLS activity is ramping up, will begin securing options along the route soon
- Siting and Engineering teams are working together on re-routes

###

## IND-PATH-I-2 ATTACHMENT K

PATH External/Communications Committee Update  
August 10, 2010  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Tim Gaul (Louis Berger)	Susan Lavenski (CRA)
Scott Castleman (CRA)	Mike Gogol (AP)	Heather Martin (McGuire Woods)
Doug Colafella (AP)	Sammy Gray (AP)	Todd Meyers (AP)
Roger Dyer (AEP)	Louise Hayman (Artemis Group)	Jeri Matheney (AEP)
Vern Estel (AP)	Tom Holliday (AEP)	Matt Sutton (CRA)
Alan Fleissner (AP)	Dave Kline (AP)	Bart Taberner (AEP)
Charlie Friddle (AP)	Chuck Krufft (AP)	Aldie Warnock (AP)

**Absentees:**

George Blankenship (AP)	Dale Heydlauff (AEP)	Archie Pugh (AEP)
Jeff Britt (McGuire Woods)	Mike Hosier (AP)	Julie Sherwood (AEP-IR)
Bryan Brown (Brown Communications)	Joe Jones (AEP)	Allen Staggers (AP)
Andrew Burke (Berger)	Emily Larson (Berger)	Dan Tompkins (AP)
Jana Croom (AEP-IR)	David Neurohr (AP)	
Mark Dempsey (AEP)	Mark Nitowski (AP)	

## PJM Modeling Issue

- Tom provided an explanation of data correction from PJM
- Talking points were distributed earlier today

## Kempton Public Information Meeting Planning

- Being held in support of the special exception filing process to educate residents on planned substation
- Scheduled for Monday, September 13, at Windsor Knolls Middle School
- Truescape will show simulations of layout and views

## Advertising Activities

- TV scripts under review; production to begin later this month
- Radio and newspaper spots to air/run later in the fall

## Coalition/PEAT Activities

- Matt reviewed several meetings that PEAT representatives attended in the past couple weeks
- Membership continues to grow

## Project Management

- Vern announced Ron Poff had retired from AEP but was working as a consultant on the project for Digioia and Gray

###

**IND-PATH-I-2 ATTACHMENT K**

**PATH External/Communications Committee Update  
August 24, 2010  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Louise Hayman (Artemis Group)	Mark Nitowski (AP)
Doug Colafella (AP)	Chuck Krufft (AP)	Archie Pugh (AEP)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Matt Sutton (CRA)
Alan Fleissner (AP)	Heather Martin (McGuire Woods)	Dan Tompkins (AP)
Charlie Friddle (AP)	Jeri Matheney (AEP)	Aldie Warnock (AP)

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	Dave Kline (AP)
Jeff Britt (McGuire Woods)	Mike Gogol (AP)	Emily Larson (Berger)
Bryan Brown (Brown Communications)	Sammy Gray (AP)	Todd Meyers (AP)
Andrew Burke (Berger)	Dale Heydlauff (AEP)	David Neurohr (AP)
Jana Croom (AEP-IR)	Tom Holliday (AEP)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Mike Hosier (AP)	Allen Staggers (AP)
Vern Estel (AP)	Joe Jones (AEP)	Bart Taberner (AEP)

**Kempton Public Information Meeting/Media Event Planning**

- Media event to be held September 8 at Kempton SS site
- Public meeting scheduled for September 13 at Windsor Knolls Middle School in MD

**Advertising Activities**

- TV commercials under production this week
- Editing videos for elected officials packets

**External Affairs**

- Nothing new to report

**Coalition/PEAT Activities**

- CRA and project management met with PEAT to discuss ramp-up of project

**Labor Relations**

- Project management continue to work on negotiating an agreement with unions

**Project Management**

- Archie provided an update on state filings

###

**IND-PATH-I-2 ATTACHMENT K**

**PATH External/Communications Committee Update  
September 7, 2010  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Louise Hayman (Artemis Group)	Todd Meyers (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Mark Nitowski (AP)
Roger Dyer (AEP)	Mike Hosier (AP)	Archie Pugh (AEP)
Alan Fleissner (AP)	Chuck Kruff (AP)	Matt Sutton (CRA)
Vern Estel (AP)	Susan Lavenski (CRA)	Bart Taberner (AEP)
Mike Gogol (AP)	Heather Martin (McGuire Woods)	Dan Tompkins (AP)
Sammy Gray (AP)	Dave Kline (AP)	

**Absentees:**

George Blankenship (AP)	Mark Dempsey (AEP)	Emily Larson (Berger)
Jeff Britt (McGuire Woods)	Charlie Friddle (AP)	Jeri Matheny (AEP)
Bryan Brown (Brown Communications)	Tim Gaul (Louis Berger)	Julie Sherwood (AEP-IR)
Andrew Burke (Berger)	Dale Heydlauff (AEP)	Allen Staggers (AP)
Jana Croom (AEP-IR)	Joe Jones (AEP)	Aldie Warnock (AP)

**Advertising Activities**

- TV commercials began airing Saturday
- Radio ads to begin tomorrow
- Newspaper ads to begin running next week
- Advertising to continue through the end of November

**Kempton Public Information Meeting/Media Event Planning**

- Media event re-scheduled for September 16 at Kempton SS site
- Public meeting re-scheduled for September 20 at Windsor Knolls Middle School in MD

**Coalition/PEAT Activities**

- Matt Sutton provided a review of upcoming PEAT speaker appearances
- Coalitions continue membership drives

**Project Management**

- Full committee meeting being planned for October 27 at Stonewall Resort, details to be distributed shortly
- Archie gave an updated on the PLA

###



## IND-PATH-I-2 ATTACHMENT K

PATH External/Communications Committee Update  
September 21, 2010  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Mike Hosier (AP)	Archie Pugh (AEP)
Doug Colafella (AP)	Chuck Kruft (AP)	Matt Sutton (CRA)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Bart Taberner (AEP)
Vern Estel (AP)	Todd Meyers (AP)	Dan Tompkins (AP)
Alan Fleissner (AP)	Heather Martin (McGuire Woods)	Aldie Warnock (AP)
Louise Hayman (Artemis Group)	Jeri Matheney (AEP)	
Tom Holliday (AEP)	Mark Nitowski (AP)	

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	Dave Kline (AP)
Bryan Brown (Brown Communications)	Mike Gogol (AP)	Emily Larson (Berger)
Jana Croom (AEP-IR)	Sammy Gray (AP)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Dale Heydlauff (AEP)	Allen Staggers (AP)
Charlie Friddle (AP)	Joe Jones (AEP)	

## Kempton Public Information Meeting Review

- Held last night in Ijamsville, MD
- Doug provided an overview
- Estimated 100-150 people attended

## Virginia Filing

- Filing occurred yesterday afternoon
- Press release issued this morning, website being updated

## Short Videos

- Creating different spots highlighting economic development, rates, etc. to be posted online and available for speakers or meetings

## PEAT/Coalition Update

- Russell Frisby spoke to Rotary Club in Frederick last week, in conjunction with Sugarloaf Conservancy speaker
- Tom Bloss participating at Building/Construction Trades annual conference
- Matt provided an overview of other appearances

## Project Update

- Full Committee meeting being planned for October 27 at Stonewall Resort
- Continue working on PLA

###

## IND-PATH-I-2 ATTACHMENT K

**PATH External/Communications Committee Update**  
**October 5, 2010**  
**Meeting Minutes**

**Attendees:**

David Neurohr (AP)	Mike Hosier (AP)	Archie Pugh (AEP)
Doug Colafella (AP)	Allen Staggers (AP)	Matt Sutton (CRA)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Dan Tompkins (AP)
Vern Estel (AP)	Todd Meyers (AP)	Aldie Warnock (AP)
Alan Fleissner (AP)	Heather Martin (McGuire Woods)	Sammy Gray (AP)
Louise Hayman (Artemis Group)	Jeri Matheney (AEP)	Charlie Friddle (AP)
Tom Holliday (AEP)	Mark Nitowski (AP)	

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	Dave Kline (AP)
Bryan Brown (Brown Communications)	Mike Gogol (AP)	Emily Larson (Berger)
Jana Croom (AEP-IR)	Bart Taberner (AEP)	Julie Sherwood (AEP-IR)
Mark Dempsey (AEP)	Dale Heydlauff (AEP)	Chuck Kruft (AP)
Joe Jones (AEP)	Vicki Audia (AP)	

- Regulatory updates
  - Maryland – additional sessions scheduled 10/14 and 11/18 for the Frederick County special exception process. No procedural schedule yet from the MD PSC following last week's pre-hearing conference
  - Virginia – filed response to the staff motion calling for PATH application to be held in obedience
  - West Virginia – pretty quiet right now
  - Permitting/NEPA – National Park Service retained a new third-party contractor to replace CH2M Hill; expected to take time to “ramp up” and no fall public input hearings have been scheduled.
- Advertising – we're in the sixth week, current schedule extends to the end of the month with the exception of WVU package. Google adwords purchased through end of November, we'll also support enhanced PEAT site
- Website being updated with separate Truescape videos/images
- Coalition update
  - Pitching op-eds to weekly newspapers statewide (directly from Coalitions)
  - MDRP attended Maryland Clean Energy Summit
  - Two WVRP Energy Summits scheduled in Putnam County and Clarksburg
- PEAT activities
  - 10/13 Tucker Co. Chamber (Roger) and Huntington Co. Chamber (Bloss)
  - Clint attending Loudoun Co. Chamber event
  - Russell Frisby participating in the MD governor's business policy conference
- Project update – Roads teams and permitting teams out identifying properties we can gain access to

**IND-PATH-I-2 ATTACHMENT K**

**PATH External/Communications Committee Update  
October 19, 2010  
Meeting Minutes**

**Attendees:**

Chuck Kruff (AP)	Mike Hosier (AP)	Mike Gogol (AP)
Doug Colafella (AP)	Mark Dempsey (AEP)	Bart Taberner (AEP)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Dan Tompkins (AP)
Vern Estel (AP)	Todd Meyers (AP)	Aldie Warnock (AP)
Alan Fleissner (AP)	Heather Martin (McGuire Woods)	Sammy Gray (AP)
Louise Hayman (Artemis Group)	Charlie Friddle (AP)	Dale Heydlauff (AEP)
Tom Holliday (AEP)	Mark Nitowski (AP)	

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	Dave Kline (AP)
Bryan Brown (Brown Communications)	Joe Jones (AEP)	Emily Larson (Berger)
Jana Croom (AEP-IR)	Vicki Audia (AP)	Julie Sherwood (AEP-IR)

- Communications
  - Advertising plans post-election -- We plan to use the new "Connect" TV ad to continue advertising after the election cycle concludes. The "Connect" ad will run until roughly mid-December and provide continuity of messaging until we begin a second phase of advertising after the first of the year.
  - Short Videos – We continue to refine scripts for the Eminent Domain and Rates videos. EMF video is starting production.
  - Wild Turkey Federation – We are close to finalizing a one-page fact sheet/handout that will be included in our ROW agents leave-behind packets.
  - Discovery Requests – We've received a number of discovery requests through the FERC rate proceeding regarding the project's expenditures for coalition and PEAT activities. We will be prepared to address inquiries if the information makes its way to the media.
- External Affairs
  - Additional efforts in Maryland – We are exploring strategies/opportunities to appeal to the business/civic communities in eastern Maryland to emphasize the value that PATH will bring to the entire state of Maryland.
- Coalitions/PEAT – Efforts are underway to set more one-on-one meetings with opinion leaders in all three jurisdictions. W.VA. coalition sponsoring Energy Forum in Clarksburg on Oct. 26
- Project News (Vern)
  - Va. Wetlands Studies – Beginning Nov. 2, teams will be out in the field conducting wetlands and archaeological studies in Virginia.

**IND-PATH-I-2 ATTACHMENT K**

**PATH External/Communications Committee Update  
November 2, 2010  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Matt Sutton (CRA)
Alan Fleissner (AP)	Chuck Kruft (AP)	Dan Tompkins (AP)
Mike Gogol (AP)	Susan Lavenski (CRA)	Aldie Warnock (AP)
Sammy Gray (AP)	Heather Martin (McGuire Woods)	
Louise Hayman (Artemis Group)	Todd Meyers (AP)	

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	David Neurohr (AP)
Bryan Brown (Brown Communications)	Mike Hosier (AP)	Archie Pugh (AEP)
Jana Croom (AEP-IR)	Joe Jones (AEP)	Julie Sherwood (AEP-IR)
Roger Dyer (AEP)	Dave Kline (AP)	Allen Staggers (AP)
Vern Estel (AP)	Emily Larson (Berger)	Bart Taberner (AEP)
Charlie Friddle (AP)	Jeri Matheney (AEP)	

- **Additional Advertising**
  - Discussed possibility of new ads highlighting the success of TrAIL
  - To run in early 2011
- **Committee Strategy Meeting**
  - Involving External Affairs, Communications, PEAT and Coalitions
  - To be held December 6, 10:30am-3pm, in Morgantown
  - CRA to make arrangements
- **Baltimore Business Leaders**
  - To be included in future ad campaigns
- **Coalitions and PEAT**
  - Matt provided an update on Coalition and PEAT activities
- **Project update**
  - Tom discussed new timeline for NEPA ruling
  - Mike Gogol provided an update on the Kemptown Special Exception process

**IND-PATH-I-2 ATTACHMENT K**

**PATH External/Communications Committee Update  
November 16, 2010  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Matt Sutton (CRA)
Alan Fleissner (AP)	Chuck Kruft (AP)	Dan Tompkins (AP)
Mike Gogol (AP)	Susan Lavenski (CRA)	Aldie Warnock (AP)
Sammy Gray (AP)	Heather Martin (McGuire Woods)	
Louise Hayman (Artemis Group)	Todd Meyers (AP)	

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	David Neurohr (AP)
Bryan Brown (Brown Communications)	Mike Hosier (AP)	Archie Pugh (AEP)
Jana Croom (AEP-IR)	Joe Jones (AEP)	Julie Sherwood (AEP-IR)
Roger Dyer (AEP)	Dave Kline (AP)	Allen Staggers (AP)
Vern Estel (AP)	Emily Larson (Berger)	Bart Taberner (AEP)
Charlie Friddle (AP)	Jeri Matheney (AEP)	

- December 6 Meeting
  - Will take place in Morgantown with members of External Affairs, Communications, Coalition and PEAT teams participating
  - CRA making arrangements
- PJM Board Meeting
  - To be held December 1
- Frederick County Board of Appeals meeting
  - Held on Saturday, November 13
  - Decision to be made on Thursday, November 18
- TrAIL Experience Advertising
  - CRA planning a campaign highlighting TrAIL property owners who discuss their positive experiences on the TrAIL project, as well as economic benefits
- State updates
  - Frederick and Loudoun County VA set public hearing dates for February 2 and 3
- Project update
  - Vern provided an update on several agreements in-progress

## IND-PATH-I-2 ATTACHMENT K

**PATH External/Communications Committee Update**  
**November 30, 2010**  
**Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Dale Heydlauff (AEP)	Archie Pugh (AEP)
Doug Colafella (AP)	Chuck Kruft (AP)	Allen Stagers (AP)
Roger Dyer (AEP)	Heather Martin (McGuire Woods)	Steve Stewart
Alan Fleissner (AP)	Jeri Matheney (AEP)	Matt Sutton (CRA)
Sammy Gray (AP)	Todd Meyers (AP)	Dan Tompkins (AP)
Louise Hayman (Artemis Group)		

**Absentees:**

George Blankenship (AP)	Mike Gogol (AP)	Susan Lavenski (CRA)
Bryan Brown (Brown Communications)	Tom Holliday (AEP)	David Neurohr (AP)
Jana Croom (AEP-IR)	Mike Hosier (AP)	Mark Nitowski (AP)
Vern Estel (AP)	Joe Jones (AEP)	Julie Sherwood (AEP-IR)
Charlie Friddle (AP)	Dave Kline (AP)	Bart Taberner (AEP)
Tim Gaul (Louis Berger)	Emily Larson (Berger)	Aldie Warnock (AP)

- PJM Board Meeting Announcement
  - PJM Board of Managers meeting tomorrow
  - Will be taking formal action on TEAC committee recommendation and issuing press release
  - Planning media outreach in response to PJM announcement
- Planning Meeting
  - To be held December 6 in Morgantown, WV
  - Breakout sessions to be held on state-specific basis
- Advertising and TrAIL campaign
  - Will be going off the air in a couple weeks until after the first of the new year
  - Gathering list of people with positive TrAIL experiences to provide testimonials for next ad campaign
- State updates
  - Merger Hearings in Maryland begin tonight
- PEAT/Coalitions
  - Starting to plan 2011 events
- Project update
  - FERC has set hearing to review the base rate of return

###

## IND-PATH-I-2 ATTACHMENT K

**PATH External/Communications Committee Update  
December 14, 2010  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Mike Gogol (AP)	Allen Staggars (AP)
Tom Bloss	Chuck Krufft (AP)	Matt Sutton (CRA)
Bryan Brown (Brown Communications)	Susan Lavenski (CRA)	Bart Taberner (AEP)
Doug Colafella (AP)	Heather Martin (McGuire Woods)	Dan Tompkins (AP)
Roger Dyer (AEP)	Mark Nitowski (AP)	Aldie Warnock (AP)
Vern Estel (AP)	Ron Poff (DiGioia Gray)	
Charlie Friddle (AP)	Archie Pugh (AEP)	

**Absentees:**

George Blankenship (AP)	Dale Heydlauff (AEP)	Jeri Matheney (AEP)
Jana Croom (AEP-IR)	Tom Holliday (AEP)	Todd Meyers (AP)
Alan Fleissner (AP)	Mike Hosier (AP)	David Neurohr (AP)
Tim Gaul (Louis Berger)	Joe Jones (AEP)	Julie Sherwood (AEP-IR)
Sammy Gray (AP)	Dave Kline (AP)	Steve Stewart
Louise Hayman (Artemis Group)	Emily Larson (Berger)	

- TrAIL Experience Advertising
  - CRA team working to film ads with business and land owners
  - Scheduled to be released January 10 and run through April 2011
- State updates
  - Dan Tompkins provided an update for VA, preparing for hearings
  - Siting team provided line tour to PEAT members in Virginia last week
  - WV PSC staff filed a motion to dismiss our case; received a few media calls
- Project Labor Agreement
  - Planning a signing ceremony for early January, will tout job creation
- PEAT/Coalitions
  - Creating six month plan for next year
  - Recruiting speakers for hearings and events, writing letters to the editor
  - Held planning meeting last week in Morgantown
- Project update
  - Working on discovery responses
  - Preparing for board meeting next week to present several contracts

###

## IND-PATH-I-2 ATTACHMENT K

**PATH External/Communications Committee Update  
December 28, 2010  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Mike Gogol (AP)	Allen Staggars (AP)
Tom Bloss	Chuck Kruff (AP)	Matt Sutton (CRA)
Bryan Brown (Brown Communications)	Susan Lavenski (CRA)	Bart Taberner (AEP)
Doug Colafella (AP)	Heather Martin (McGuire Woods)	Dan Tompkins (AP)
Roger Dyer (AEP)	Mark Nitowski (AP)	Aldie Warnock (AP)
Vern Estel (AP)	Ron Poff (DiGioia Gray)	
Charlie Friddle (AP)	Archie Pugh (AEP)	

**Absentees:**

George Blankenship (AP)	Dale Heydlauff (AEP)	Jeri Matheney (AEP)
Jana Croom (AEP-IR)	Tom Holliday (AEP)	Todd Meyers (AP)
Alan Fleissner (AP)	Mike Hosier (AP)	David Neurohr (AP)
Tim Gaul (Louis Berger)	Joe Jones (AEP)	Julie Sherwood (AEP-IR)
Sammy Gray (AP)	Dave Kline (AP)	Steve Stewart
Louise Hayman (Artemis Group)	Emily Larson (Berger)	

- Media coverage of WV filing news release
  - Media coverage was positive
  - Corp Communications followed up with local outlets
- PLA signing ceremonies
  - Continue to plan for January event
- TrAIL Experience Advertising
  - Filmed nearly twenty testimonials from landowners, business owners, etc.
  - Ready to begin airing based on regulatory schedule
- PEAT/Coalitions
  - Matt reviewed upcoming speaking engagements for speakers

###



## IND-PATH-I-2 ATTACHMENT K

PATH External/Communications Committee Update  
January 12, 2010  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Dale Heydlauff (AEP)	Mark Nitowski (AP)
George Blankenship (AP)	Tom Holliday (AEP)	Matt Sutton (CRA)
Scott Castleman (CRA)	Chuck Kruft (AP)	Bart Taberner (AEP)
Doug Colafella (AP)	Susan Lavenski (CRA)	Dan Tompkins (AP)
Roger Dyer (AEP)	Heather Martin (McGuire Woods)	Aldie Warnock (AP)
Vern Estel (AP)	Jeri Matheney (AEP)	
Louise Hayman (Artemis Group)	Todd Meyers (AP)	

**Absentees:**

Jana Croom (AEP-IR)	Heather Geiger (AP)	Phil Moye (AEP)
Dawn Del Bianco (AEP)	Mike Gogol (AP)	Ron Poff (AEP)
Mark Dempsey (AEP)	Mike Hosier (AP)	Julie Sherwood (AEP-IR)
Charlie Friddle (AEP)	Joe Jones (AEP)	Allen Staggers (AP)
Tim Gaul (Louis Berger)	Dave Kline (AP)	Cyril Welter (Burns & McDonnell)

## Opinion Survey Update

- Surveying to begin Monday, January 18 and to end the week of the 25th
- Planning to have date the week of February 1
- Taking place throughout the project area

## Communications Strategy

- Based on regulatory situation, communications plans have slowed down, awaiting further direction

## Near Term Coalition/PEAT strategy

- All coalitions have created strategic plans for the first quarter, currently under review

## Project Update

- In process of re-forecasting 2010 budget

###

## IND-PATH-I-2 ATTACHMENT K

**PATH External/Communications Committee Update  
January 26, 2010  
Meeting Minutes**

**Attendees:**

Vicki Audia (AP)	Vern Estel (AP)	Tom Holliday (AEP)	Ron Poff (AEP)
Jeff Britt (McGuire Woods)	Charlie Friddle (AEP)	Emily Larson (Berger)	Matt Sutton (CRA)
Andrew Burke (Berger)	Sammy Gray (AP)	Jeri Matheney (AEP)	Bart Taberner (AEP)
Scott Castleman (CRA)	Mike Gogol (AP)	Todd Meyers (AP)	Dan Tompkins (AP)
Roger Dyer (AEP)	Louise Hayman (Artemis Group)	Mark Nitowski (AP)	Aldie Warnock (AP)

**Absentees:**

George Blankenship (AP)	Dale Heydlauff (AEP)	Phil Moye (AEP)
Doug Colafella (AP)	Mike Hosier (AP)	Julie Sherwood (AEP-IR)
Jana Croom (AEP-IR)	Joe Jones (AEP)	Allen Staggers (AP)
Dawn Del Bianco (AEP)	Dave Kline (AP)	Cyril Welter (Burns & McDonnell)
Mark Dempsey (AEP)	Chuck Krufft (AP)	
Tim Gaul (Louis Berger)	Susan Lavenski (CRA)	
Heather Geiger (AP)	Heather Martin (McGuire Woods)	

## Communications Update

- In process of reviewing and trimming budget
- Suspending polling/surveying until more definite timeline is established for project
- Updated website to reflect current status of the project

## Coalition/PEAT strategy

- All coalitions have created strategic plans for the first quarter, currently under review
- Scaling back PEAT activities in the near-term
- West Virginians for Reliable Power holding press conference for WV AFL-CIO joining coalition on February 16

## Project Update

- Expecting MD PSC ruling next week
- Met with NPS yesterday to kick-off NEPA process, expecting to last three years
- Budget cuts for 2010 at approximately 70% due to upcoming timeline changes

###

## IND-PATH-I-2 ATTACHMENT K

PATH External/Communications Committee Update  
February 9, 2010  
Meeting Minutes**Attendees:**

Doug Colafella (AP)	Heather Martin (McGuire Woods)	Matt Sutton (CRA)
Roger Dyer (AEP)	Jeri Matheney (AEP)	Bart Taberner (AEP)
Vern Estel (AP)	Mark Nitowski (AP)	Jeannine Thobois (AP)
Tom Holliday (AEP)	Ron Poff (AEP)	
Susan Lavenski (CRA)	Allen Staggers (AP)	

**Absentees:**

Vicki Audia (AP)	Tim Gaul (Louis Berger)	Chuck Krufft (AP)
George Blankenship (AP)	Heather Geiger (AP)	Emily Larson (Berger)
Jeff Britt (McGuire Woods)	Mike Gogol (AP)	Phil Moye (AEP)
Andrew Burke (Berger)	Sammy Gray (AP)	Todd Meyers (AP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Julie Sherwood (AEP-IR)
Jana Croom (AEP-IR)	Dale Heydlauff (AEP)	Dan Tompkins (AP)
Dawn Del Bianco (AEP)	Mike Hosier (AP)	Aldie Warnock (AP)
Mark Dempsey (AEP)	Joe Jones (AEP)	Cyril Welter (Burns & McDonnell)
Charlie Friddle (AEP)	Dave Kline (AP)	

## Pros/Cons/Challenges Future Property Tax Revues

- At this time, nothing will be discussed about possible revenues

## Callie Moles Inquiry

- Several email were received from 8<sup>th</sup> grader Callie Moles
- Email were answered

## Coalition/PEAT Update

- All coalitions asking for additional members by sponsoring events, banner ads, and radio ads
- West Virginians for Reliable Power holding press conference for WV AFL-CIO joining coalition on February 16 at 3:30 in the Governor's Press Conference Room

## Project Update

- Project in a holding pattern
- NEPA process going forward
- ROW Talking Points



ROW Status.doc

###

**IND-PATH-I-2 ATTACHMENT K****PATH External/Communications Committee Update  
February 23, 2010  
Meeting Minutes****Attendees:**

Scott Castleman (CRA)	Tom Holliday (AEP)	Allen Stagers (AP)
Doug Colafella (AP)	Mike Hosier (AP)	Matt Sutton (CRA)
Vern Estel (AP)	Jeri Matheney (AEP)	Bart Taberner (AEP)
Charlie Friddle (AEP)	Todd Meyers (AP)	Jeannine Thobois (AP)
Louise Hayman (Artemis Group)	Mark Nitowski (AP)	
Dale Heydlauff (AEP)	Ron Poff (AEP)	

**Absentees:**

Vicki Audia (AP)	Tim Gaul (Louis Berger)	Emily Larson (Berger)
George Blankenship (AP)	Heather Geiger (AP)	Heather Martin (McGuire Woods)
Jeff Britt (McGuire Woods)	Mike Gogol (AP)	Phil Moye (AEP)
Andrew Burke (Berger)	Sammy Gray (AP)	Julie Sherwood (AEP-IR)
Jana Croom (AEP-IR)	Joe Jones (AEP)	Dan Tompkins (AP)
Dawn Del Bianco (AEP)	Dave Kline (AP)	Aldie Warnock (AP)
Mark Dempsey (AEP)	Chuck Kruft (AP)	Cyril Welter (Burns & McDonnell)
Roger Dyer (AEP)	Susan Lavenski (CRA)	

**Status of Maryland Filing/Kempton Public Meeting**

- Maryland filing, soon, top priority
- March 16 Kempton public meeting was canceled

**Recent meeting with WV Staff – Schedule for Decision**

- Decision moved back until May 2011
- On hold, WV waiting for MD decision

**Report on WV Coalition February 16 Press Conference**

- AFL-CIO joined the Reliable Power Coalition
- There are more than 90 businesses, unions, and industry trade groups among the members
- The West Virginians for Reliable Power Coalition website is updated with pictures and information from the conference

**Other Coalition Activities**

- Membership drives are in full swing
- Spokesman named to promote coalition to local Chambers
- Discussed MD Bill 44-03

**Project Developments**

- Discussed NEPA and NPS
- Mike gave an update on Public Scoping Meeting in NJ

###

**IND-PATH-I-2 ATTACHMENT K****PATH External/Communications Committee Update****March 9, 2010****Meeting Minutes****Attendees:**

Scott Castleman (CRA)	Dale Heydlauff (AEP)	Todd Meyers (AP)
Doug Colafella (AP)	Tom Holliday (AEP)	Mark Nitowski (AP)
Roger Dyer (AEP)	Mike Hosier (AP)	David Neurohr (AP)
Charlie Friddle (AEP)	Susan Lavenski (CRA)	Allen Staggers (AP)
Mike Gogol (AP)	Heather Martin (McGuire Woods)	Matt Sutton (CRA)
Louise Hayman (Artemis Group)	Jeri Matheney (AEP)	Bart Taberner (AEP)

**Absentees:**

Vicki Audia (AP)	Vern Estel (AP)	Emily Larson (Berger)
George Blankenship (AP)	Tim Gaul (Louis Berger)	Phil Moye (AEP)
Jeff Britt (McGuire Woods)	Heather Geiger (AP)	Julie Sherwood (AEP-IR)
Andrew Burke (Berger)	Sammy Gray (AP)	Jeannine Thobois (AP)
Jana Croom (AEP-IR)	Joe Jones (AEP)	Dan Tompkins (AP)
Dawn Del Bianco (AEP)	Dave Kline (AP)	Aldie Warnock (AP)
Mark Dempsey (AEP)	Chuck Krufft (AP)	Cyril Welter (Burns & McDonnell)

**Status of Maryland Filing/Kempton Public Meeting**

- No movement on MD application
- March 16 Kempton public meeting was canceled
- Draft letter to the editor out for review on proximity of homes near Kempton (signed by Vern?)

**Budgeting**

- Bart Taberner reported that PATH-WV board has requested a budget re-cast assuming a 2016 in-service date; working on a revised budget based on project assumptions and will submit for board packet by late next week.

**Coalition Updates**

- State coalitions are acquiring 1-2 new members per week
- There are more than 90 businesses, unions, and industry trade groups among the members
- The West Virginians for Reliable Power Coalition website are running banner ads and radio spots throughout the state

**Project Developments**

- WV is requiring Indiana bat studies in 2010; significant communications support is not likely.
- Both AEP and AE share similar position on the new Coalition for Fair Transmission Policy (both companies seem to be opposed to its principles)
- Discussed NEPA – draft talking points under review on NEPA surveying activities
- We're seeing a number of letters coming in revoking survey permission (per Mike Hosier). Perhaps opponents are going door-to-door encouraging this.

###

**IND-PATH-I-2 ATTACHMENT K****PATH External/Communications Committee Update****March 23, 2010****Meeting Minutes****Attendees:**

Doug Colafella (AP)	Louise Hayman (Artemis Group)	Mark Nitowski (AP)
Roger Dyer (AEP)	Dale Heydlauff (AEP)	Bart Taberner (AEP)
Charlie Friddle (AEP)	Tom Holliday (AEP)	Jeannine Thobois (AP)
Tim Gaul (Louis Berger)	Susan Lavenski (CRA)	Dan Tompkins (AP)
Mike Gogol (AP)	Heather Martin (McGuire Woods)	
Sammy Gray (AP)	Todd Meyers (AP)	

**Absentees:**

Vicki Audia (AP)	Vern Estel (AP)	Jeri Matheney (AEP)
George Blankenship (AP)	Heather Geiger (AP)	David Neurohr (AP)
Jeff Britt (McGuire Woods)	Mike Hosier (AP)	Julie Sherwood (AEP-IR)
Andrew Burke (Berger)	Joe Jones (AEP)	Allen Staggers (AP)
Scott Castleman (CRA)	Dave Kline (AP)	Matt Sutton (CRA)
Jana Croom (AEP-IR)	Chuck Krufft (AP)	Aldie Warnock (AP)
Mark Dempsey (AEP)	Emily Larson (Berger)	Cyril Welter (Burns & McDonnell)

**Accounting Classification**

- Tom advised that there were discussions after the filings about expenses classified correctly
- Accounting cheat sheet being reviewed by legal
- Revised cheat sheet will be sent out after approval

**Anti-PATH Websites**

- Tom discussed the Anti-PATH Websites
- Social Media Manager doing research to see what kind of response these sites receive and how much traffic they have

**Update on NEPA Activity/Scoping Meeting**

- New legislation in MD
- Limited ROW work and real estate solutions discussed
- Working with Mon National Forest to determine access roads
- Tucker County area permissions for survey

**Coalitions Update**

- PJM representative to speak at Chamber meetings in April, May, and June
  - WV – 7 meetings scheduled
  - VA – 7 meetings scheduled
  - MD – 2 meetings scheduled
- A calendar will be put together detailing all events that are scheduled
- Susan gave an update on the Coalition Membership Drive
  - WV – 25 new members
  - VA – 8 new members
  - MD – 9 new members
- Man on the Street interviews are being scheduled

## IND-PATH-I-2 ATTACHMENT K

### Project Updates

- None at this time

###

**IND-PATH-I-2 ATTACHMENT K****PATH External/Communications Committee Update****April 6, 2010****Meeting Minutes****Attendees:**

Doug Colafella (AP)	Tom Holliday (AEP)	Mark Nitowski (AP)
Roger Dyer (AEP)	Chuck Kruft (AP)	Matt Sutton (CRA)
Vern Estel (AP)	Susan Lavenski (CRA)	Bart Taberner (AEP)
Charlie Friddle (AEP)	Heather Martin (McGuire Woods)	Jeannine Thobois (AP)
Sammy Gray (AP)	Jeri Matheney (AEP)	Dan Tompkins (AP)
Louise Hayman (Artemis Group)	Todd Meyers (AP)	

**Absentees:**

Vicki Audia (AP)	Tim Gaul (Louis Berger)	Emily Larson (Berger)
George Blankenship (AP)	Heather Geiger (AP)	David Neurohr (AP)
Jeff Britt (McGuire Woods)	Mike Gogol (AP)	Ron Poff (AEP)
Andrew Burke (Berger)	Dale Heydlauff (AEP)	Julie Sherwood (AEP-IR)
Scott Castleman (CRA)	Mike Hosier (AP)	Allen Staggers (AP)
Jana Croom (AEP-IR)	Joe Jones (AEP)	Aldie Warnock (AP)
Mark Dempsey (AEP)	Dave Kline (AP)	Cyril Welter (Burns & McDonnell)

**Anti-PATH Websites**

- StopPATHWV.com website has 4 new ads focusing on:
  - Need
  - Health/EMF
  - Property Values
  - Rates
- Discussed response to these ads
  - Polite letter to sponsor
  - Talking points will be sent out
  - In the process of checking to see if these ads will run in WV

**WV Coalition Funding response**

- A response was discussed and one will be sent out

**ROW Web Page**

- NEPA Activities are posted on the website

**Coalition Activities**

- Matt working with PJM on the speaking engagements at the Chamber meetings in April, May, and June
  - WV – 11 meetings scheduled
  - VA – 7 meetings scheduled
  - MD – 3 or 4 meetings scheduled
- Public forums have been scheduled in WV and MD; still working on scheduling some in VA



## **IND-PATH-I-2 ATTACHMENT K**

- Update on the Coalition Membership Drive, new members since the end of March
  - WV – 30 new members
  - VA – 15 new members
  - MD – 10 new members

### **Project Updates**

- None at this time

###

**IND-PATH-I-2 ATTACHMENT K****PATH External/Communications Committee Update  
April 20, 2010  
Meeting Minutes****Attendees:**

Vicki Audia (AP)	Mike Gogol (AP)	Jeri Matheney (AEP)
George Blankenship (AP)	Sammy Gray (AP)	Allen Staggers (AP)
Scott Castleman (CRA)	Dale Heydlauff (AEP)	Matt Sutton (CRA)
Doug Colafella (AP)	Tom Holliday (AEP)	Dan Tompkins (AP)
Roger Dyer (AEP)	Susan Lavenski (CRA)	Aldie Warnock (AP)

**Absentees:**

Jeff Britt (McGuire Woods)	Heather Geiger (AP)	Todd Meyers (AP)
Andrew Burke (Berger)	Louise Hayman (Artemis Group)	David Neurohr (AP)
Jana Croom (AEP-IR)	Mike Hosier (AP)	Mark Nitowski (AP)
Mark Dempsey (AEP)	Joe Jones (AEP)	Ron Poff (AEP)
Vern Estel (AP)	Dave Kline (AP)	Julie Sherwood (AEP-IR)
Charlie Friddle (AP)	Chuck Kruft (AP)	Bart Taberner (AEP)
Tim Gaul (Louis Berger)	Emily Larson (Berger)	Cyril Welter (Burns & McDonnell)

**Latest PJM Information**

- Meeting held last week to discuss new data
- Will begin planning communications strategy based on new information

**PJM/Coalition Presentation**

- Presentation to Lewis Co Chamber of Commerce yesterday

**Anti-PATH Ads**

- Several ads appearing on YouTube
- Prepare to counter the ads if necessary

**Coalition Activities**

- Three energy forums upcoming in WV
  - Martinsburg, May 4
  - Putnam County, June 1
  - Harrison County, June 17
- More PJM speaking engagements scheduled
- Update on the Coalition Membership Drive, new members since the end of January
  - WV – 32 new members
  - VA – 20 new members
  - MD – 14 new members

**Transmission Legislation**

- Dan provided an overview of Maryland legislative committee voting down an anti-PATH bill

###

## IND-PATH-I-2 ATTACHMENT K

PATH External/Communications Committee Update  
May 18, 2010  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Mike Gogol (AP)	Todd Meyers (AP)
Scott Castleman (CRA)	Tom Holliday (AEP)	Mark Nitowski (AP)
Doug Colafella (AP)	Dave Kline (AP)	Ron Poff (AEP)
Roger Dyer (AEP)	Chuck Krufft (AP)	Allen Staggers (AP)
Vern Estel (AP)	Susan Lavenski (CRA)	Dan Tompkins (AP)
Charlie Friddle (AP)	Jeri Matheney (AEP)	Aldie Warnock (AP)

**Absentees:**

George Blankenship (AP)	Tim Gaul (Louis Berger)	Emily Larson (Berger)
Jeff Britt (McGuire Woods)	Heather Geiger (AP)	David Neurohr (AP)
Bryan Brown (Brown Communications)	Sammy Gray (AP)	Julie Sherwood (AEP-IR)
Andrew Burke (Berger)	Louise Hayman (Artemis Group)	Matt Sutton (CRA)
Jana Croom (AEP-IR)	Dale Heydlauff (AEP)	Bart Taberner (AEP)
Mark Dempsey (AEP)	Mike Hosier (AP)	Cyril Welter (Burns & McDonnell)
Alan Fleissner (AP)	Joe Jones (AEP)	

## Public opinion research

- CRA is planning to begin polling this evening
- Focus groups from June 1-3

## Announcement of new ISD for PATH

- Expecting announcement to be made in mid-late June with recommendation for new in service date
- Corp Comm to prepare press release in advance

## PATH Advertising Timing

- Vern led a discussion of when to resume on-air advertising
- Tentatively planning for July, after TEAC announcement and research

## Coalition Activities

- Susan provided a membership update
- Letters to the Editor to continue in all three states
- Energy Forum scheduled for Putnam County June 1

## Project Update

- Working on updated master schedule and budget based on ramp-up of project
- Permitting work continues

###

**IND-PATH-I-2 ATTACHMENT K****PATH External/Communications Committee Update  
June 1, 2010  
Meeting Minutes****Attendees:**

Vicki Audia (AP)	Tom Holliday (AEP)	Jeri Matheney (AEP)
Scott Castleman (CRA)	Louise Hayman (Artemis Group)	Matt Sutton (CRA)
Doug Colafella (AP)	Chuck Kruff (AP)	Dan Tompkins (AP)
Roger Dyer (AEP)	Susan Lavenski (CRA)	

**Absentees:**

George Blankenship (AP)	Heather Geiger (AP)	Mark Nitowski (AP)
Jeff Britt (McGuire Woods)	Mike Gogol (AP)	Ron Poff (AEP)
Bryan Brown (Brown Communications)	Sammy Gray (AP)	Julie Sherwood (AEP-IR)
Andrew Burke (Berger)	Dale Heydlauff (AEP)	Allen Staggers (AP)
Jana Croom (AEP-IR)	Mike Hosier (AP)	Bart Taberner (AEP)
Mark Dempsey (AEP)	Joe Jones (AEP)	Aldie Warnock (AP)
Vern Estel (AP)	Dave Kline (AP)	Cyril Welter (Burns & McDonnell)
Alan Fleissner (AP)	Emily Larson (Berger)	
Charlie Friddle (AP)	Todd Meyers (AP)	
Tim Gaul (Louis Berger)	David Neurohr (AP)	

**PJM's new in-service date**

- Tom provided an update on the latest PJM need studies
- Planning media response once the date has been released

**Research/Focus Groups**

- First set of focus groups begins tonight in Charleston
- Tomorrow focus groups in Jefferson Co, WV, and then Thursday in Frederick, MD
- Currently in the field with public opinion polling
- Expecting top-line data next week

**Coalition Activities**

- 2<sup>nd</sup> interview forum in WV in Putnam County
  - 50-60 people attended
  - Covered by all three local tv stations
  - Next forum scheduled for June 17 in Bridgeport
- Several PJM events in the coming weeks
- Planning speaking engagements for PEAT members

**Project Update**

- Oral arguments taking place tomorrow in MD to discuss our legal entity status

###

## IND-PATH-I-2 ATTACHMENT L

PATH External/Communications Committee Update  
January 11, 2011  
Meeting Minutes**Attendees:**

Vicki Audia (AP)	Louise Hayman (Artemis Group)	Todd Meyers (AP)
Tom Bloss	Dale Heydlauff (AEP)	Mark Nitowski (AP)
Bryan Brown (Brown Communications)	Tom Holliday (AEP)	Ron Poff (DiGioia Gray)
Doug Colafella (AP)	Mike Hosier (AP)	Archie Pugh (AEP)
Roger Dyer (AEP)	Dave Kline (AP)	Allen Staggers (AP)
Vern Estel (AP)	Chuck Kruff (AP)	Matt Sutton (CRA)
Alan Fleissner (AP)	Susan Lavenski (CRA)	Bart Taberner (AEP)
Charlie Friddle (AP)	Heather Martin (McGuire Woods)	Dan Tompkins (AP)
Mike Gogol (AP)	Jeri Matheney (AEP)	Aldie Warnock (AP)
Sammy Gray (AP)	Melissa McHenry (AEP)	

**Absentees:**

George Blankenship (AP)	Emily Larson (Berger)
Jana Croom (AEP-IR)	David Neurohr (AP)
Tim Gaul (Louis Berger)	Julie Sherwood (AEP-IR)
Joe Jones (AEP)	Steve Stewart

- WV/VA Decisions
  - Tom reviewed the state decisions
    - WV agreed to postpone the regulatory schedule, VA denied the request
  - Committee will continue to plan for the VA hearings
- PLA event plans
  - Continue to plan for event(s) this month in WV and MD
- Communications Planning Strategy
  - Scaling back early in the year based on status of the project
- State Updates
  - Mike Hosier gave an update of the Frederick Co Planning commission status

###

**PATH External/Communications Committee Update**  
**February 8, 2011**  
**Meeting Minutes**

**Attendees:**

Doug Colafella (AP)	Susan Lavenski (CRA)	Mark Nitowski (AP)
Roger Dyer (AEP)	Heather Martin (McGuire Woods)	Archie Pugh (AEP)
Vern Estel (AP)	Jeri Matheney (AEP)	Allen Staggers (AP)
Charlie Friddle (AP)	Todd Meyers (AP)	Matt Sutton (CRA)
Mike Gogol (AP)	Bryan Brown (Brown Comms.)	Bart Taberner (AEP)
Tom Holliday (AEP)	Sammy Gray (AP)	Dale Heydlauff (AEP)
George Blankenship (AP)	Louise Hayman (Artemis Group)	Mike Hosier (AP)
Aldie Warnock (AP)		

- WVRE Meeting with Gov. Tomblin
  - Representatives from WVRE met with Gov. Tomblin and his chief of staff, Rob Alsop, for approximately 20 minutes on Feb. 7. The group explained that WVRE is an organization working to educate the public on the need and benefits of transmission infrastructure. Gov. Tomblin asked questions about the status of both PATH and Trail. The Governor stated that he recognizes the need for transmission enhancement from an energy demand standpoint and from a jobs for West Virginians standpoint.
- PLA Ceremonies Planning
  - Now have formal plan and agenda put together
  - Events on Feb. 25; 9:30 a.m. in Annapolis and 2:30 p.m. in Charleston
  - Will provide AEP and AE speakers with talking points and background information
  - Tom Householder/Tom Bloss compiling final list of IBEW and Building Trades participants.
- Discussion of additional editorial board meetings
  - Decided to wait to conduct additional editorial boards until we have new need information from PJM (expect to submit to Virginia SCC on march 16).
  - Tom & Doug to discuss possibility of having PJM send a letter-to-the-editor to the Winchester Star to point out PJM's position on "Dominion Alternative #1." Will also seek PJM's involvement for future editorial boards/desk side briefings.
- Coalitions/PEAT
  - WVRE planning news release announcing Pat Esposito as chair.
  - MDRP holding regional meeting Feb. 9; media invited
  - MDRP shopping op/ed piece highlighting MD Staff's call for expedited review of PATH to help relieve congestion issues.
  - VRE plans to ramp up visits by coalition chair Hugh Keogh with potential supporters
  - PEAT appearances set at WV ABC Annual Construction Industry Summit (Feb. 9) and WV Association of Counties (Feb. 6-8).
- Project update
  - Work continues on NEPA proceeding
  - Most other work awaits determination of the impact of new "need" data resulting from PJM's new load forecast.

###

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Potomac-Appalachian Transmission Highline, LLC, ) Docket Nos. ER09-2156-002  
and PJM Interconnection, L.L.C. ) ER12-2708-003**

**POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE, LLC  
RESPONSE TO  
PRO SE'S FIRST SET OF DATA REQUESTS**

**IND-PATH-I-10-SUPP:**

Detail the composition of “the PATH team” that held bi-weekly conference calls to review/discuss activities of the reliable power coalitions and PEAT and their spokespersons between 2009 - 2011. Provide the date of each conference and copies of all agendas (with attachments), correspondence, emails, reports or notes regarding each conference, and minutes or reports of each bi-weekly conference, including copies of any documents discussed.

**RESPONSE:**

~~The PEAT Board of Advisors conducted bi-weekly calls to review activities of the reliable power coalitions and PEAT. The Board of Advisors members: Tom Holliday and Dale Heydlauff (AEP) Doug Colafella and Aldie Warnock (Allegheny, now FirstEnergy). Charles Ryan and Associates housed information related to the date of each conference and copies of all agendas (with attachments), correspondence, emails, reports or notes regarding each conference, and minutes or reports of each bi-weekly conference, including copies of any documents discussed. However, this information was not retained when Charles Ryan and Associates relocated offices. The PATH Companies are searching for other copies of the requested documents.~~

Prepared by or under the supervision of:

Jay Ruberto

**SUPPLEMENTAL RESPONSE:**

The PATH Steering Committee met on a bi-monthly basis until PJM Interconnection suspended the project in late February 2011. The PATH Steering Committee solely comprised senior level staff members of Allegheny Energy (now FirstEnergy) PATH project employees. Outside vendors and consultants did not participate in PATH Steering Committee meetings. See IND-PATH-I-10 Attachment A for Steering Committee recaps.

Prepared by or under the supervision of:

Jay Ruberto

## IND-PATH-I-10 ATTACHMENT A

**Communications**

- **Open Houses** – An additional open house will be held on Thursday, 1/22 in Lovettsville, VA at the request of officials in Loudoun County. Print and radio advertisements will begin running 1/9 to promote the meeting. This will be a PATH-Allegheny open house.
- **PATH Technology PR** – A letter to the editor by Vern Estel was printed in the 12/29 edition of the Frederick News-Post in response to calls for an independent study on PATH technology in Maryland. We were also quoted favorably in an article on this subject on 12/28.
- **Tracking Research** – We are conducting a second round of polling to monitor public opinion after implementation of key elements of the communications plan. This research will provide an assessment of the communications strategy and provide inputs for changes to the strategy if warranted. The timeline for the research is as follows:

Questionnaire Approval – COMPLETE

Telephone Interviewing/Data Collection – COMPLETE

Topline Report – January 9, 2009

Full Management Summary – January 16, 2009

Presentation of Findings – TBD

- **Communications/External Affairs PATH Meeting** – Planning meeting has been scheduled for 1/16 at the Stonewall Resort to discuss opportunities for the PATH companies and coalitions to deliver positive messages in 2009 in support of transmission expansion/PATH. Charles Ryan will present research findings and get group input on initial communications recommendations.
- **Advertising** – Charles Ryan is working on the 2009 communications plan, including budget and recommended campaigns supporting project and regulatory milestones. Recommendations will take into account outcome of the tracking research. Initial outline to be shared at 1/16 planning meeting at Stonewall Resort for group input.
- **Website** – Project overview section of the online open house was re-shot with Ron Poff to address project reconfiguration, and the revised Online Open House experience was re-posted to the website. We also updated the FAQs based on technology issues being raised near Kemptown.



## IND-PATH-I-10 ATTACHMENT A

### Communications

- **Open Houses** – Week 1-2 meetings have been in rural areas, with light attendance and little organized opposition. Buckhannon, Spencer and Elkins have attracted the most attendance, between 50 (Spencer) and nearly 100 (Buckhannon)
  - At the request of the Maryland DNR (Sandy Patty's group), we are scheduling two additional meetings in Maryland. Preparations are underway to stage meetings on 8/18-19 in New Market and Middletown, MD. Both are in Frederick County.
  - Two additional PATH-WV meetings are also being held – Moorefield (8/11) and Berkeley Springs (8/14). Despite initial concerns, we expect to run sufficient advertising leading up to the events to ensure adequate publicity.
  - Print and radio advertisements continue running in local communities at least 7-10 days prior to events.
  - Media coverage has been balanced-to-positive in all cases. Newspaper-friendly maps displaying route alternatives have been shared with reporters to include in preview/follow-up stories.
  - Open Houses include the traditional stations that were employed on TrAIL, along with two additions – Property Owner Outreach and Preservation & Environment. A five-minute looped video will also be on display at the Project Overview station.
  
- **Advertising** – “The Demand/Power Grid” campaign ended Monday, July 21. Advertising program will continue as follows:
  - “Experts” campaign is underway, featuring television ads, radio spots and print ads.
  - Third-party experts have all signed release forms, including:
    - Tom Kuhn, EEI (TV/radio only)
    - Dan Larcamp, EEI (TV/radio only)
    - Rick Sergel, NERC (TV/radio only)
    - Russell Frisby, former MD PSC commissioner
    - Charles Bayless, former FERC chief of staff and WVU Tech provost
  - “Siting Process” campaign has been converted into an environmental campaign and will begin in the September timeframe. Ad will focus on our environmental stewardship in siting/construction the line and will feature actual AE/AEP employees involved in these efforts – Archie Pugh, AEP construction manager and Kristy Flavin, Allegheny Power environmental specialist.
  - We originally had two campaigns slated for the fall – Environment (formerly “siting process” and local business leaders. Polling showed that environment was a top of mind issue along the route, so we intend to lead with this campaign and push local business leaders to early 2009 in advance of public input hearings.
  
- **Web Site/Online Open House** – Online open house were posted to the project website on 7/29, as well as Maps 1-7 (all of PATH-WV).. Online open house component includes videotaped recaps of the Open House stations, line routing maps, and all signage displayed at the stations. All maps have been posted to the website for both PATH-AYE and PATH-WV.

## **IND-PATH-I-10 ATTACHMENT A**

- **Comment Console** – We will effectively track all PATH toll-free number and “askPATH” e-mail inquiries using the Berger comment console. All inquiries/project team responses will be filed in the console.

## IND-PATH-I-10 ATTACHMENT A

**Communications**

- **Advertising** – PATH awareness campaign continues as follows:
  - “Environment spot currently running throughout study area, originally slated to run through October 24
  - However, we plan to suspend the campaign during the last two weeks of October prior to Election Day and resume campaign after Nov. 4 through November 21. We are also re-distributing our ads from quiet areas in western/central West Virginia in order to increase our presence in the contentious Eastern Panhandle, where opposition to PATH is mounting.
- **Community Outreach** – To maintain a positive presence in impacted communities, we plan to mail and/or hand deliver (at discretion of External Affairs) copies of the new PATH project DVD to elected officials and media. Mailed DVDs will include a cover letter providing an update on the project. We’re also preparing a blast e-mail to our database of 600 pointing them to the video on the website.
- **Website** – Website updates/maintenance has been transitioned from AEP to Charles Ryan Associates to be more responsive to ongoing requests to maintain the site. AEP did a great job but it’s placing a burden on its internal resources. We also continue to respond to numerous “AskPATH” inquiries” submitted to us through the website. Most of the responses are map requests and questions about routing in the Maryland/WV eastern panhandle region.
- **Strategic Communications** – Working on key messages and an outreach strategy based on timing/details of new routing alternative and changes to PJM RTEP.
- **Opposition Monitoring** – Charles Ryan is providing ongoing reports on opposition activity, namely Citizens Against PATH. Sending reps to the 10/17 Calhoun Co. and 10/8 Jefferson Co. meetings. Morgan and Hampshire County have passed resolutions, with others poised to do the same.
- **Benchmark Research** – Ron and Vern are pushing for research. Advocate pushing until January to avoid election and holiday distraction and see how firmly entrenched perceptions are (ad campaign will have been off air for two months).
- **CRA Agency Billing** – CRA should not exceed \$35K/mo through end of the year, including website maintenance and opposition research.

**IND-PATH-I-10 ATTACHMENT A****Communications**

- **Open Houses** – Open Houses are now completed. Final meeting in Lovettsville, VA on 1/22 was the largest to date (370 attendees). Comprehensive files have been developed cataloguing all open house materials, ads, schedules, input, etc., to prepare for potential discovery during CPCN process.
- **Communications Planning** – Charles Ryan presented first draft of the 2009 plan to Corporate Communications. We are providing input and will schedule a formal presentation for project leadership's review. The plan takes into account outcome of the tracking research and provides recommended campaigns supporting all project and regulatory milestones through July.

## IND-PATH-I-10 ATTACHMENT A

**PATH Project Update**  
**Week of 4/13**

- **CPCN Filings** – First filing in WV is likely delayed until the week of May 4. Working closely with Legal, Project Team and Need folks to gauge timing of applications and to get a better understanding of our revised need case.
- **Revised In-Service Date** – News release distributed on 4/15, with project update and release posted to project website. We've received a number of media calls, but so far the coverage has been fairly innocuous. Responses have been coordinated with PJM, with questions referring to load forecast referred to Ray Dotter at PJM.
- **PATH Education & Awareness Team** – amendments to CRA contract undergoing internal review.
- **Advertising** – “Experts” campaign (TV, radio, print) airing through April 20. If the filings are delayed to mid-May, here's a suggested campaign schedule:.

May 4-June 5

Grid/Animated Benefits in select counties

June 15-September 11

Landowners/Animated Benefits in select counties (four weeks)

September 28-December 18

Campaign 4 (public hearings)

## IND-PATH-I-10 ATTACHMENT A

### Communications

#### Advertising – Current schedule as follows:

- “The Power Grid” – 5/4 to 6/5 (central WV)
- “Animated Benefits” – 5/4 to 6/5 (Virginia, Maryland and Eastern Panhandle of WV)
- “Landowners” – 6/15 to 9/11 (All states; “benefits” will alternate with “landowners” in eastern areas and continue through 9/11).
- Campaign 4 (TBD) – 9/28 to 12/18 to support public input hearings

#### CPCN Filing Announcement Strategy – Conduct outreach on the day of the WV filing (5/15); disclose intentions to file in MD and VA as part of the WV announcement.

##### Announcement day activities include:

- Alert elected officials prior to face-to-face media visits
- Conduct media visits by project spokespersons/Corp. Comm reps to share proposed route/provide press kits – meetings
- Issue news release following media visits
- Launch updates to project website, including all maps and online press kit
- Distribute blast e-mail to full database announcing filing

#### Budget Re-Forecast – PATH project budget figures submitted to Project Controls

- Re-forecast reflects increased activity in 2010 due to delays in the filing
- Outside services and internal labor costs were extended through 2014 to reflect revised in-service date
- Project allocation reflects new 76-24 split between PATH AYE and PATH WV

**IND-PATH-I-10 ATTACHMENT A****PATH  
5/18/09 Communications Update****Advertising** – Current schedule as follows:

- “The Power Grid” – 5/4 to 6/5 (central WV)
- “Animated Benefits” – 5/4 to 6/5 (Virginia, Maryland and Eastern Panhandle of WV)
- “Landowners” – 6/15 to 9/11 (All states; “benefits” will alternate with “landowners” in eastern areas and continue through 9/11).
- Campaign 4 (TBD) – 9/28 to 12/18 to support public input hearings

**CPCN Filing Announcement Strategy** – Conduct outreach on the day of the WV filing (5/15); disclose intentions to file in MD and VA as part of the WV announcement.

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- Alert elected officials prior to face-to-face media visits
- Conduct media visits by project spokespersons/Corp. Comm reps to share proposed route/provide press kits – meetings
- Issue news release following media visits
- Launch updates to project website, including all maps and online press kit
- Distribute blast e-mail to full database announcing filing

**Budget Re-Forecast** – PATH project budget figures submitted to Project Controls

- Re-forecast reflects increased activity in 2010 due to delays in the filing
- Outside services and internal labor costs were extended through 2014 to reflect revised in-service date
- Project allocation reflects new 76-24 split between PATH AYE and PATH WV

## IND-PATH-I-10 ATTACHMENT A

### **PATH – 7/27 Communications Update**

#### **Advertising** – Current schedule as follows:

- “Property owners” – 6/15 to 9/11 (All states; “property owners” will alternate with “animated benefits” in eastern areas and continue through 9/11).
- Campaign 4 (TBD) – 9/28 to 12/18 to support public input hearings

#### **Communications Plan**

- Charles Ryan Associates is working on a communications plan that will extend our strategy through the period beyond the public input hearing and evidentiary proceedings early next year. Awaiting revised draft from the agency before routing internally.

#### **Winchester Media Event**

- In advance of the Virginia public input hearings, we have senior management blessing to conduct a media event next Wednesday, July 29 to promote the positive attributes of PATH and transmission lines in general. Event will feature spokespersons presenting topics at three stations:
  - Siting/engineering overview
  - ROW clearing/maintenance
  - Helicopter flyover of existing lines and PATH proposed route

#### **Virginia Public Input Hearings**

- Media event will help drive factually-accurate, balanced reporting in ‘preview stories
- Mark Nitowski will attend public input hearings (August 3-6) to handle media interviews
- Hearing schedule in other states TBD

#### **Sissonville Public Meeting**

- PATH board has authorized participation in meeting with residents in Sissonville, Kanawha County.
- Open house-style format, no open mike – attendees can get questions answered at three booths – (1) property owner outreach (2) siting/maps and (3) EMF



## IND-PATH-I-10 ATTACHMENT A

### Communications

#### Advertising – Current schedule as follows:

- “Property owners” – 6/15 to 9/11 (All states; “property owners” will alternate with “animated benefits” in eastern areas and continue through 9/11).
- Campaign 4 (“Local business leaders”) – 9/28 to 12/18 to support public input hearings – CRA recruiting local business leaders for shoot scheduled the first two weeks of September
- CRA is proposing a round of tracking research in mid-September to gauge our messaging as we approach the public hearings.

#### Communications Plan

- Draft plan outlining tactics through the evidentiary hearings currently under internal review.

#### Winchester Media Event

- AEP has identified a potential location for a second media event in the Charleston area prior to the WV public input hearings (dates TBD)

#### Public Input Hearings

- Virginia hearings complete. Media event stories and desk-side briefings by PEAT spokespersons really helped to blunt negative reporting around the hearings
- PR planning underway for the WV public hearings (dates TBD)

#### Sissonville Public Meeting

- Open house hosted by AEP was attended by less than 25 people, and the crowd was cooperative. Charleston Gazette was the only media outlet in attendance, and wrote a fairly balanced article.

## IND-PATH-I-10 ATTACHMENT A

### **Communications Update September PATH Steering Committee Meeting**

#### **Advertising** – Current schedule as follows:

- “Property owners” and “Animated benefits” campaigns concluded on 9/11
- Campaign #4, “Local business leaders” to commence 9/28 to 12/18 to support public input hearings – CRA has filmed a host of local business and labor to appear in ads, which will resemble format of the “experts” ads.

#### **Charleston Media Event**

- Event scheduled for Monday, 9/21 in Putnam County, in advance of the first public input hearings in W. Va.
- Event will follow the same format as the successful Winchester event; Archie Pugh will lead the tent discussion and Alan Fleissner will conduct the helicopter tour, with focus on Amos plant/substation and the proposed route.

#### **Public Input Hearings**

- Recruitment of third-party speakers at public input hearings well underway, including local business owners and organized labor. We expect to be represented at all hearings, which lion’s share in attendance at the Jefferson County and Charleston area hearings.
- Corp Comm will be in attendance at all public input hearings to handle media interviews.
- Media event will be aimed at driving positive coverage in advance of hearing. We are also participating in several media interviews requested in advance of the meetings.

#### **Kempton Open House**

- Planning underway to host public open house on Monday, 11/9 at the Windsor Knolls Middle School, in support of our Frederick County special exception filing on Nov. 2. Working closely with the project team and CRA to coordinate event and visual modeling of Kempton substation.

#### **Website**

- Posted ROW code of conduct on Property Owners page
- Posted dates/locations of WV public input hearings on Project Overview and Schedule page

## IND-PATH-I-10 ATTACHMENT A

### Communications Update September 28 PATH Steering Committee Meeting

#### Advertising

- Campaign #4, "Local Business Leaders," to commence 10/1 to 11/28 to support public input hearings. CRA has already filmed 23 local business and labor to appear in ads, which will resemble format of the "experts" ads. We will "localize" the 30- and 60-second spots to illustrate support from well-known business leaders in each area.

#### Charleston Media Event

- Held successful event held Monday, 9/21 at a private farm along existing ROW in Putnam County, in advance of the first public input hearings in W. Va.
- We had an excellent turnout, including reporters and photographers with the following outlets:
  - The Charleston Gazette
  - The Charleston Daily-Mail
  - The State Journal
  - WV Public Broadcasting
  - WV MetroNews
  - All three Charleston TV stations (WSAZ, WCHS, WOWK)
- Helicopter portion rescheduled for next Thursday, 10/1 (day before the Charleston public input hearing). Flights were scrubbed from last Monday's event due to inclement weather

#### Public Input Hearings

- Recruitment of individuals to speak in support of PATH at hearings continues
- In Shepherdstown, we had 15 speakers, with an additional 27 who stood in favor of the project and signed/submitted a document to be entered into the public record committing their support. Media coverage was balanced.
- Corp Comm will be in attendance at all public input hearings to handle media interviews.

#### Kemptown Open House

- Planning underway to host public open house on Monday, 11/9 at the Windsor Knolls Middle School, in support of our Frederick County special exception filing on Nov. 2. Working closely with the project team and CRA to coordinate event and visual modeling of Kemptown substation.

#### Communications Planning

- Awaiting input on six-month plan, will share with project leadership upon approval
- Plan includes recommendations for additional polling (including focus groups) in early January timeframe
- Vern inquired about status of communications planning and polling in our last Committee call

#### Union Workforce Communications

- Aldie is concerned about mixed messages being spread by union employees and has asked our support

**IND-PATH-I-10 ATTACHMENT A****Communications**

- **Open Houses** – Additional open house will be held on Thursday, 1/22 in Lovettsville, VA at the request of officials in Loudoun County. Print and radio advertisements running for two weeks to promote the meeting. This will be a PATH-Allegheny open house.
- **PATH Technology PR** – A letter to the editor by Vern Estel was printed in the 12/29 edition of the Frederick News-Post in response to calls for an independent study on PATH technology in Maryland. We were also quoted favorably in an article on this subject on 12/28.
- **Tracking Research** – We conducted a second round of polling to monitor public opinion after implementation of key elements of the communications plan. This research will provide an assessment of the communications strategy and provide inputs for changes to the strategy if warranted. The timeline for the research is as follows:
  - Questionnaire Approval – COMPLETE
  - Telephone Interviewing/Data Collection – COMPLETE
  - Topline Report – COMPLETE
  - Full Management Summary – January 16, 2009
  - Presentation of Findings – January 16, 2009 @ Stonewall Retreat
- Planning meeting held 1/16 at the Stonewall Resort to discuss opportunities for the PATH companies and coalitions to deliver positive messages in 2009 in support of transmission expansion/PATH. Charles Ryan presented findings to get group input on project challenges and opportunities.
- **Communications Planning** – Charles Ryan is working on the 2009 communications plan, including budget and recommended campaigns supporting project and regulatory milestones. Recommendations will take into account outcome of the tracking research and input at 1/16 Stonewall team meeting.

## IND-PATH-I-10 ATTACHMENT A

### Communications Update September 28 PATH Steering Committee Meeting

#### Public Input Hearings

- Public input hearings are complete and our teams supported the meetings – we were able to recruit dozens of speakers to talk favorably about the project, far better show of support than the TrAIL hearings, and most of the media coverage was at least balanced. (18 spoke in support in Buckh)

#### Maryland Decision/Motions in WV/VA

- Talking points prepared, we are responding to a number of media inquiries on the motions in VA/WV, with regard to the MD issue. While we hang on in the interim, we are working on a proactive communications plan to support our re-filing scenarios aimed at indicating “movement” with the project, which will be closely aligned with our external affairs teams

#### Advertising

- Campaign #4, “Local Business Leaders,” to commence 10/1 to 11/28 to support public input hearings. CRA has already filmed 23 local business and labor to appear in ads, which will resemble format of the “experts” ads. We will “localize” the 30- and 60-second spots to illustrate support from well-known business leaders in each area. We have so much good footage from the video shoots that we’re going to post it in a video on the website. Posted on the website.

Expect to file shortly in MD, next few weeks. Agreement from the board on filing; better position to defend motions filed in VA/WV

#### Public Input Hearings

- Recruitment of individuals to speak in support of PATH at hearings continues
- In Shepherdstown, we had 15 speakers, with an additional 27 who stood in favor of the project and signed/submitted a document to be entered into the public record committing their support. Media coverage was balanced.
- Corp Comm will be in attendance at all public input hearings to handle media interviews.

#### Kempton Open House

- Planning underway to host public open house on Monday, 11/9 at the Windsor Knolls Middle School, in support of our Frederick County special exception filing on Nov. 2. Working closely with the project team and CRA to coordinate event and visual modeling of Kempton substation.

## **IND-PATH-I-10 ATTACHMENT A**

### **Communications Planning**

- Awaiting input on six-month plan, will share with project leadership upon approval
- Plan includes recommendations for additional polling (including focus groups) in early January timeframe
- Vern inquired about status of communications planning and polling in our last Committee call

### **Union Workforce Communications**

- Aldie is concerned about mixed messages being spread by union employees and has asked our support

## IND-PATH-I-10 ATTACHMENT A

### Communications

#### WV/VA Filings

- Communications developed a news release, blast e-mail, internal employee update and talking points to support the project's Nov. 4 response to the WV-PSC regarding the staff's motion to dismiss the current CPCN application. We are also updating information on the PATH, PEAT and Coalition web sites to reflect the latest information on the regulatory issues in all three jurisdictions.

#### Advertising

- CRA completed six new TV spots highlighting business/labor/community leaders speaking in support of the need for projects such as PATH. However, in the wake of the Nov. 4 filings, we have made the decision to suspend our current advertising efforts until we have a clearer indication from the WV and VA commissions on the procedural schedule for the two proceedings.

#### WV Hearings

- West Virginia public hearings concluded on Oct. 22. Final hearings in Buckhannon attracted large, opposing crowds. The West Virginians for Reliable Power coalition coordinated attendance of favorable civic/government speakers to balance opponents' comments. It should also be noted that at the last public comment hearing, four WV legislators spoke in opposition to the line and all of them recommended to the Commission that the application in WV be dismissed in light of our inaction in Maryland on refilling; similar to the VA SCC Staff recommendation.

#### VRE - Regional Energy Forum

- Susan Eisenhower, the former President's daughter and an internationally recognized business consultant with substantial expertise in energy and nuclear arms security, was the featured speaker at a regional energy forum on Nov. 3, sponsored by Virginians for Reliable Energy (VRE). VRE is a third-party business/labor coalition that supports the need for sufficient supplies of reliable, affordable energy in the state. In her remarks, Ms. Eisenhower noted that "...Without a backbone grid that can transport these vast quantities of renewable power, the investment in building up these alternative energy sources is nearly pointless."

#### Third Party Support

- Members of the PATH Education & Awareness Team and Reliable Power/Energy Coalitions continue to make presentations to civic/business groups throughout the three-state project area. They also continue to add new members to the coalitions and to seek additional signatures on our petition in support of the project.

## IND-PATH-I-10 ATTACHMENT A

### Communications

#### Regulatory Uncertainty

- Communications developed a news release, blast e-mail, internal employee update and talking points to support the project's Nov. 4 response to the WV-PSC regarding the staff's motion to dismiss the current CPCN application. We are also updating information on the PATH, PEAT and Coalition web sites to reflect the latest information on the regulatory issues in all three jurisdictions.
- Developing communications strategy in anticipation of a re-filing in Maryland before year-end.
- Overall, we're focused on a simple message that these actions are strictly in response to regulatory hurdles; the need, routing and in-service deadline remain valid and unchanged.

#### Advertising

- CRA placed the "Business Leaders" ad campaign (TV, radio, print, online), which was slated to run through Thanksgiving. However, in the wake of the Nov. 4 filings, we have made the decision to suspend our current advertising efforts until we have a clearer indication from the WV and VA commissions on the procedural schedule for the two proceedings.

#### WV Hearings

- We are responding with a letter to the editor in response to the Leesburg Today's inaccurate story regarding the upcoming public input hearing in Lovettsville on 11/19.
- West Virginia public hearings concluded on Oct. 22. Final hearings in Buckhannon attracted large, opposing crowds. Working with CRA and External Affairs, we recruited strong support by pro-PATH speakers to balance opponents' comments.

#### EEL Magazine Feature

- The PATH Project is prominently featured in the new issue of Electric Perspectives, EEL's member magazine.

#### Communications Package to Employees

- Employees in AP service centers throughout the PATH project area will soon be receiving a packet at their home containing facts about the project and its status. The packet includes a letter from Rodney Dickens.

#### Third Party Support

- Members of the PATH Education & Awareness Team and Reliable Power/Energy Coalitions continue to make presentations to civic/business groups throughout the three-state project area. They also continue to add new members to the coalitions and to seek additional signatures on our petition in support of the project.



**IND-PATH-I-10 ATTACHMENT A**

- **Regulatory Support**
  - Issued news release on WV PSC order regarding revised procedural schedule; no release issued for companion VA SCC order
  - Preparing news release announcing new application in Maryland by 12/18, with targeted follow-up to local media after release is issued.
  - Planning public informational meeting in late February/early March in Mt. Airy, MD to support the Frederick County special exception permitting process. Meetings will highlight the Truescape visual simulations of Kemptown Sub.
  
- **Advertising**
  - 2009 advertising campaign is complete. Limited advertising will occur in mid-January in Virginia only to support evidentiary hearings while we consider rationale for long-term advertising in 2010.
  
- **Communications Planning**
  - Working with Charles Ryan team to develop 2010 communications plan that will chart our strategy going forward. Draft plan will be shared with management once the communications committee has made changes
  - New round of perception polling will occur in early January to gauge perceptions of the project, test project messaging and gauge efficacy of advertising campaigns (and whether it should continue in earnest next year).

**IND-PATH-I-10 ATTACHMENT A**

- **Regulatory Support**
  - Issued news release and distributed talking points to support motion to withdraw our application in Virginia.
  
- **Advertising**
  - No advertising planned at this time.
  
- **Communications Planning**
  - CRA will undertake a new round of polling research to gauge current awareness/perception of the project. Questionnaire is under review with plans to begin field work the week of January 18. Additional questions have been added to original survey to gauge effectiveness of ad campaigns.
  - 2010 Communications Plan will be promptly developed once the survey results are available.
  
- **Website**
  - Much of pathtransmission.com is currently “dark” in light of new PJM study, PATH-VA application withdrawal. Website will be re-launched once all applicable pages have been scrubbed of outdated information (2014 in-service date, etc).

## IND-PATH-I-10 ATTACHMENT A

**PATH Project  
Current Activities  
Updated 3/11/2010**

- **Communications Support/Key Messaging**
  - Prepared talking points for key issues including:
    - Status of ROW activities
    - Survey activities for NEPA permitting
    - Preliminary order of Maryland PSC on PATH application (limited purpose briefing on corporate structure issues)
    - Draft anti-PATH bills introduced in Maryland legislative session
- **Public Engagement**
  - Canceled 3/16 public information meeting near Kemptown pending acceptance of Maryland CPCN application (not expected until at least June).
- **Advertising**
  - No advertising underway at this time, in light of halted project activities
- **Media Relations**
  - Letter to the Editor regarding 3/8 *Frederick News-Post* story (1,600 homes surrounding Kemptown) under consideration.
- **Budgeting**
  - PATH-WV board has requested a budget re-cast assuming a 2016 in-service date; working on a revised budget based on project assumptions and will submit for board packet by late next week.

## IND-PATH-I-10 ATTACHMENT A

**PATH Project Update  
April 14, 2010**

- **Communications Support/Key Messaging**
  - Prepared talking points for key issues including:
    - Anti-PATH commercials online
    - Status of ROW activities
    - Survey activities for NEPA permitting
    - Preliminary order of Maryland PSC on PATH application (limited purpose briefing on corporate structure issues)
    - Draft anti-PATH bills introduced in Maryland legislative session
- **Website**
  - Posted project update on pro-PATH resolution passed by WV Manufacturers Association
  - Updated FAQs to reflect surveying activities related to NEPA process
- **Advertising**
  - No advertising underway at this time, in light of halted project activities
- **Media Relations**
  - Letter to the Editor published in 3/8 *Frederick News-Post* story to correct erroneous info about proximity of homes around Kempton

**IND-PATH-I-10 ATTACHMENT A****PATH Project Update  
5/14/10**

- Working closely with System Planning and PJM's Ray Dotter to coordinate public release of new PATH ISD and RTEP results. Latest indication is that the TEAC committee will discuss PATH results on a special conference call on May 27.
- Developing a 60-day communications plan (May – July) that leverages PJM's release of the 2010 RTEP study for re-launching proactive PATH communications to the media and communities throughout the project area.
- In anticipation of renewed activity, we're looking at an additional round of polling research in order to effectively gauge public attitudes about the project and to craft our messages accordingly ahead of a successful project "re-start," including a renewed advertising campaign. Awaiting approval of expenditure from the Steering Committee.
- Working with CRA and the project team to recruit supporters from business, labor and communities to speak on project's behalf at NEPA public scoping meetings

**IND-PATH-I-10 ATTACHMENT A****PATH Steering Committee  
Corporate Communications Update  
8/16/2010**

- **Communications Planning** – The PATH strategic communications plan is approved and program activities are underway. The plan calls for a sustained communications campaign extending throughout the summer and fall and continuing into the evidentiary proceedings early next year (through March). The campaign integrates paid advertising, grassroots outreach, media relations, public information meetings and online communications to successfully reach our audience members.
  - We will continue to rely on our Reliable Power Coalitions and third-party representatives of the PATH Education & Awareness Team (PEAT) to recruit support and to keep business and community leaders throughout the project area informed about PATH and the need for new infrastructure.
- **Advertising** – Paid advertising is set to re-start on Sept. 1, and will include television, radio, print (weeklies) and online banner ads (dailies). While our message has remained consistent throughout the project, the new campaign messages have been tweaked to reflect our latest polling results. To further emphasize that PATH is part of a long-term solution to assure reliable power for consumers and business, we have introduced a new tagline: *PATH. What We Need to Move Forward*. This will be used in all future PATH advertising.
- **PJM Modeling Error** – Talking points were developed in coordination with PJM to prepare our spokespersons to field questions about its impact on the project and our plans to submit new supplemental testimony in WV and MD. We have not received any media calls.
- **Kempton Substation Public Information Meeting** – In support of the Special Exception permitting process in Frederick County, Md., a public information meeting is scheduled for Monday, Sept. 13. At the meeting, the project team will share plans for the Kempton SS as well as simulations of the completed substation prepared by our vendor Truescape. Advance publicity of the meeting, including paid advertising, will be required to adequately alert the community.
- **PATH Media Event at Kempton Site** – CorpComm will orchestrate a media event to generate balanced, factually-accurate media coverage of the PATH project (and Kempton SS plans) in advance of the 9/13 public information meeting. Event provides opportunity to offer a “press preview” of the Truescape work and its methodology for developing the simulations.
- **NEPA Scoping Meetings** – Working with Charles Ryan and External Affairs, we recruited proponents from business and labor to submit favorable comments at meetings and help to “balance the scales” at the meetings. Nearly 20 individuals submitted written comments supportive of the project, and one individual spoke in support during the ‘open mike’ session in Loudoun County, Va. Media coverage was minimal.
- **Property Owner Outreach** – Communications team equipped the PATH real estate agents with updated property owner materials, including a new fact sheet on ROW acquisition and maintenance, to support in-person visits. Agents were furnished the updated materials at the August 4-5 training sessions, prior to the 9/1 re-start of ROW activities.

## IND-PATH-I-10 ATTACHMENT A

### PATH Communications Update

- **Advertising** – Phase II of our paid advertising campaign began in November and will continue through the week of December 13 across the project area, and includes television, radio, print (weeklies) and online banner ads (dailies). The Nov/Dec phase will feature the “Connected,” TV spot, which uses the Christmas tree lights metaphor to characterize the interconnected nature of the grid.
- **PJM 2010 RTEP** – Plans are underway to communicate PJM board approval of PATH as the preferred alternative in the 2010 RTEP, with a 6/2015 in-service date. News release and talking points will be prepared, with close coordinated with External Affairs.
- **Key Issues Videos** – Short videos are being produced for posting on website, inclusion in community leaders kits, etc. Videos will educate viewers and set record straight on key issues including health effects, eminent domain, rate impacts and jobs/economic development.
- **12/6 Strategy Meeting** – Communications/External Affairs committee, along with representatives from the Reliable Power Coalitions and the PATH Education & Awareness Team will convene a full-day session in Morgantown to discuss 2011 outreach communications strategy in support of the PATH proceedings.
- **FERC Formula Rate Discovery** – Communications team workely closely with Regulated Accounting and Legal to fulfill numerous data requests related to PATH advertising and work activities supported by Charles Ryan Associates.
- **PJM Peak Demand Increase** – A blast e-mail was dispatched and website update posted touting the latest PJM data showing that electric demand increased last summer in its 13-state region. We will continue to leverage this tool as project updates and positive developments occur.

## IND-PATH-I-10 ATTACHMENT A

**PATH**  
**Communications Update**  
**December 9, 2010**

- **Project Labor Agreement** – Plans are underway to conduct a project labor agreement signing ceremony with organized labor and senior leadership of AEP and Allegheny Energy. Looking at dates in early January to conduct these media events in Baltimore (IBEW) and Charleston (WV Building Trades) coinciding with the start of legislative sessions in West Virginia and Maryland.
- **Communications Planning** – A meeting of the full Communications/External Affairs committee, along with representatives from the Reliable Power Coalitions and the PATH Education & Awareness Team convened a full-day session in Morgantown to discuss 2011 outreach communications strategy in support of the PATH proceedings. Key learnings and ideas gained from the meeting will serve as the basis for a 2011 communications program now in development, to be presented in early-mid January.
- **Current Advertising** – Phase II of our paid advertising campaign continues through the week of December 13 across the project area, and includes television, radio, print (weeklies) and online banner ads (dailies). The Nov/Dec phase will feature the “Connected,” TV spot, which uses the Christmas tree lights metaphor to characterize the interconnected nature of the grid.
- **“TrAIL Benefits” Ad Campaign** – Work is underway to develop an ad campaign, including TV commercials, that features testimonials from local businesses and property owners affected by the TrAIL project. Video shoot is scheduled for 12/15-17, and we currently have eight property owners and more than 15 businesses willing to sign release forms and participate in the campaign. Ad will predominantly run in the West Virginia and Virginia markets, with eastern Maryland substituted with local business leaders spots.
- **PJM Reaffirms PATH** – Public/elected official outreach and media relations were conducted to support PJM’s news release reaffirming the need for PATH. A blast e-mail was sent to 1,000 recipients in our blast e-mail database, a website update was posted and media outreach resulted in positive mentions in local news stories.
- **Key Issues Videos** – Short videos are being produced to set record straight on key issues including health effects, eminent domain, rate impacts and jobs/economic development. Draft videos are in the final review stage and will be used for various purposes, including posting on the website, inclusion in community leaders kits, etc.
- **FERC Formula Rate Discovery** – Communications team working closely with Regulated Accounting and Legal to response to a Preliminary Challenge filed with FERC related to PATH advertising.



## **Exhibit No. NH-26**

**PATH emails detailing its plan for Communications Support  
for VA Public Input Hearings**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

---

**From:** Nitowski, Mark E.  
**Sent:** Monday, January 31, 2011 9:25 PM  
**To:** Lantz, Janice D.; Colafella, Douglas G.; Kuniansky, Max, Jr.; Neurohr, David; Meyers, Todd L.  
**Subject:** RE: PATH - Communications Support for VA Public Input Hearings

Looks OK to me.

Mark

Mark Nitowski  
Manager, External Communications  
Allegheny Energy  
724-838-6718  
[mnitows@alleghenyenergy.com](mailto:mnitows@alleghenyenergy.com)

---

**From:** Lantz, Janice D.  
**Sent:** Monday, January 31, 2011 4:06 PM  
**To:** Colafella, Douglas G.; Kuniansky, Max, Jr.; Neurohr, David; Nitowski, Mark E.; Meyers, Todd L.  
**Subject:** RE: PATH - Communications Support for VA Public Input Hearings  
**Importance:** High

Here is a draft employee update. Let me know if you have changes.

---

**From:** Colafella, Douglas G.  
**Sent:** Friday, January 28, 2011 4:17 PM  
**To:** Kuniansky, Max, Jr.; Neurohr, David; Nitowski, Mark E.; Meyers, Todd L.  
**Cc:** Lantz, Janice D.  
**Subject:** PATH - Communications Support for VA Public Input Hearings

Team,

As you may know, the Virginia public input hearings are next week. Separate sessions will be held in the afternoons and evenings on Wednesday and Thursday in Frederick and Loudoun Counties, respectively.

Per our approved communications plan, we are employing a variety of communications activities to support the hearings, including:

***Media Relations***

This week, Mark reached out to our local media contacts and sent media materials to provide a project update in advance of preview stories. This will be followed by "desk-side" briefings by Ron Poff and former SCC judge and Va. state delegate Clint Miller on Monday and Tuesday. You may recall that Clint Miller's media visits during the original Va. PATH hearings yielded great results and we were very pleased with the job he did as our PEAT representative.

***Hearings Support***

CRA is spearheading efforts to recruit speakers who will comment favorably about the project. I understand this effort is going well, and I've encouraged them to share a list of potential speakers as early as possible. Mark will also attend all of the hearing sessions to handle on-site media relations (Mark, say hi to Keryn for me).

***Advertising (not included in original plan)***

Beginning next week, we will commence the media buy attached to this e-mail. Due to the short fuse with the public hearings, we'll begin the campaign next week using existing advertising for print (Clint Miller "experts" ad) and broadcast

(local business leaders speak out –VA/MD version), with the option to switch out creative later in February. We're also placing "Get the Facts" banner ads that will link to our Key Issues videos on the PATH website.

Let me know if you have any questions.

Doug

---

**From:** Estel, C. Vernon, Jr.  
**Sent:** Thursday, January 27, 2011 8:04 AM  
**To:** Colafella, Douglas G.  
**Subject:** Re: Path Allegheny Advertising

Jim has agreed to support the adv as you and Max have suggested. 50k.  
Vern Estel sent by blackberry.

---

**From:** Colafella, Douglas G.  
**Sent:** Wednesday, January 26, 2011 04:31 PM  
**To:** Estel, C. Vernon, Jr.  
**Subject:** RE: Path Allegheny Advertising

Hi Vern,

Just got a call from AEP and was wondering whether you've heard anything more on this? By the way, splitting the cost between the projects makes sense, that's typically how we charge advertising.

Thanks,

Doug

---

**From:** Estel, C. Vernon, Jr.  
**Sent:** Wednesday, January 26, 2011 11:52 AM  
**To:** Haney, James R.  
**Cc:** Colafella, Douglas G.; Kuniansky, Max, Jr.  
**Subject:** Path Allegheny Advertising

Jim

The budget that was submitted by communications as part of the 2011 Communications Plan did not have any advertising in the first quarter. Communications just this week added a recommendation to advertise in some amount (perhaps 50K) in its Path WV communications call. I know Dale Heydlauf wants to spend the 50k. If you approve it, we will do it. To say it was in the "budget" and cut out is not an accurate statement in my view. **Doug and Max**, please correct my statements if they are in error. Query whether we should ask for the money to come from a split of Path Allegheny and Path WV budgets if we do the advertising.

*Vern Estel*

*"Safety Pays in Many Ways!"*

*phone 8-333-7303*

*external 304-534-7303*

Cell 304-692-4101

# **Exhibit No. NH-27**

**Virginians for Reliable Energy internet advertisement**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

VIRGINIA

IT'S NO FUN  
LIVING IN THE  
DARK

# HELP US POWER VIRGINIA

POWER  
GENERATION

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HELP US  
POWER VIRGINIA

VIRGINIANS  
FOR RELIABLE ENERGY

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## **Exhibit No. NH-28**

**PATH emails recommending creating distance between PATH and  
reliable power coalitions**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

---

**From:** Warnock, L. Aldie  
**Sent:** Wednesday, February 27, 2008 4:52 PM  
**To:** Meyers, Todd L.  
**Cc:** Mason, Jay E.; Kruft, Charles J.; Flitman, David E.; Haney, James R.; Estel, C. Vernon, Jr.; Neurohr, David  
**Subject:** Re: TGCC Meeting on March 6, 2008

Agree  
Aldie Warnock  
Vice President, External Affairs  
Allegheny Energy  
800 Cabin Hill Drive  
Greensburg, Pennsylvania. 15601  
(W) 724-838-6971  
(C) 724-331-9545  
(F) 724-838-6764

----- Original Message -----

From: Meyers, Todd L.  
To: Warnock, L. Aldie  
Cc: Mason, Jay E.; Kruft, Charles J.; Flitman, David E.; Haney, James R.; Estel, C. Vernon, Jr.; Neurohr, David  
Sent: Wed Feb 27 11:51:19 2008  
Subject: RE: TGCC Meeting on March 6, 2008

My advice is no press release. We don't officially have a Reliable Power Coalition set up in the state of Maryland. The ink isn't even dry on our contract with the PR firm that will be managing this coalition. We have a great group in Artemis to manage this effort, and I think they should be the ones to help us develop a bang-up launch event when the time is right. I'd hate to break this news with a press release from the Greater Cumberland Committee.

That issue aside, if we got media attention from this and reporters wanted to delve into specifics of the coalition, I'm not even sure who would provide comment. It is our practice in PA and WV for Allegheny to stand more than an arm's length from the coalitions so they don't look like tools of the utility. We don't hide from the fact that we were the driving force to help set it up, but then we leave it at that. That's why we have Brown Communications and Bravo fielding media calls and not Allegheny Corp Comm – so it has the feel of an independent, third-party coalition. I don't know that Artemis will be able to speak much about our coalition in the March 6 timeframe. Plus I'm not sure we are ready to say who our members are so far.

I talked with Jay about this briefly this morning and he agrees with the assessment. If everyone is in agreement that a release is premature, he can convey the message to Colleen Peterson of TGCC.

The coalition in Maryland simply isn't far enough along to be announced in a news release.

Thanks

Todd

Todd Meyers

Manager, External Communications  
800 Cabin Hill Drive  
Greensburg, Pa. 15601  
Internal phone: 400-6650  
External phone: (724)-838-6650  
Fax: (724)-838-3001  
e-mail: tmeyer1@alleghenyenergy.com

---

From: Warnock, L. Aldie  
Sent: Wednesday, February 27, 2008 10:48 AM  
To: Meyers, Todd L.  
Cc: Mason, Jay E.; Kruft, Charles J.; Flitman, David E.; Haney, James R.; Estel, C. Vernon, Jr.  
Subject: FW: TGCC Meeting on March 6, 2008

Please note the media issue and advise. thanks

Aldie Warnock  
Vice President, External Affairs  
Allegheny Energy, Inc.  
(724) 838-6971  
(724) 331-9545 (Cell)  
(724) 830-5151 (Fax)  
awarnoc@alleghenyenergy.com

---

From: TGCC-Colleen T. Peterson [mailto:cpeterson@greatercc.org]  
Sent: Wednesday, February 27, 2008 10:25 AM  
To: Mason, Jay E.  
Cc: Warnock, L. Aldie; Juli McCoy-TGCC Exec. Asst.  
Subject: TGCC Meeting on March 6, 2008

Thanks to Jay for forwarding Aldie's bio. for the purpose of speaker introduction. I wanted to make you aware of the following:

\* I will not attend this particular meeting; Juli McCoy, Executive Assistant, is the staff contact and you should feel free to reach her at 301-722-0090 (office), 301-697-5417 (cell) or jmccoy@greatercc.org

\* TGCC has found that many of our monthly programs are worthy of media attention and we occasionally invite the local media to attend. We would like to follow this practice for the March 6 meeting. I have drafted a press release using the information that Aldie shared with the Maryland State Chamber of Commerce at their November 14, 2007 Board meeting. Please review and make any comments you feel are appropriate. If you prefer that the media are not invited, please contact me and we can certainly discuss. Juli will be prepared to distribute the press release on Monday, March 3 if we do not hear from you by close of business on Friday, February 29. Also, please note the title of the presentation---Reliable Energy Coalitions in Maryland and West Virginia---if you prefer a different title, please let me know. As I noted in a previous e-mail, our membership includes business & civic leaders from Mineral County, WV and we focus our meeting presentations on topics that affect this regional, bi-state area.

- \* Typically, we attract 40-50 members for our monthly meetings
- \* If you need any equipment for your presentation, please contact Juli ASAP so that she can coordinate that with you
- \* I have attached the DRAFT meeting agenda for the meeting; you will note that your presentation follows lunch

Please feel free to contact me with any questions. Thanks!

<< File: MarchAldieWarnock3.6.08.doc >> << File: March6AGENDA.doc >>

\*\*\*\*\*

TGCC  
 One Region ~ One Vision ~ One Future  
 Colleen T. Peterson  
 Executive Director  
 The Greater Cumberland Committee  
 P.O. Box 1153  
 Cumberland, Maryland 21502  
 Phone: 301-722-0090  
 Fax: 301-722-0091  
 email: <mailto:cpeterson@!> <mailto:cpeterson@greaterc>cpeterson@greatercc.org  
 <mailto:cpeterson@greatercc.org>  
 Cell: 240-580-4130

---

**From:** Meyers, Todd L.  
**Sent:** Tuesday, October 30, 2007 1:20 PM  
**To:** Mason, Jay E.; Miller, Edward C. (Cust Mgmt); Kline, David H.; Emerick, John R.; Harry, Joseph A.; Gilliam, Charlene C.; Estel, C. Vernon, Jr.; Estel, C. Vernon, Jr.  
**Cc:** Neurohr, David  
**Subject:** FW: Remarks regarding coalitions

FYI...please see Dave's message below. Because the coalitions should be independent of Allegheny, nearly all media requests should be fielded by the PR firm selected to manage/build coalition rather than myself or others in Corporate Communications. That's all the more reason why we need to stay somewhat under the radar with this until we have an agency on board. The "independent" voice will be quickly compromised if it looks like the coalition is simply an extension of Allegheny.

Todd Meyers  
Manager, External Communications  
800 Cabin Hill Drive  
Greensburg, Pa. 15601  
Internal phone: 400-6650  
External phone: (724)-838-6650  
Fax: (724)-838-3001  
e-mail: [tmeyer1@alleghenyenergy.com](mailto:tmeyer1@alleghenyenergy.com)

---

**From:** Neurohr, David  
**Sent:** Monday, October 29, 2007 6:17 PM  
**To:** Stagers, Allen T.; Meyers, Todd L.; Colafella, Douglas G.  
**Subject:** Remarks regarding coalitions

There is initial activity in West Virginia with new coalition (West Virginians for Reliable Energy), and this activity will increase and spread to other states in the coming months.

As a reminder, we are to provide very limited, if any, information about the coalitions and the best outcome would be to have any media inquiry that comes into this office about the coalitions referred immediately to respective coalition PR agency (Brown Communications in WV, not sure if other states have engaged agency yet).

If we are asked the direct question about funding, please refer to talking points that say something along the lines of us providing "nominal funding to assist with start-up and organizational costs." But beyond that, we should not be speaking for the coalitions, describing their missions, discussing membership, etc. Please refer all inquiries to respective PR agency.

Thanks.

David

David Neurohr

Director, External Communications  
724-838-6020  
[dneuroh@alleghenyenergy.com](mailto:dneuroh@alleghenyenergy.com)



## **Exhibit No. NH-29**

**PATH emails and proposals regarding continued funding of  
reliable power coalitions after project suspension**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



## **PATH Communications & External Affairs Committee Recommendation Regarding the PATH Reliable Energy Coalitions**

Over the last few years, significant efforts have been made by the PATH Coalitions to provide grass roots support for the project and an overall advocacy for energy and transmission policy. In this capacity, the Coalitions have established relationships with business, labor and civic leaders to garner support for broad infrastructure issues, including the need for a concerted effort to build-out the nation's transmission grid. Coalition members have appeared in print and broadcast advertising and have also provided a third-party voice to support the PATH project at various regulatory and public input gatherings where project opponents usually outnumber proponents. Research results consistently indicate that a multitude of grassroots communication initiatives are vital to influencing our key audiences.

With the suspension of the PATH project in the near term, the PATH Communications & External Affairs Committee sees great value in maintaining a minimal effort by the Coalitions and recommends their continuation in a new capacity:

1. **Funding** of the Coalitions to be moved from PATH to another Transmission source (may require some new contracts with Transmission).
2. **Focus** of the Coalitions to reduce their emphasis on Project messaging, and focus their messaging on advocating a broader need for Energy and Transmission Reinforcement.

The Committee sees the following benefits to maintaining the Coalitions:

1. **Prepared for a Project Restart** – When the PATH project is restarted, the Coalitions need to be in place and ready to support the project.
2. **Maintain the established organization** – Cancellation of the Coalitions will eliminate years of work invested to establish them. When the project moves forward, the organization is ready and consequently can facilitate seamless continuity of the message.
3. **Public Perception** - PATH's opponents have consistently argued that the coalitions exist only as "fronts" for the PATH project. A sudden disappearance of all coalition activity will only confirm this argument and diminish the coalitions' effectiveness if re-activated in the future.
4. **Facilitating a balanced the Message** – It's very unlikely that the existing PATH opposition groups will disband during the suspension process. In fact, they will likely take advantage of the lull in activity to influence their respective political leadership and expand their support base. In the spirit of accommodating PJM's directive "*to continue those activities necessary to maintain the project in its current state*" the coalitions will continue to be a valuable resource.

During the project suspension period, the Coalition activities will remain similar to those in its project support mode. At this time, however, the messaging will have an even greater focus on regional energy demands and the need for transmission reinforcement. Activities may vary each month but some level of the following work would be achieved over the course of a six month span.

- **Membership Recruitment** –All of the coalitions would continue recruiting new members at speaking events, tradeshow, meetings, etc.
- **Media Outreach** – Conduct targeted earned media outreach in each state regarding reliable energy needs and solutions.

- **Op-Eds / Letters-to-the-Editor** – Continue to submit letters to the editor and op-eds as deemed necessary to maintain some awareness of energy infrastructure issues.
- **Speaking Engagements** – Coalition spokespersons could appear at targeted speaking engagements to educate the public about energy needs.
- **Informational Booths** - Spokespersons from the coalitions could attend targeted, relevant events to raise awareness and recruit new members.
- **Meetings with Key Leaders** – If necessary, Coalition spokespersons could meet with key leaders surrounding the project footprint to continue education efforts on the need for reliable energy transmission.
- **Meeting and Hearing Support** – If a project meeting or hearing occurs during the suspension period (an event not likely to occur), the Coalition members can provide supporters to attend as requested.
- **Steering Committee Meetings and Communications** – Steering committees have been developed for each coalition. These groups would continue to meet to ensure members are updated and are a part of building and developing each coalition. These committees will also provide valuable feedback and intelligence regarding potential negative developments.
- **Website and Newsletter Communications** - Each coalition will continue to distribute a newsletter and keep websites up to date.

**Budget** - The Committee has proposed a modest “sustaining” budget for the next 6-12 months to fund a minimal amount of coalition activity that will put the project in a better position to “ramp up” activities should the project move forward. The sustaining budget would include month-to-month contracts for the firms who manage coalition activities for six months:

West Virginians for Reliable Power (WVRP):	\$2,500/mo.
Marylanders for Reliable Power (MDRP):	\$2,500/mo.
Virginians for Reliable Power (VRE):	\$2,500/mo.
Charles Ryan & Associates (CRA):	\$2,500/mo.

The Committee also recommends an additional operational budget of “up to” \$2,500 per month for coalition activities with the PATH companies approving all event related expenses. Total budget would be \$12,500 per month and is assumed to be spread one-third to PATH-Allegheny and two-thirds to PATH-West Virginia. AEP would ultimately assume about one-third the overall cost or \$37,500 for 9 months remaining in 2011.

**Cost of Entering New Coalition Contracts for Apr.-Dec. 2011:**

	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	TOTAL
FE *	\$8,333	\$8,333	\$8,333	\$8,333	\$8,333	\$8,333	\$8,333	\$8,333	\$8,333	\$75,000
AEP **	\$4,166	\$4,166	\$4,166	\$4,166	\$4,166	\$4,166	\$4,166	\$4,166	\$4,166	\$37,500
TOTAL ***	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$112,500

\* PATH-Allegheny + 50% PATH-WV costs

\*\*50% PATH-WV costs

\*\*\* Represents maximum per-month expenditure. Actual expenses will be between a minimum of \$10,000 and the maximum.

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** deheydlauff@aep.com  
**Sent:** Friday, March 11, 2011 7:48 AM  
**To:** taholliday@aep.com  
**Subject:** Re: Fw: CRA - Contract Suspension Next Steps

---

O.K. I'll put off returning Susan's call until early next week. I'm pretty busy catching up today and don't have much time anyway.

Dale

Dale E. Heydlauff  
Vice President - Corporate Communications  
American Electric Power  
1 Riverside Plaza  
Columbus, OH 43215  
Phone: 614/716-1280  
Fax: 614/716-2699



Thomas A Holliday/OR3/AEPIN

Thomas A Holliday/OR3/AEPIN

03/11/2011 08:44 AM

To: Dale E Heydlauff/OR3/AEPIN@AEPIN  
cc: [Redacted]  
Re: Fw: CRA - Contract Suspension Next Steps  
Subject: {doclink : document = '6F72FB2B5EAB68B88525785000454370' view = '5E502A1BAAAF40CA85256197006C1A32' database = '8525609B00619A22' }

Susan knows we're planning to "suspend" the CRA contract. She's already exercised the 30-day notices with all the subs (even though we don't have a formal letter from procurement as yet -- that's coming from FE's procurement people). I talked with Heather and she's aware of the invocation of the 30-day out. She cloaked her desire to talk in a need to update us about what's planned for Hugh and -- I believe -- to find out if AEP will be continuing as a funder of the VA coalition irrespective of PATH. I told her we should probably wait to chat until a formal decision has been made on PATH funding for the coalition.

I've been providing Archie some supporting documents on the rationale for continuing some "pilot-light" funding for the coalitions and he's supportive. But he hasn't made the formal case yet to Heyeck. In fact, I need to revise a document that he sent me last night in anticipation of him talking to Mike Heyeck on Monday. The FE External team is pursuing the same kind of discussions with the new FE External management. Haven't heard how they're faring.

Thomas A. Holliday, APR  
Director - Communications Services  
American Electric Power  
1 Riverside Plaza - 19th Fl.  
Columbus, OH 43215-2373  
PH: (614) 716-1403 aud. 222  
Email: taholliday@aep.com

Dale E Heydlauff/OR3/AEPIN

Dale E Heydlauff/OR3/AEPIN

03/11/2011 07:37 AM

To: Thomas A Holliday/OR3/AEPIN@AEPIN  
cc: [Redacted]  
Re: Fw: CRA - Contract Suspension Next Steps  
Subject: {doclink : document = 'F13E1779BE044F628525784C00494C67' view = '5E502A1BAAAF40CA85256197006C1A32' database =

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM  
'8525623F006B5545' }

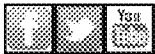
Tom:

Has a decision been reached on this matter? I have a call from Susan Lavenski that I need to return, but don't want to do it until I know what has been decided.

Did you talk with Heather Martin?

Dale

Dale E. Heydlauff  
Vice President - Corporate Communications  
American Electric Power  
1 Riverside Plaza  
Columbus, OH 43215  
Phone: 614/716-1280  
Fax: 614/716-2699



Thomas A Holliday/OR3/AEPIN

Thomas A Holliday/OR3/AEPIN

03/07/2011 08:30 AM

To deheydlauff@aep.com  
cc  
Subject Fw: CRA - Contract Suspension Next Steps

Dale -- just wanted to keep you apprised of what's happening on the PATH/CRA contracting front. There's an attachment that summarizes our recommendations. Here's the short version:

- 1) The terms of the original contract with CRA for project work allow us to simply "suspend" the contract for an indefinite period, which is what we're recommending. They simply will be directed not to spend anything during the suspension period.
- 2) We're recommending terminating the "Amendment #5" contracts that govern all the PEAT and Coalition activities. The cost of exercising the 30-day out (including CRA's charges for managing the coalitions) will be roughly \$106,000.
- 3) We all recognize that -- if at all possible -- it would be good to provide some minimalist funding for the coalitions to keep them alive until we know for sure that PATH is not going forward. But we also recognize that those dollars might have to come from the two companies and not PATH. CRA has suggested a monthly budget of \$10,000/month (with an "up to" expenditure of an additional \$2500/month for any specific activities they might undertake) for the next 6-12 months, just to keep the coalitions alive. (I don't know if the 66%-33% split would still hold, but if it did, AEP would be on the hook for up to \$4,000/month).

George Blankenship is checking with his new management to see if there's any appetite for that. I'll have to see if Heyeck has any dollars in the Transmission budget he'd be willing to assign to it. Otherwise, I don't think we can fund it out of our pot. What're your thoughts?

Thomas A. Holliday, APR  
Director - Communications Services  
American Electric Power  
1 Riverside Plaza - 19th Fl.  
Columbus, OH 43215-2373  
PH: (614) 716-1403 aud. 222  
Email: taholliday@aep.com

----- Forwarded by Thomas A Holliday/OR3/AEPIN on 03/07/2011 08:20 AM -----

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

"Colafella, Douglas G." <dcolafe@alleghenypower.com>

03/04/2011 02:29 PM

To "Blankenship, George B." <gblanke@alleghenyenergy.com>  
cc <taholliday@aep.com>  
Subject: CRA - Contract Suspension Next Steps

George,

Based on our discussion yesterday, here's the recommendation we shared with Vern today related to next steps with the Charles Ryan contract. Tom and I spoke with him earlier and he seems to be on board. While he understands the rationale, he also indicated that there's a good probability that the PATH project may be unable to prudently fund an even minimalist extension of the Coalition activities. He will likely connect with you to determine next steps if that's the case.

Doug

---

**From:** Blankenship, George B.  
**Sent:** Thursday, March 03, 2011 8:50 AM  
**To:** 'taholliday@aep.com'; Gray, Sammy  
**Cc:** Colafella, Douglas G.  
**Subject:** RE: PATH Consultants Discussion

Sammy and I just had a call with our EA team and most of us can be available at 11:00 if that works for the two of you. Let us know and I will send out a dial in number.

Thanks Tom,

George

---

**From:** taholliday@aep.com [mailto:taholliday@aep.com]  
**Sent:** Thursday, March 03, 2011 8:44 AM  
**To:** Gray, Sammy  
**Cc:** Colafella, Douglas G.; Blankenship, George B.  
**Subject:** Re: PATH Consultants Discussion

Your question is very timely. Doug and I are having a chat with CRA later this afternoon, just to make sure we understand all the ramifications related to our contracts with CRA and the various subcontractors that are working on Coalition and PEAT activities. We've been charged with making a recommendation to the project team about how to proceed.

I'd be available almost anytime this morning for a conference call to talk about your thoughts.

Doug, you available?

Thomas A. Holliday, APR  
Director - Communications Services  
American Electric Power  
1 Riverside Plaza - 19th Fl.  
Columbus, OH 43215-2373  
PH: (614) 716-1403 aud. 222  
Email: taholliday@aep.com

PATH00001141

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

To <taholiday@aep.com>, "Colafella, Douglas G." <dcolafe@allegHENYpower.com>  
cc "Blankenship, George B." <gblanke@allegHENYenergy.com>  
Subject PATH Consultants Discussion

"Gray, Sammy" <sgray2@allegHENYenergy.com>

03/03/2011 08:20 AM

Is there a time today or tomorrow that would be good for the FE EA team to talk to both of you about how to handle the CRA contract?

Sammy Gray

General Manger, State/Local Affairs, WV

FirstEnergy

7 Greenbrier Street

Charleston WV 25311

(304) 345-4695 office

(304) 550-5916 cell

sgray2@allegHENYenergy.com

[attachment "PATH Contract Suspension.docx" deleted by Dale E Heydlauff/OR3/AEPIN]

PATH00001142

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**From:** Estel, C. Vernon, Jr.  
**Sent:** Monday, April 18, 2011 2:31 PM  
**To:** Blankenship, George B.; Colafella, Douglas G.  
**Cc:** Haney, James R.  
**Subject:** FW: FE / AEP Joint Coalitions  
**Attachments:** Joint Coalitions Funding.doc

George,

Jim and I talked this over on Friday morning and he will support the approach AEP now prefers as long as you and the EA folks are OK with it. Would you let me know?

-----Original Message-----

From: adpugh@aep.com [mailto:adpugh@aep.com]  
 Sent: Thursday, April 14, 2011 8:41 PM  
 To: Estel, C. Vernon, Jr.  
 Cc: Colafella, Douglas G.; Blankenship, George B.; medempsey@aep.com; taholliday@aep.com  
 Subject: RE: FE / AEP Joint Coalitions

Vern,

You raised a good question on the billing and I think we have a solution for you, George and Doug to look at. In short, we propose that billings be paid in the following manner:

1. Bills paid based on total project ownership (2/3 owned by FE and 1/3 owned by AEP).
2. This translates to billings split as 2/3 to PATH WV and 1/3 PATH AE.

Under this assumption, when the final costs are paid by FE and AEP, it turns out to be the same cost distribution that we presented to our leadership in our original proposal (FE pays \$75k and AEP pays \$37.5k of a \$112.5k budget for April to December). I have put more detail in the attached file.

(See attached file: Joint Coalitions Funding.doc)

Regarding your question about Board oversight, it really comes back to the fact that the Coalition direction should be provided by the Communications and External Affairs Committee which filters up to the BOM as needed. The Committee structure allows a great oversight mechanism for the Coalition.

Let me know if we need to discuss or if you have other questions.

Thanks,

Archie

"Estel, C.  
 Vernon, Jr."  
 <CESTEL@allegheeny  
 power.com> To  
 <adpugh@aep.com>, "Blankenship,



George B."  
04/11/2011 10:42 AM <gblanke@allegHENyenergy.com>  
cc  
"Colafella, Douglas G."  
<dcolafe@allegHENypower.com>,  
<taholliday@aep.com>,  
<medempsey@aep.com>  
Subject  
RE: FE / AEP Joint Coalitions

Archie,

How are you suggesting we divide the costs between PATH WV and PATH Allegheny for this new approach? Also, I am not sure how the BOM has been providing oversight to the coalitions. I realize some of the committee members have served on steering committees. Is that what you refer to by BOM oversight?

-----Original Message-----

From: adpugh@aep.com [mailto:adpugh@aep.com]

Sent: Friday, April 08, 2011 4:37 PM

To: Blankenship, George B.

Cc: Estel, C. Vernon, Jr.; Colafella, Douglas G.; taholliday@aep.com; medempsey@aep.com

Subject: FE / AEP Joint Coalitions

ACTION: Response for your review

NEXT STEPS: Approval from First Energy

George,

As you are aware, last week we made our proposal to AEP Senior Management for continuation of the First Energy / AEP Joint Coalitions to support future transmission efforts in West Virginia, Virginia and Maryland. AEP Management is in agreement to continue our Coalition efforts with a message focused on the need for reliable energy and transmission reinforcement.

The budget presented is acceptable for the remainder of the year.

During their review, our leadership did, however, request one change to our proposal and that is to keep the work under the direction of the PATH Board of Managers and move the funding to a PATH below-the-line expense (rather than our original proposal of funding through the FE and AEP Transmission organizations). We believe this will benefit the Coalitions by utilizing the current structure between FE and AEP (the PATH BOM) to provide oversight and direction and it will allow for an easier transition back to the PATH project focus once the project resumes. We ran this by our AEP Legal and Accounting groups and they agreed with this approach.

We are looking forward to our continued partnership and the support of the Coalitions. We request that you consider this slight modification to oversight and funding with your Leadership. If we need to discuss further, please do not hesitate to contact me at 540-562-7055.

Thanks,

Archie

Sr. Project Manager  
American Electric Power

---

**From:** Estel, C. Vernon, Jr.  
**Sent:** Wednesday, May 18, 2011 3:25 PM  
**To:** Blankenship, George B.  
**Subject:** RE: Charles Ryan Associates

This is getting to be hilarious. Its nice to be able to find humor in such situations. Keeps my blood pressure in check!! We and AEP keep passing each other going in opposite directions.

Now that I have vented, I want to see if Archie has any particular avenue he wishes to pursue with PATH WV. I have recommended to Haney that we not fund the coalitions with PATH dollars. I will check back with you in a few days as this soaks in with others and I begin to get feedback.

Vern

---

**From:** Blankenship, George B.  
**Sent:** Wednesday, May 18, 2011 10:14 AM  
**To:** Estel, C. Vernon, Jr.  
**Subject:** RE: Charles Ryan Associates

Thanks Vern.

**George Blankenship**  
**Director, State Affairs - WV**  
**Tel: 724-838-6362**  
**Cell: 724-244-4427**  
**E mail: [gblanke@alleghenenergy.com](mailto:gblanke@alleghenenergy.com)**



---

**From:** Estel, C. Vernon, Jr.  
**Sent:** Wednesday, May 18, 2011 10:03 AM  
**To:** Blankenship, George B.; Colafella, Douglas G.  
**Cc:** Krufft, Charles J.; Tompkins, Daniel P.; Gray, Sammy; Friddle, Charles H., III; Neurohr, David  
**Subject:** RE: Charles Ryan Associates

I will call Archie.

---

**From:** Blankenship, George B.  
**Sent:** Wednesday, May 18, 2011 9:46 AM  
**To:** Colafella, Douglas G.; Estel, C. Vernon, Jr.  
**Cc:** Krufft, Charles J.; Tompkins, Daniel P.; Gray, Sammy; Friddle, Charles H., III; Neurohr, David  
**Subject:** RE: Charles Ryan Associates

Thanks Doug. Do you have a number for Dale?

**George Blankenship**  
**Director, State Affairs - WV**  
**Tel: 724-838-6362**

Cell: 724-244-4427

E mail: [gblanke@alleghenenergy.com](mailto:gblanke@alleghenenergy.com)

<< OLE Object: Picture (Metafile) >>

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**From:** Colafella, Douglas G.

**Sent:** Wednesday, May 18, 2011 9:30 AM

**To:** Blankenship, George B.; Estel, C. Vernon, Jr.

**Cc:** Krufft, Charles J.; Tompkins, Daniel P.; Gray, Sammy; Friddle, Charles H., III; Neurohr, David

**Subject:** RE: Charles Ryan Associates

Thanks for the update George. Just a head's up that Tom Holliday is overseas until May 24. You can either wait for his return or touch base with Dale Heydlauff.

---

**From:** Blankenship, George B.

**Sent:** Wednesday, May 18, 2011 9:21 AM

**To:** Estel, C. Vernon, Jr.; Colafella, Douglas G.

**Cc:** Krufft, Charles J.; Tompkins, Daniel P.; Gray, Sammy; Friddle, Charles H., III

**Subject:** Charles Ryan Associates

Guys,

I wanted to make you aware that I got word today that we have decided not to continue funding Charles Ryan for the purpose of maintaining the coalitions. I had previously communicated that I had obtained approval to continue funding at a much reduced level to maintain the coalitions, but that has recently changed. Therefore, I will reach out to Tom Holiday and let him know. I am not sure that I have a good explanation other than that is the decision that was due to our ongoing merger integration efforts.

Vern, if you want me to also inform Archie, please let me know.

Sorry for the change in direction.

**George Blankenship**

**Director, State Affairs - WV**

**Tel: 724-838-6362**

**Cell: 724-244-4427**

**E mail: [gblanke@alleghenenergy.com](mailto:gblanke@alleghenenergy.com)**

<< OLE Object: Picture (Metafile) >>



## **PATH Project Suspension Charles Ryan Associates Contract Committee Recommendation**

In light of PJM's suspension of the PATH project, enclosed below are recommendations from the External Affairs/Communications committee for handling our contract with Charles Ryan Associates (CRA).

This recommendation considers several key issues, including:

- Handling the project-specific Service Agreement in a manner that recognizes both PJM's ongoing stakeholder review and the need to immediately halt project spending.
- Ownership of work product and collecting/archiving output to date, including web files.
- Next steps with PEAT and the Reliable Power coalitions (Amendment #5), with recognition of the significant political value of maintaining some support for the coalitions in a diminished capacity ("keeping the pilot light burning").

### Service Agreement

- Service agreement with CRA is handled on a "time and material" basis, so there are no retainer fees for project-specific work going forward.
- CRA has halted all ongoing project work and there are currently no future commitments or activities on the calendar. We can expect to be billed for all work not yet invoiced, due to CRA net 30 days.
- Contract allows PATH companies to "suspend" the project, in writing, for an indefinite period. In light of PJM's review, we can simply invoke the contract suspension and direct CRA to cease spending on the project until they receive authorization. This would allow us the flexibility to re-engage with CRA if the project is approved at a later date.
- All work product belongs to PATH companies. CRA will package materials, including website files, and provide electronic copies. AEP is also looking into resuming the hosting of pathtransmission.com, and possibly the coalition websites, in-house.

### PEAT/Coalitions (Amendment #5)

- CRA has separate contracts with coalition agencies; its contracts stipulate a 30-day out.
- We anticipate ending funding for all PEAT-related activities at the conclusion of the 30-day notice period, as well as the current level of activities conducted on behalf of the Coalitions. All of these expenses are under Amendment \$5.
- In light of the 30-day out clause, Amendment #5 expenses for PEAT/Coalitions in March are as follows:

West Virginians for Reliable Energy

Brown Communications \$8,000  
Pat Esposito \$7,500  
CRA \$5,667

Marylanders for Reliable Power

Artemis Group \$8,500  
CRA \$5,667

Virginians for Reliable Energy

McGuire Woods \$8,000  
Hugh Keogh \$5,000  
CRA \$4,000

PEAT West Virginia

Pritchard Electric (Tom Bloss): \$750 (for car rental, Bloss is hourly)  
CRA: \$15,000

PEAT Allegheny

Clint Miller: \$5,000  
Stinson Morrison Hecker (Russell Frisby): \$8,000  
CRA \$15,000

Other

Larry Puccio \$10,000

Total for March: \$106,084

Estimated Coalition Extension Budget: \$10,000 per month

- However, the Ex/Comm committee sees value in continuing some limited-scale funding of the coalitions to maintain these important relationships as well as prevent opponents from suggesting that the coalitions only exist to support PATH.
- Provided below is an optional recommendation for limited funding of coalition efforts for a six-month period (subject to renewal), recognizing that these expenses may need to be assumed by the individual companies rather than the project itself during the project suspension.

Month-to-Month contracts for six months:

WVRP: \$2,500  
MDRP: \$2,500  
VRE: \$2,500  
CRA: \$2,500

Operational expense budget: \$2,500 for all coalition activities

Event expense budget: Companies must approve all event related expenses

---

**From:** adpugh@aep.com  
**Sent:** Tuesday, June 21, 2011 2:13 PM  
**To:** Estel, C. Vernon, Jr.  
**Subject:** Thursday

Vern,

Just wanted to see if you know of any of our items that FE will bring up at the BOM meeting this week (contracts, coalitions, etc). I believe you already know but after you guys elected not to continue the coalition funding, the AEP team is not pursuing continuing with their work in West Virginia. If you know of anything else, let me know.

Thanks,

Archie

# **Exhibit No. NH-30**

**PATH emails discussing recoverability of  
reliable power coalition expenses**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



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**From:** Warnock, L. Aldie  
**Sent:** Wednesday, August 11, 2010 6:23 PM  
**To:** Warnock, L. Aldie; Eckard, J. M.; Galligan, Craig; Mount, S. Colin; Krufft, Charles J.; Tompkins, Daniel P.; Blankenship, George B.; Gray, Sammy; Friddle, Charles H., III; DeCario, Lynn M.; Liang-Nicol, Cecilia; Johnson, David P.  
**Cc:** Estel, C. Vernon, Jr.  
**Subject:** RE: PATH- definition of an expense that is not recoverable

Sorry tomorrow not friday

Aldie Warnock  
 Vice President, External Affairs  
 Allegheny Energy  
 800 Cabin Hill Drive  
 Greensburg, Pennsylvania. 15601  
 (W) 724-838-6971  
 (C) 724-331-9545  
 (F) 724-853-4230

---

**From:** Warnock, L. Aldie  
**Sent:** Wednesday, August 11, 2010 1:17 PM  
**To:** Eckard, J. M.; Galligan, Craig; Mount, S. Colin; Krufft, Charles J.; Tompkins, Daniel P.; Blankenship, George B.; Gray, Sammy; Friddle, Charles H., III; DeCario, Lynn M.; Liang-Nicol, Cecilia; Johnson, David P.  
**Cc:** Estel, C. Vernon, Jr.  
**Subject:** PATH- definition of an expense that is not recoverable  
**Importance:** High

See below for our discussion on Friday

thanks

Aldie Warnock  
 Vice President, External Affairs  
 Allegheny Energy  
 800 Cabin Hill Drive  
 Greensburg, Pennsylvania. 15601  
 (W) 724-838-6971  
 (C) 724-331-9545  
 (F) 724-853-4230

---

**From:** Estel, C. Vernon, Jr.  
**Sent:** Monday, July 26, 2010 10:10 AM  
**To:** Warnock, L. Aldie  
**Subject:** FW: PATH Communications Plan  
**Importance:** High

Aldie,  
 I asked Cathy for the definition of what is not recoverable. How does this strike you? I am hard pressed to see how any of our coalition activities rises to this level. Vern

---

**From:** Tokar, Catherine A.  
**Sent:** Monday, July 26, 2010 10:01 AM  
**To:** Estel, C. Vernon, Jr.  
**Cc:** Zola, Nazzi C.  
**Subject:** FW: PATH Communications Plan  
**Importance:** High

FYI, as requested, here is the FERC definition of expenditures for certain civic, political and related costs that would not be considered recoverable:

This account shall include expenditures for the **purpose of influencing public opinion with respect to the election or appointment of public officials**, referenda, legislation, or ordinances (either with respect to the possible adoption of new referenda, legislation or ordinances or repeal or modification of existing referenda, legislation or ordinances ) or approval, modification, or renovation of franchises; or for the purpose of influencing the decisions of public officials, but shall not include such expenditures which are directly related to appearances before regulatory or other governmental bodies in connection with the reporting utility's existing or proposed operations.

---

**From:** Tokar, Catherine A.  
**Sent:** Monday, July 26, 2010 9:39 AM  
**To:** Warnock, L. Aldie  
**Subject:** FW: PATH Communications Plan  
**Importance:** High

As I was reviewing the PATH Communications plan for approval, I had noticed that the plan includes costs related to meetings with political leaders. Could you please call me on extension 6838 regarding the accounting to be used for costs related to educational videos and elected officials kits that will be used when meeting with elected officials as well as any other costs incurred in reaching out to political leaders? These costs are not considered recoverable and I would just like to make sure that they are appropriately accounted for. Thanks so much.

Catherine A. Tokar  
 Manager, Regulated Accounting  
 Allegheny Energy  
 724-838-6838

---

**From:** Kuniansky, Max, Jr.  
**Sent:** Thursday, July 22, 2010 10:43 AM  
**To:** PATH Steering Committee  
**Cc:** Audia, Victoria L.; Neurohr, David; Colafella, Douglas G.  
**Subject:** PATH Communications Plan

Attached is a proposed PATH communications plan. Please use the "approve" or "reject" buttons above, or contact me with any comments or concerns. Assuming we have concurrence among the steering committee, I'd like to send the plan to Rodney Dickens and Paul Evanson next week.

The plan consists of three files:

- executive summary, including a summary of research findings,
- program tactics, and
- timeline.

We believe we can execute this plan within the existing project budget.

<< File: 2010 Strategy\_Executive Summary.doc >> << File: 2010 Tactics 71510.doc >> << File: PATH Comm Timeline 7 10.pdf >>

\*\*\*\*\*

### Max Kuniansky

Executive Director, Investor Relations and Corporate Communications  
 Allegheny Energy, Inc.

800 Cabin Hill Drive, Greensburg, PA 15601  
Phone: (724) 838-6895 || Fax: (724) 853-3707  
E-mail: [mkunian@alleghenyenergy.com](mailto:mkunian@alleghenyenergy.com)  
website: [www.alleghenyenergy.com](http://www.alleghenyenergy.com)

## **Exhibit No. NH-32**

**PATH emails and plan for creating a “PATH-specific” coalition**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

## OVERVIEW

As part of the 2009 strategic planning process for PATH, two important items were discussed in great detail 1- the need for a project-specific coalition throughout the project area 2- the need for a Reliable Power Coalition in Virginia.

Based on these discussions, below are our recommendations for the organization and implementation of these two additional coalitions.

## PATH COALITION

### Overview - Rationale for PATH Coalition

Create a project specific organization

Deliver messages the company and local coalitions cannot

Directly respond to opposition groups

### Goals

Develop and execute an aggressive and consistent grassroots effort campaign in project area in 11 months

Build base of supporters and create groundswell of support for PATH project

Create and execute PATH specific messages and responses that cannot currently be delivered

### Organization of PATH Coalition

Create project-specific coalition focusing on support of PATH in WV, VA, MD

Fund this organization through donations from PATH and other contributors

Create a Coalition Board of Council responsible for plan approvals and budget expenditures:

- Aldie Warnock
- Mark Dempsey
- Susan Lavenski
- Additional member TBD

CRA to execute contract with the coalition to run the daily operations

Execute contract with spokespersons with expertise/knowledge in the following areas:

- Technical
- Location/region
- Business
- Labor
- Environmental
  - Potential Candidates
    - Former FERC representative
    - Charles Bayless
    - Bill Tanger
    - Tom Bloss

Execute contract with local attorneys/spokespersons in project area to educate local residents about the benefits of PATH through speaking engagements, media interviews, etc.

### **2009 Budget Estimates for PATH Coalition**

Research – \$20,000-\$40,000

Paid media placement – \$50,000

- TBD – If need arises, additional dollars budgeted for paid media can be redistributed to the coalition

Production – \$25,000

- media kit with brochure
- email blast template
- DVD
  - TBD – If need arises, additional production dollars budgeted for paid media can be redistributed to the coalition

Travel and expenses – \$36,000

- monthly speaking engagements
- meetings with community leaders
- membership drive

Printing – \$25,000

Event expenses – \$20,000

- booth and materials
- event fees
- summer events

Administrative/Web services – \$400,000

- \$360,000 agency fees
  - \$30,000 a month
- \$40,000

- Web site development/maintenance

#### Spokesperson fees

- \$400,000
  - Technical Expert from FERC
  - Bill Tanger
  - Tom Bloss
  - Charles Bayless
- \$240,000 local spokespersons in project area
  - TBD

#### 90-Day Tactics

- Organization development/coalition paperwork/budget preparation
- Execute contracts with spokespersons
- Create name, logo, mission statement
- Develop/fine-tune messages
- Fact sheet/media kit for recruitment
- Message development training
- Membership recruitment drive
- Identify event participation opportunities for 90 days
- Develop project specific Web site with videos, animation, graphics, RSS feeds, online recruiting
- Create database of supporters, potential supporters, community leaders, elected officials with email, addresses, phone numbers
- Development of booth and materials
- Rollout of coalition to media
- Creation of Blog, including video
- Monthly Op-ed piece from a designated spokesperson distributed to newspapers in project area
- Monthly e-mail blast to friends, elected officials

- Respond to negative stories and letters to the editor in each area as appropriate
- Semimonthly speakers' bureaus with chambers, civic organizations, county commissions
- Blog updates weekly
- Meetings with community leaders and elected officials in select counties

## RELIABLE POWER COALITIONS

### **Organization of Reliable Power Coalition with State Chapters in WV, MD, VA**

Create structure so all state coalitions are organized in same manner

Transfer funding of the coalitions from the current system to one where an umbrella organization accepts donations from PATH and other contributors to fund the efforts

Create a Reliable Coalition Board of Council responsible for plan approvals and state-specific budget expenditures:

- Aldie Warnock
- Mark Dempsey
- Susan Lavenski
- Additional member TBD

CRA to execute contract with the Reliable Power Coalition to run daily operations of three state chapters

### **2009 Budget Estimates for Virginia Reliable Power Coalition**

Paid media placement – \$60,000-\$100,000

Production – \$20,000

Travel and expenses – \$10,000

Printing – \$12,000



Event expenses – \$8,000

Administrative/Web services/Spokespersons fees – \$300,000

- \$80,000 – CRA
- \$100,000 – Local VA PR firm
- \$75,000 – VA spokesperson
- \$45,000 – Web site retool and maintenance for all coalitions

### **Virginia 60-Day Tactics**

- Contact Dominion about ‘adopting’ the Virginia Coalition for Reliable Energy or create new coalition
- Select local PR firm
- Offsite strategic meeting
- Create budget
- Develop Virginia strategy with development of 2009 membership recruitment and communications plan
- Develop paid media strategy
- Identify and secure Virginia spokesperson
- Re-engage membership from Dominion coalition
- Web site assessment
- Management and retool of Web site

## Overview

Allegheny Energy and American Electric Power are facing very organized opposition to the PATH project, particularly in northern Virginia and the eastern panhandle of West Virginia. Misinformation regarding the project has been sent to the media and elected officials and is beginning to take hold in several counties.

For this reason, much discussion has been had regarding the establishment of a Reliable Power Coalition in Virginia and the creation of a PATH-specific Coalition.

After much debate and discussion, the recommendation is as follows:

1-Cost permitting, re-establish the Reliable Energy Coalition in Virginia with the assistance of Dominion Power.

2-In lieu of a project-specific Coalition, create a PATH Education & Awareness Team comprising third-party technical experts, environmentalists, labor and business representatives from West Virginia, Maryland and Virginia. This will be a PATH- sponsored team and we will be upfront about its origin. Some team members' duties will be labor-intensive and require payment for their time, while others will serve as volunteers.

The Team will be aggressive in 'educating' the public, media, elected officials and community leaders about the project, clear up misconceptions and keep those audiences aware of significant milestones concerning PATH so they can make informed decisions about the project.

Other organizations and businesses will be recruited to join the Team and continue the effort to 'educate' the public, elected officials and the media with the facts.

Additional information about each recommendation is outlined below.

*\*It is also important to note EEI will continue to fund technical spokespersons such as Dan Larcamp to highlight and promote the need for transmission infrastructure, but the organization will not promote specific projects.*

## Board of Advisors

It is recommended a Board of Advisors be created to oversee the efforts of the Reliable Power Coalitions and the PATH Education & Awareness Team in West Virginia, Maryland and Virginia. The Board of Advisors should include:

- Aldie Warnock, Allegheny Energy
- Dale Heydlauff, AEP
- Susan Lavenski, CRA
- Others TBD as needed

It is recommended the Board of Advisors meet quickly to make a recommendation regarding a Reliable Power Coalition in Virginia and set in motion next steps for the PATH Education and Awareness Team.

As for the daily operations of the Coalitions, the Steering Committees in West Virginia and Maryland will continue to discuss local strategy and decide monthly activities. A Steering Committee will be established in Virginia, if approved.

### **Role of CRA**

CRA will be tasked with overseeing the Reliable Power Coalitions in West Virginia and Maryland, participate in coordination of activities for the Reliable Energy Coalition in Virginia if approved, take over maintenance of the Coalition Web sites from Burson Marsteller and develop the strategic plans and manage the activities of the PATH Education & Awareness Team.

In order to provide a more effective buffer for the companies, better manage budgets and keep contract issues to a minimum, it is recommended that PATH West Virginia and PATH Allegheny amend their contracts with CRA to include these activities. It is also suggested that the firms currently managing the coalitions in West Virginia and Maryland serve as sub-contractors to CRA. Additionally, it is suggested that when possible, the technical experts and local spokespersons are sub-contracted through CRA.

There will be no additional cost for CRA to manage the activities of the Reliable Power Coalitions in West Virginia and Maryland and maintain the Web sites. These costs are already in the budget.

All additional costs are outlined below in this document.

### **Virginia**

The Virginia Coalition for Reliable Energy has been inactive for approximately a year and a half. The Coalition was formed by Dominion Virginia Power, organized through the Fairfax County Chamber of Commerce, and led by the efforts of McGuire Woods Consulting.

If the cost is feasible, it is recommended the Virginia Coalition for Reliable Energy re-activate and continue the education efforts concerning the need for reliable energy throughout the state of Virginia. However, moving forward, instead of the Coalition being organized through the Fairfax County Chamber of Commerce, the structure could be set up similar to those in West Virginia and Maryland.

A proposal with additional information and recommendations from McGuire Woods Consulting regarding structure and price is attached.

### **Next Steps**

- Evaluate proposal from McGuire Woods Consulting for management of the Coalition
- Plan a strategic meeting with Board of Advisors to discuss recommendations
- If approved, finalize budget and fine-tune Virginia strategy with development of 2009 membership recruitment and communications plan
- Re-engage membership from Dominion coalition and begin recruitment of additional members throughout the states

### **2009 Budget Threshold for Allegheny Energy and American Electric Power for Virginia Reliable Energy Coalition: \$200,000**

### **PATH Education & Awareness Team**

A PATH Education & Awareness Team will be established with representatives from West Virginia, Maryland and Virginia. This team will work together to address issues across the project area.

This Team will comprise third-party technical experts, environmentalists, labor and business representatives who have expressed interest in becoming project-specific in their messaging. Some members of the initial Team will be paid through the project under the public education and awareness budget while others will serve as volunteers.

The Team will educate the public, media and community leaders about the project, clear up misconceptions and keep those audiences aware of significant milestones concerning PATH.

Additionally, other members will be recruited to join the Team and show support for the project, through help from the Reliable Power Coalitions. Members will be asked to sign a Petition of Support that can eventually be filed with the Commissions in each state.

### **Monthly Breakdown of Tactics and Budget**

#### **March**

#### **Budget: \$50,000**

- Board of Advisors to organize and CRA to manage 'overall-project' and 'state-specific' teams consisting of company representatives including communications and local relations, consultants, technical experts
- Identify potential spokespersons in West Virginia to be part of the PATH Education & Awareness Team and execute contracts
- Message development session for project and state teams
- Team Recruitment Kit with brochure, fact sheet, etc.
- Email blast template

- Team Recruitment Drive with mission to **gain 10 members** from WV, MD and VA from labor, business and environmental communities

**April****Budget: \$50,000**

- Team Recruitment Drive with mission to **gain additional 20 members** from WV, MD and VA from labor, business and environmental communities
- Create database of elected officials, media and community leaders in project area
- Team to conduct media tour in project area
- Four op-eds written by Team members and sent to newspapers in project area
- Develop Blog and send two updates to database
- Attend meetings with community leaders in minimum of four counties
- Letter-writing campaign to present facts about project to elected officials in project area
- Send two email blasts to database
- Conduct speaking engagements in a minimum of four counties
- Join three Chambers of Commerce or other civic organizations; make presentations to members and ask for formal support

**May****Budget: \$50,000**

- Help plan *Reliable Power Summits* to take place in June, sponsored by the Reliable Power Coalitions
- Continue Team Recruitment Drive with mission to **gain additional 20 members**
- Four op-eds written by Team members and sent to newspapers in project area
- Send four Blog updates to database
- Issue two statements about Team activities and project updates
- Attend meetings with community leaders in a minimum of four counties
- Continue letter-writing campaign to elected officials in project area
- Send two email blasts to database
- Conduct speaking engagements in a minimum of four counties
- Join three Chambers of Commerce or other civic organization; make presentations to members and ask for formal support

**2009 Budget Estimates for PATH Education & Awareness Team: \$500,000  
(split between PATH WV and PATH Allegheny)**

Included in the budget:

Administrative/Agency services

Spokesperson fees

Local Chambers of Commerce/other organization dues

Printing

Travel and expenses

**Potential Targets for Chambers of Commerce Membership**

- Garrett County
- Allegany County
- Gaithersburg
- Montgomery County
- Harford County
- Howard County
- Crisfield
- Baltimore County
- Kent County
- Pocomoke City
- Ocean City
- Stevensville
- Elkton
- Centerville
- Chestertown
- Salisbury
- Dorchester
- Taneytown
- Carroll County
- Easton
- Luray/Page County
- Highland County
- Top of Virginia
- Front Royal/Warren County
- Barbour County
- Beckley - Raleigh County
- Berkeley Springs - Morgan County
- Buckhannon/Upshur County
- Elkins/Randolph County
- Fayette County
- Grant County
- Greater Greenbrier
- Hampshire County
- Hardy County
- Harrison County
- Jefferson County
- Lewis County
- Marion County
- Martinsburg-Berkeley County
- McDowell County
- Mid Ohio Valley County
- Mineral County

- Morgantown Area
- Pendleton County
- Pleasants Area
- Pocahontas County
- Preston County
- Richwood Area
- Ritchie County
- Roane County
- Salem Area
- Summers County
- Summersville Area
- Taylor County
- Tucker County
- Webster County
- Weirton Area



---

**From:** Susan Lavenski <SLavenski@CharlesRyan.com>  
**Sent:** Thursday, January 22, 2009 5:24 PM  
**To:** Warnock, L. Aldie; rlpoff@aep.com; Estel, C. Vernon, Jr.; Colafella, Douglas G.; Kuniansky, Max, Jr.; taholliday@aep.com; medempsey@aep.com  
**Cc:** Neurohr, David  
**Subject:** Change in Plans for meeting next week

**Importance:** High

Good morning!

I just spoke with Aldie and he, Ron and Vern have asked that we make a change in the date for our meeting next week. Ron and Vern have to be in Charleston for an all-day meeting Friday.

So they have requested we have our meeting Thursday evening at CRA's office in Charleston. The meeting would begin at 6 pm. We would have dinner and then begin the presentation/discussion.

We would conclude with a meeting Friday morning at 9 am (minus Ron and Vern) to finalize next steps.

Please let me know if you will be able to attend.

For those of you staying the night, The Embassy Suites is only a block from our office. Phone: (304) 347-8700

Thanks and have a great day!

Susan Lavenski | Senior Vice President  
main: 877-342-0161 \* direct: 304-556-9129 \* cell: 304-545-8006 slavenski@charlesryan.com \* www.charlesryan.com

This communication is a confidential and proprietary business communication intended solely for the use of the designated recipient(s). If you have received this communication in error, please delete it and contact the sender.

-----Original Message-----

**From:** Warnock, L. Aldie [mailto:awarnoc@alleghenyenergy.com]  
**Sent:** Wednesday, January 21, 2009 3:20 PM  
**To:** Susan Lavenski; rlpoff@aep.com; Estel, C. Vernon, Jr.; Colafella, Douglas G.; Kuniansky, Max, Jr.  
**Cc:** Neurohr, David  
**Subject:** Re: Coalitions- next steps and next meeting??

Could we start a little earlier. I have to drive back to annapolis. Thx Aldie Warnock Vice President, External Affairs  
Allegheny Energy  
800 Cabin Hill Drive  
Greensburg, Pennsylvania. 15601  
(W) 724-838-6971  
(C) 724-331-9545  
(F) 724-838-6764

----- Original Message -----

From: Susan Lavenski <SLavenski@CharlesRyan.com>  
To: Warnock, L. Aldie; rlpoff@aep.com <rlpoff@aep.com>; Estel, C. Vernon, Jr.; Colafella, Douglas G.; Kuniansky, Max, Jr.  
Cc: Neurohr, David  
Sent: Wed Jan 21 14:29:45 2009  
Subject: RE: Coalitions- next steps and next meeting??

Tom, Doug and I just got off our weekly call. We thought Salt Fork might be a good central location for the meeting. 10:30-2:30.

Please let me know what you think and I will make the arrangements.

Tom has also suggested that we add Mark Dempsey to the list of attendees.

Susan Lavenski | Senior Vice President  
main: 877-342-0161 \* direct: 304-556-9129 \* cell: 304-545-8006 slavenski@charlesryan.com  
<mailto:slavenski@charlesryan.com> \* www.charlesryan.com <http://www.charlesryan.com>

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From: Warnock, L. Aldie [mailto:[awarnoc@alleghenyenergy.com](mailto:awarnoc@alleghenyenergy.com)]  
Sent: Wednesday, January 21, 2009 11:57 AM  
To: rlpoff@aep.com; Estel, C. Vernon, Jr.; Colafella, Douglas G.; Susan Lavenski; Kuniansky, Max, Jr.  
Cc: Neurohr, David

Subject: Coalitions- next steps and next meeting??

Team,

I thought we had a great meeting on Friday and truly appreciate everyone's involvement. To this end, I don't want to lose any momentum so assuming that Susan and her team can be ready by next Friday, I would suggest that we quickly get the team together (I am suggesting next Friday and am open to location) and finalize our future plans with the coalitions. The reason for my urgent plea is based on my concern with respect to the time we will need to build these new coalitions, if approved, and the fact that the current coalitions are expecting direction especially given the start of the legislative sessions etc. (Ron, I don't have Tom Holiday's email for some reason so please forward if you would please as well to others in AEP that you think are critical to this effort. Thanks)

Please advise if this is agreeable especially Susan since they have to be ready to offer their thoughts.

Thanks

Aldie

Aldie Warnock  
Allegheny Energy  
VP, External Affairs  
800 Cabin Hill Drive  
Greensburg, Pa 15601  
awarnoc@alleghenyenergy.com  
724-331-9545  
724-853-4485 (fax)

---

From: Tom Bloss [mailto:tbloss@pritchardelectric.com]  
Sent: Monday, January 19, 2009 10:09 AM  
To: Warnock, L. Aldie; rlpoff@aep.com; Estel, C. Vernon, Jr.; medempsey@aep.com; adpugh@aep.com  
Cc: 'Bill Tanger'  
Subject: Coalitions

From what was discussed during the meeting at Stonewall about the mission of the different coalitions it appears I have been speaking the wrong message about WV For Reliable Power. What I have been telling the groups I have been talking to is that the coalition has been formed to educate about the need for reliable power and the economic benefits and the consequences of an unreliable transmission system. The immediate goal of the coalition is to support AEP/Allegheny PATH project and the importance of this project to transmission grid and infrastructure of the region. I

have been project specific in my presentations and from what was said Friday I can now see why I have had some push back from some of those working with coalitions about the need for project specific information.

Why were the coalitions formed? I think it was clear that they were needed to counteract the growing opposition to both TRAIL and PATH.

That being said why not be project specific? When the coalitions ask members to speak at the upcoming hearings we ask them to be project specific that is why the hearings are being conducted and why we need them there to show their support. Who better to counteract the opposition than the coalition and to do that we need to be project specific or we will lose.

I do not think both companies will fund an umbrella coalition along with the other coalitions, there is no need when we have a mechanism in place. Combining the coalitions with operations in each state would have everyone on same page overall with state specific messages. The membership of the various coalitions could be contacted by mail, by phone or in person informing them of being project specific going forward I do not think the membership list will suffer a great deal if any. It will be how we portray the message, we have some talented and experienced team members who can put a palatable spin on the message for all to continue on the bandwagon. We portray the coalition as broad based voice for strong infrastructure and its benefits. We need for our members to know the mission at hand is to get approval of three state commissions and we cannot do that with generic coalitions.

If you will allow me a personal observation and if I am wrong or miss interpolated the intentions of some I apologize. I think some of those involved in the coalitions and some at AEP/Allegheny are afraid of taking a stand for the damage it may cause their careers or their client

base. We need to quit be generic. We have some good news in troubling times for the economy, why not spread the news. Everyone is looking for new sources of revenue PATH can stimulate the economy now and into the future. We are not asking for government concessions or tax breaks. Electricity cannot be stored, it is the only product that I know of that has to be produced and delivered at the very moment it is purchased.

Reliable electricity is vital to the economy and the environment. I feel it does not do the message for reliable transmission grid system can be complete at this time without being project specific.

If I am of base please let me know my feelings will not be hurt. I do feel to be effective we must move forward being project specific the longer we go as we now are the more difficult it will be. If I am looking at the overall goal and how we get there incorrectly maybe I am not the person for the mission I do not want to be a hindrance or cause any problems among those who have been involved for a long time. The project is too important for that and a number of people have been doing a good job.

Do I change what I have been saying about the coalition? Everyone I have talked to understand they are supporting PATH by being a member of the coalition.

The meeting at Stonewall was needed and beneficial; thanks to all those who arranged the meeting and took part.

Thank you

Tom Bloss

Tom Bloss

Director of Project Development

Pritchard Electric

2425 Eight Avenue

Huntington, WV 25703

304-529-2566 Ext.14

Fax. 304-529-2567

Cell 304-634-8185

## **Exhibit No. NH-33**

**“New PATH education team unveiled,”  
The Journal, Martinsburg, W.Va., August 5, 2009**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



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## New PATH education team unveiled

### Group in favor of controversial power project

August 5, 2009 - By Naomi Smoot / Journal staff writer

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CHARLES TOWN - As debate continues over the possible construction of a new high-voltage power line in the area, a new group has formed to share what members say are the "real facts" about the project.

Technical experts, along with representatives of both business and labor, have joined in the new PATH Education and Awareness Team, or PEAT.

According to spokesperson Clarence E. "CEM" Martin III, the group aims to help provide the public with facts about a project that will soon be considered by the West Virginia Public Service Commission.

The Potomac Appalachian Transmission Highline project involves the construction of a 276-mile long power line that will span three states, and make its way through portions of Jefferson County.

The project has been a point of controversy in the area for nearly a year now. Residents have staged numerous protests and other events to let their opposition be known. Martin said those who support the project are making a push to have their voices heard as well.

"What the PATH Awareness Team is doing is getting out the real facts," he said.

Officials said members are available to answer questions about the project, and speak to community groups about the issue.

The project, Martin said in an interview Tuesday, is needed to help meet the nation's power needs. It will help fill the demands associated with a growing population, and an increased reliance on technology that has left families powering multiple televisions, computers and other electronic devices.

Without improvements to both power generation, and the manner in which it is distributed, officials with the companies that have proposed the project say blackouts and brownouts could be possible in the future. Already, Martin said, serious strains are placed on the system, contributing to power outages that cost nearly \$150 billion a year.

"If you can't meet the current demands, how can you meet the demands in the future?" he asked.

Some, though, question whether power demand is truly growing.



Martinsburg, WV  
 20°F  
 Extended Forecast Find Another Location  
 Data provided by The Weather Channel ©

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### Fact Box

To learn more about the PATH Education & Awareness Team visit [www.pathawareness.com](http://www.pathawareness.com)

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Electricity consumption has taken a dip recently, but Martin said this situation could change once the nation's economy rebounds.

"Just because we've had a slight economic downturn doesn't mean we're not going to recover," he said.

Once that recovery occurs, Martin said power lines will be needed, regardless of how electricity is generated. Lines, he noted, will need to be used to transmit electricity from its source - even if it is wind or solar power - to the homes and businesses that use it.

"The challenge is, it still needs to get to consumers," he said.

Martin is being paid for his work with PEAT by Charles Ryan Associates, an advertising and public relations firm secured by Allegheny Energy and American Electric Power, both of which are involved in the PATH project, he said. Regardless, he would still support the proposed line because of its importance in helping to ensure continued economic development in the state, he said.

"I believe very strongly in this. It's not just that I've been hired," Martin said.

Martin has long worked with U.S. Sen. Jay Rockefeller, D-W.Va., and others to help bring new business to the state and region, he said. He was part of a team that negotiated with QuadGraphics to bring the business to Berkeley County, and traveled to Asia with Rockefeller as the senator sought to bring more foreign ventures to West Virginia.

"One of the key factors that we have always been able to use to attract business to West Virginia is cheap and reliable energy," Martin said.

If PATH is not constructed and electricity does not continue to remain both reliable and readily available, Martin said that could hinder the state's economic development potential.

Still, some who have opposed the project have reservations about the new team.

"It's coming out of my electric bill. They are putting a lot of money towards hiring consultants to try and put a positive PR spin on a project that is bad for three states, bad for our area," said resident Keryn Newman, who has been among the leaders of the movement to stop PATH in Jefferson County.

Newman disagrees with members of PEAT about which side of the issue is really spreading the truth, she said. She encourages residents to do their own research and examine documents that have been filed with the West Virginia Public Service Commission in regards to the project's approval before they make up their minds on the matter, she said.

"People need to do their own research, and compare, and come up with their own decisions. Don't just listen to one side or the other and take it as the gospel," Newman said.

- Staff writer Naomi Smoot can be reached at (304) 725-6581, or [nsmoot@journal-news.net](mailto:nsmoot@journal-news.net)

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# **Exhibit No. NH-34**

**PATH emails regarding expertise of PEAT spokesmen**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Colafella, Douglas G. <dcolafe@alleghenypower.com>  
**Sent:** Wednesday, August 19, 2009 7:23 AM  
**To:** Warnock, L. Aldie <awarnoc@alleghenyenergy.com>;  
slavenski@charlesryan.com; deheydlauff@aep.com; taholliday@aep.com;  
msutton@charlesryan.com; misner@charlesryan.com;  
amaddox@charlesryan.com; amccarty@charlesryan.com  
**Subject:** RE: question from the Journal

---

Thanks Aldie. And just to clarify, I wasn't suggesting that CEM take a pass on Naomi's questions. If these guys are willing to put themselves out into the public domain and take questions about PATH, they should...but we just need to make sure that he and other PEAT educators are careful about responding in the proper context - i.e., "my understanding of the district court decision is XX, but obviously federal electricity law isn't my field of expertise.."

-----Original Message-----

From: Warnock, L. Aldie  
Sent: Tuesday, August 18, 2009 4:27 PM  
To: Colafella, Douglas G.; 'SLavenski@CharlesRyan.com';  
'deheydlauff@aep.com'; 'taholliday@aep.com';  
'msutton@CharlesRyan.com';  
'Misner@CharlesRyan.com'; 'AMaddox@CharlesRyan.com';  
'amccarty@CharlesRyan.com'  
Subject: Re: question from the Journal

Correction. They are experts in their fields but not sure any of them is an expert in federal electricity law  
Aldie Warnock  
Vice President, External Affairs  
Allegheny Energy  
800 Cabin Hill Drive  
Greensburg, Pennsylvania. 15601  
(W) 724-838-6971  
(C) 724-331-9545  
(F) 724-838-6764

----- Original Message -----

From: Warnock, L. Aldie  
To: Colafella, Douglas G.; 'SLavenski@CharlesRyan.com'  
<SLavenski@CharlesRyan.com>; 'deheydlauff@aep.com'  
<deheydlauff@aep.com>; 'taholliday@aep.com' <taholliday@aep.com>;  
'msutton@CharlesRyan.com' <msutton@CharlesRyan.com>;  
'Misner@CharlesRyan.com' <Misner@CharlesRyan.com>;  
'AMaddox@CharlesRyan.com' <AMaddox@CharlesRyan.com>;  
'amccarty@CharlesRyan.com' <amccarty@CharlesRyan.com>

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Sent: Tue Aug 18 16:14:04 2009  
Subject: Re: question from the Journal

I agree. They are not experts but educators. If we go this route I think

we open up a flood gate. Maybe I am missing something if others disagree

Aldie Warnock  
Vice President, External Affairs  
Allegheny Energy  
800 Cabin Hill Drive  
Greensburg, Pennsylvania. 15601  
(W) 724-838-6971  
(C) 724-331-9545  
(F) 724-838-6764

----- Original Message -----

From: Colafella, Douglas G.  
To: 'Susan Lavenski' <SLavenski@CharlesRyan.com>; Warnock, L. Aldie; deheydlauff@aep.com <deheydlauff@aep.com>; taholliday@aep.com <taholliday@aep.com>; Matt Sutton <msutton@CharlesRyan.com>; Matt Isner <MIsner@CharlesRyan.com>; Alisha Maddox <AMaddox@CharlesRyan.com>; Allison McCarty <amccarty@CharlesRyan.com>  
Sent: Tue Aug 18 12:09:26 2009  
Subject: RE: question from the Journal

I guess it's not surprising that there may be some effort by reporters to test our PEAT folks a bit since they've stepped up as PATH "educators."

It's great to see that CEM made you aware of Naomi's request. There would appear to be instances where our PEAT folks might not be in the best position to answer - and this might be one. This question seems better suited to the project team. I'm not sure it's fair to CEM to answer these questions, and might we consider some ground rules for responding to media inquiries? These are routine questions for project spokespersons.

---

From: Susan Lavenski [mailto:SLavenski@CharlesRyan.com]  
Sent: Tuesday, August 18, 2009 11:41 AM  
To: Warnock, L. Aldie; deheydlauff@aep.com; taholliday@aep.com; Colafella, Douglas G.; Matt Sutton; Matt Isner; Alisha Maddox; Allison McCarty  
Subject: question from the Journal

Good morning-

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Naomi Smoot has called CEM Martin and is seeking his interpretation of a 7th Circuit opinion that the PATH opponents say reverses the need for PATH. According to CEM, she talked to Allen Staggers t who said this didn't reverse the need, but she said other news reports say it does.

She asked that CEM get back with her by Thursday on his interpretation.

I know this opinion had a rate implication - but was there anything about the need in the opinion??

Susan Lavenski | Senior Vice President  
main: 877-342-0161 \* direct: 304-556-9129 \* cell: 304-545-8006  
slavenski@charlesryan.com <mailto:slavenski@charlesryan.com> \*  
www.charlesryan.com <http://www.charlesryan.com>

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# **Exhibit No. NH-35**

**PEAT Biographies**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

# BIOGRAPHY



## **THOMAS SANDERS BLOSS**

Thomas Sanders Bloss has spent his career in the electric utilities industry. He recently retired from several years at American Electric Power as a construction coordinator, where he was responsible for coordinating

activities between the Building Construction Trades Union and the utility company. Previously Thomas spent more than 25 years with the Appalachian Power Company in the Substation Department in Huntington, West Virginia.

Thomas is a 35-year member of the International Brotherhood of Electrical Workers, where he has served as recording secretary, financial secretary, vice president and president of Local 978. He has also been involved with the Coalition For Energy and Economic Revitalization, a 600+ member coalition that supported construction of American Electric Power's Wyoming-Jacksons Ferry 765-kV transmission line. Since his retirement from American Electric Power in 2003, he has been employed by Pritchard Electric as Director of Project Development and Safety.



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## BIOGRAPHY

**H. RUSSELL FRISBY, JR.**

H. Russell Frisby, Jr., a partner at Fleischman and Harding LLP, focuses his practice on regulatory and corporate matters affecting entities in the energy, communications, and technology areas. As part of his

practice, Russell has served as special counsel to several large municipalities and has testified before several Congressional committees on various issues. He has represented clients in numerous corporate matters and on assorted public policy issues.

Prior to joining Fleischman and Harding, Russell served as CEO of the Competitive Telecommunications Association (CompTel). He has also served as Chairman of the Maryland Public Service Commission, and was renowned for pro-competitive policies in telecommunications, gas and electricity matters. Back in 1983 when he began private practice, Russell served as lead counsel for the District of Columbia government in various utility cases, and represented other parties in utility cases and proceedings in a number of states.

Russell earned his law degree from Yale Law School and throughout his career he has been active in public affairs and civil rights. He has served as Counsel to the Minority Business Enterprise Legal Defense and Education Fund, Inc, as well as the Congressional Black Caucus, and was the founding chair of the Baltimore City Chamber of Commerce. He has also served on numerous boards, including the Board of Directors of the Afro-American Newspapers, the Baltimore Museum of Art, the Baltimore Urban League, the B&O Railroad Museum, and the United Way of Central Maryland. Russell was recently elected Chair of the American Bar Association's (ABA) Section of Administrative Law and Regulatory Practice.



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## BIOGRAPHY

**CLARENCE E. MARTIN, III**

For more than 30 years, Clarence (CEM) E. Martin, III has been practicing law at Martin & Seibert, L.C. The third generation of his family to be a shareholder of the firm, CEM specializes in insurance litigation, electric utility litigation, products liability and asbestos defense litigation in state and federal trial and appellate courts.

CEM is a former assistant counsel to the Interstate and Foreign Commerce Committee of the U.S. House of Representatives and Trial Attorney for the U.S. Department of Justice. He was a Member of the West Virginia House of Delegates from 1976-82. A member and leader of numerous professional and business organizations, CEM recently served as the Chairperson of the West Virginia State Chamber of Commerce.

CEM earned his law degree from J.D. Catholic University of American Law School in 1974, and has since earned countless honors including an Honorary Doctorate Degree from Shepherd College, the American Jurisprudence Scholastic Achievement Award and A.G.E.'s Award for Top 50 State Legislators in the U.S.



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## BIOGRAPHY

**THEODORE V. MORRISON, JR.**

Theodore (Ted) V. Morrison, Jr. retired as Chairman of the Virginia State Corporation Commission January 1, 2008. During his 19 years of service he supervised the regulation of various industries including electric, gas and water utilities, insurance, securities and retail franchising, ship pilot rates, corporate and business entity formation and compliance. Ted also participated in the regulation of state chartered banks, credit unions, mortgage lender/brokers, and telecommunications companies. He served on the board of directors of NARUC.

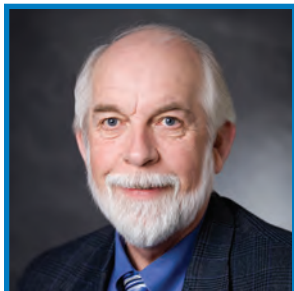
Prior to his State Corporation Commission service, Ted maintained a general law practice in Newport News and represented the city in the Virginia House of Delegates (1968-1988). His General Assembly committee assignments included Finance (chairman), Courts of Justice (vice-chairman), Rules, Privileges and Elections, and Corporations, Insurance, and Banking. Having been a member of the Virginia Code Commission for 21 years, he served as its chairman for four years. He was a member of the Joint Legislative Audit and Review Commission (vice-chairman), the State Crime Commission, and the Committee on District Courts.

Ted served in the United States Army, and was awarded B.A., LL.B, and LL.D degrees from Emory University. He still holds active member status in the Virginia State Bar.



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## BIOGRAPHY

**ROY M. SMITH**

Roy Smith recently retired as Secretary-Treasurer of the West Virginia State Building and Construction Trades Council, AFL-CIO, after 14 years.

Roy was born and raised south of Beckley in the small community of MacArthur, West Virginia. After completing public school, Roy entered an electrician apprenticeship with the International Brotherhood of Electrical Workers, Local 872, in Beckley where he spent many years working as an electrician.

Roy later became Business Manager of Local 872 where he served until former Governor Caperton appointed him as Commissioner of the West Virginia Department of Labor. In 1994 and after five years as State Labor Commissioner, Roy was selected to head the Building Trades in West Virginia.

Roy holds an A.A.S. degree from West Virginia State Community and Technical College and resides in Beckley, West Virginia.



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# **Exhibit No. NH-36**

**Subcontractor Agreement between  
Charles Ryan Associates and Tom Bloss**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**IND-PATH-I-1 ATTACHMENT K****SUBCONTRACTOR AGREEMENT**

This Subcontractor Agreement (the "Agreement") is entered into this April 1, 2009 by and between Charles Ryan Associates, LLC, a Delaware limited liability company (hereafter "Company"), and Tom Bloss, (hereafter "Subcontractor").

**RECITALS**

1. The Company has agreed to perform certain services for PATH Allegheny Transmission Company, LLC (hereafter "PATH Allegheny") beginning March 1, 2009 as agreed to in Amendment #2 to the Services Agreement (hereafter "The Services Agreement") dated February 29, 2008.
2. In order to fulfill the obligations under The Services Agreement the Company requires the services of a labor coordinator.
3. Subcontractor has agreed to perform work for the Company on the Potomac-Appalachian Transmission Highline, LLC (hereafter "PATH") project.

NOW, THEREFORE, the parties hereby agree as follows:

1. Subcontractor shall be available and shall provide labor coordination services on the PATH project.
2. Subcontractor shall submit invoices on a monthly basis to the Company for time incurred on the PATH project at an hourly rate of \$85 per hour plus expenses beginning April 1, 2009. The Subcontractor's fees are not to exceed \$50,000 plus expenses. The Subcontractor's invoice shall be combined with the Company's fee and invoiced to PATH Allegheny. Upon receipt from PATH Allegheny, the Service Provider shall remit payment to Subcontractor by the following business day for their portion of the cash received.
3. Nothing herein shall be construed to create an employer-employee relationship between the parties. The consideration set forth above shall be the sole payment due to Subcontractor for services rendered. It is understood that the Company will not withhold any amounts for payment of taxes from the compensation of Subcontractor and that Subcontractor will be solely responsible to pay all applicable taxes from said payment, including payments owed to its employees and subagents.
4. The Subcontractor will carry general liability, automobile liability, workers' compensation, and employer's liability insurance. In the event the Subcontractor fails to carry such insurance or such insurance coverage lapses while this Agreement is in effect, Subcontractor shall indemnify and hold harmless the Company, its agents and employees, from and against any such damages, claims, and expenses arising out of or resulting from work conducted by Subcontractor and its agents or employees.
5. All work will be done in a competent manner in accordance with applicable standards of the profession and any specific requirements of Company contracts with clients, and all services are subject to final approval by Susan Lavenski prior to the Company's payment.
6. The Subcontractor shall make no representations, warranties or commitments binding the Company without the Company's prior written consent.

**IND-PATH-I-1 ATTACHMENT K**

7. In the course of performing services, the parties recognize that Subcontractor may come in contact with or become familiar with information which the Company or its clients may be considered confidential. This information may include, but not limited to, information pertaining to design methods, pricing information, or work methods of the Company, as well as information provided by clients of the Company for inclusion in work to be developed for clients, which may be of value to competitors of the Company or its clients. Subcontractor agrees to keep all such information confidential and not to discuss what evolved any of it to anyone other than appropriate Company personnel or their delegates. The parties agree that in the event of a breach of this Agreement damages may be difficult to ascertain or prove. The parties therefore agree that if Subcontractor breaches this Agreement, Company shall be entitled to seek relief from a court of competent jurisdiction, including injunctive relief, and shall be entitled to an award of liquidated damages.
8. PATH Allegheny shall conduct a review of the labor coordination efforts every ninety (90) days to assure the program is meeting the specified objectives. If it is determined that the labor coordination efforts are not meeting the objectives and should be terminated, all contracts related to the aforementioned services will be terminated within thirty (30) days upon prior written notice.
9. This Agreement shall begin on April 1, 2009, and shall terminate on a date specified by the Company, unless terminated for any reason by either party upon thirty (30) days prior written notice.
10. Any notice or communication permitted or required by this Agreement shall be deemed effective when personally delivered or deposited, postage prepaid, by first-class regular mail, addressed to the other party's last known address.
11. This Agreement constitutes the entire agreement of the parties with regard to the subject matter hereof, and replaces and supersedes all other agreements or understanding, whether written or oral. No amendment, extension, or change of the Agreement shall be binding unless it is in writing and signed by all of the parties hereto.
12. This Agreement shall be binding upon and shall inure to the benefit of Company and to the Company's successors and assigns. Nothing in this Agreement shall be construed to permit the assignment by Subcontractor of any of its rights or obligations hereunder to any third party without the Company's prior written consent.
13. All plans, ideas, improvements or inventions developed by Subcontractor during the term of this Agreement shall belong to the Company and/or its clients for whom work is being performed by subcontractor. Subcontractor shall not retain the right to display works s/he creates for Company in their portfolio.
14. Subcontractor agrees to not perform business for or solicit business from the client's of the Company for a period of 5 (five) years from the date this agreement is signed without written permission from Company.
15. In the event of disputes arising from this Understanding, jurisdiction and venue over such dispute shall be placed with the state and federal courts of the State of West Virginia. This agreement shall be governed by West Virginia law. The prevailing party shall be entitled to recover its reasonable attorney fees and statutory costs. To any portion of this understanding be declared unenforceable,

## IND-PATH-I-1 ATTACHMENT K

that portion shall be construed to give it the maximum effect possible, and the remainder of this Understanding shall continue in full force and effect.

### **CHARLES RYAN AND ASSOCIATES, LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

### **TOM BLOSS**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

# **Exhibit No. NH-37**

**PEAT's PATH Petition, website article,  
and promotion on wvcoal.com website**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



## Petition to Support PATH Project

<p>Petition summary and background</p>	<p>The Potomac-Appalachian Transmission Highline (PATH) Project is a joint venture of American Electric Power (AEP) and Allegheny Energy to build a new high-voltage interstate transmission line. Our country's top energy experts, including the U.S. Department of Energy, the North American Electric Reliability Corporation and PJM Interconnection, have called for new transmission lines to be built to prevent looming reliability concerns. The transmission grid works like a highway system, moving electricity throughout the region. And we have a traffic jam on that system. PATH is the recommended solution to avoid overloading numerous existing transmission lines. Overloads threaten the entire electric power supply system – and blackouts can result from overloads. Because of the interconnected nature of the grid, each transmission zone is interdependent on its neighboring zones. As a result, the entire region will benefit from the new facilities.</p>
<p>Action petitioned for</p>	<p>We, the undersigned, are concerned citizens, businesses and organizations who believe reliable power is essential to our economy, jobs, safety, national security and way of life, and we believe the proposed PATH Project is necessary for the future of reliable power in our region.</p>

Printed Name	Signature	E-mail Address	City/State	Date





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**PATH Education & Awareness Team Part of the West Virginia Coal Association’s Annual Meeting at the Greenbrier.**

Nearly 100 people were in attendance at the West Virginia Coal Association’s Annual Meeting at the Greenbrier Resort as PATH Education & Awareness Team (PEAT) member Joe Deneault presented information about the PATH Project Friday, Aug. 7.

As part of his presentation, Deneault answered questions about rate impacts to AEP and Allegheny Energy customers as well as details about the proposed route – approximately 225 miles of which will be located in West Virginia.

Additionally, Deneault, along with PEAT member Tom Bloss, distributed packets of materials to those interested in learning more about the PATH Project.

A blue rectangular graphic with white text. The text reads "GET INVOLVED SIGN THE PETITION" in large, bold, sans-serif letters. Below this text is a green horizontal bar with the text "CLICK FOR MORE" in white. At the bottom of the graphic is the PATH logo, which includes a stylized house icon and the word "PATH" in bold white letters.

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Nearly 100 people attended the PATH presentation during the West Virginia Coal Association's Annual Meeting at the Greenbrier Resort. PEAT members Joe Deneault and Tom Bloss were available during the two-day conference to provide information and answer questions about the PATH Project.

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PEAT member Joe Deneault answers questions about the PATH Project following his presentation at the West Virginia Coal Association's Annual Meeting Aug. 7, 2009.

PATH, a joint venture between American Electric Power and Allegheny Energy to build a 765-kV transmission line that will go through parts of West Virginia, Virginia and Maryland.

If you would like more information on the project, or to participate in educating your community about the importance of PATH, please e-mail [peatinfo@pathtransmission.com](mailto:peatinfo@pathtransmission.com).

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• WEST VIRGINIA COAL ASSOCIATION •

**PROTECT COAL JOBS!**  
**HEAR OUR VOICE ON THE REGULATIONS SHUTTING DOWN COAL-FIRED POWERPLANTS!**

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**Contact EPA Administrator McCarthy!**

**COAL FACTS 2013**  
 PDF DOWNLOAD

**PATH Education & Awareness Team**

PATH is a joint venture between Allegheny Energy and American Electric Power (AEP) to build a new, high voltage, interstate transmission line that will go through West Virginia, Virginia and Maryland.

PATH will consist of a single 765-kV line that will begin at AEP's John Amos Substation in Putnam County, West Virginia, pass through the proposed Welton Spring Substation in Hardy County, West Virginia, and end at the proposed Kempton Substation in Frederick County, Maryland.

The transmission line will be approximately 276 total line miles, with approximately 225 line miles in West Virginia, approximately 31 line miles in Virginia and approximately 20 line miles in Maryland.

The project is expected to be completed with an in-service date of 2014 and cost approximately \$1.8 billion.

**Participation**

If you would like to participate in educating your community about the importance of PATH, or you would like more information, please email them at [peatinfo@pathtransmission.com](mailto:peatinfo@pathtransmission.com).

**Petition to Support PATH Project**

If you are supportive of PATH, we ask you to sign the PATH petition, which will be filed with the Public Service Commissions in West Virginia and Maryland and the State Corporation Commission in Virginia. We encourage you to sign it and join us in supporting a project that will help ensure reliable power for our future.

SIGN THE PETITION [HERE](#).

**FRIENDS OF COAL LICENSE PLATE**  
 DOWNLOAD YOUR APPLICATION HERE

**WEST VIRGINIA COAL ECONOMY**  
 A Joint Economic Impact Study by the WVU and MU Colleges of Business

[Download PDF](#)

West Virginia Coal Economy Joint Finance Committees Presentation - [Download PDF](#)



West Virginia Coal Association – PO Box 3923 – Charleston, WV 25339 | 304-342-4153 | website developed by [brickswithoutstraw](#)

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## **Exhibit No. NH-38**

**PATH emails discussing labor union support for PATH project**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** medempsey@aep.com  
**Sent:** Friday, June 19, 2009 10:47 AM  
**To:** mheyeck@aep.com  
**Cc:** Tony Kavanagh <apkavanagh@aep.com>; Craig Baker <jcbaker@aep.com>; Ronald L Poff <cn=ronald l poff/ou=ro1/o=aepin@aepin>; Susan Tomasky <stomasky@aep.com>  
**Subject:** Re: Lost Union Support of PATH

---

Tom Householder left me a voice mail this morning saying he is meeting with the construction trades today. He will be able to provide an assessment of what (if anything) we can do to turn them either later today or Monday morning. As soon as Tom knows I'll set up a conference call so he can brief us.

Mark Dempsey

Vice President

External Affairs

AEP Appalachian Power

PO Box 1986

Charleston, WV 25327-1986

1-304-348-4120

audinet 308-4120

Michael Heyeck/OR2/AEPIN

To: Ronald L Poff/RO1/AEPIN/AE  
cc: Mark E Dempsey/AS1/AEPIN@  
Subject: Lost Union Support of PATH

06/18/2009 03:29 PM

We absolutely need a call to get back the unions. If Aldie's comment is Allegheny's view, we need to change that. Get intelligence from Tom Householder and report to all of us on the email list. We indeed need a call internally after you gather the information.

Thanks, Mike .....

----- Original Message -----

**From:** Ronald L Poff  
**Sent:** 06/18/2009 03:22 PM EDT  
**To:** Michael Heyeck  
**Cc:** Mark Dempsey  
**Subject:** Fw: Resignation Letter from Steve White

Mike,

This may be an issue we should add to our forthcoming discussion with Allegheny. While I've endeavored to stay on the sidelines, relative to the project coalition activities, Mark Dempsey has been fairly active in coordinating AEP external affairs activities/resources with his Allegheny counterparts. Recent communications exchanges with Mark and Tom Bloss (retired AEP who ran our JF-W coalition) indicates that the WV for Reliable Power group has effectively lost the support of both the Building Trades and IBEW. My project intelligence indicates that the relationship between our Allegheny partners and the unions is apparently "in the sewer"! Given the fact that PATH and TrAIL has committed to and is utilizing IBEW labor for the construction of the 765 & 500 kV lines, I find this development somewhat bazaar! We have asked Tom Householder to gather some "behind the scenes" intelligence for us in an effort to understand what's going on. Given the results of our discussion we might want to consider getting Tom H. involved in trying to repair relationships with the unions, assuming his availability and Allegheny's receptivity.

I'll defer to Mark's predictions, but given my perceptions of the WV political culture, the loss of union support will likely not bode well for the project. When I expressed similar concerns to Allegheny's Aldie Warnock he responded "that they were prepared to get the project accomplished without the support of the unions!"

Please advise if you would desire to pull together an AEP internal teleconference to discuss this issue prior to approaching Allegheny.

PATH00049704



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Thanks - Ron

----- Forwarded by Ronald L Poff/RO1/AEPIN on 06/18/2009 02:33 PM -----

Mark E Dempsey/AS1/AEPIN

To: Ronald L Poff/RO1/AEPIN@  
cc  
Subject: Fw: Resignation Letter from :

06/18/2009 09:01 AM

Attached below is the letter withdrawing ACT support for the WV for Reliable Power coalition. Short and to the point but also does not mention any specific project.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

----- Forwarded by Mark E Dempsey/AS1/AEPIN on 06/18/2009 08:58 AM -----

browncom@aol.com

To: awarnoc@allegHENyenergy  
cc: gblanke@allegHENyenergy  
Subject: Resignation Letter from St

06/17/2009 11:58 AM

FYI - Please see attached.

.....  
[Dell Days of Deals! June 15-24 - A New Deal Everyday!](#)

[attachment "Letter from Steve White 6-09.pdf" deleted by Michael Heyeck/OR2/AEPIN]

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** medempsey@aep.com  
**Sent:** Sunday, June 21, 2009 11:49 AM  
**To:** Susan Tomasky <cn=susan tomasky/ou=or1/o=aepin@aepin>  
**Cc:** Tony Kavanagh <apkavanagh@aep.com>; Craig Baker <jcbaker@aep.com>; Michael Heyeck <cn=michael heyeck/ou=or2/o=aepin@aepin>; Ronald L Poff <cn=ronald l poff/ou=ro1/o=aepin@aepin>; Susan Tomasky <stomasky@aep.com>; Thomas P Householder <cn=thomas p householder/ou=or4/o=aepin@aepin>  
**Subject:** Re: Lost Union Support of PATH

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Susan - I first learned there were problems developing in May. Tom Bloss (retired AEP / IBEW employee) who worked on the JFW coalition and is now working on PATH along with Roy Smith (retired Affiliated Construction Trades president) asked to meet. They told me then that problems were brewing with Allegheny because they had selected a non-union contractor to build their new Fairmont, WV transmission control center. I later found out the Allegheny contractor is union but United Steel Workers. I am told the construction trades hate the Steelworkers so we have the additional problem of different unions that don't get along. Allegheny has been telling us that they are working to resolve the dispute. Tom Bloss told Ron Poff and I that Allegheny is saying one thing then doing another. I don't know for sure if that's the case but Bloss said that Allegheny is hiring exclusively non-union contractors on other work. Both Bloss and Smith told me that the unions very much value their relationship with AEP. They told us at the meeting where the trade unions voted to withdraw from the WV Coalition for Reliable Power that there were some who wanted to flat out oppose the TrAIL and PATH projects. The prevailing argument was to not take that drastic step out of respect for AEP.

Tom Householder who works in Bill Sigmon's group and is greatly respected among the trades met with them Friday. He promised to report what he found out to us tomorrow (Monday). He and I have been trading voice mails but I asked him to join us on a conference call if at all possible. I'll let all of you know when we hear from him.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

Susan Tomasky/OR1/AEPIN

To: Michael Heyeck/OR2/AEPIN@  
cc: "Tony Kavanagh" <apkavanag  
Subject: Re: Lost Union Support of PAT

06/20/2009 10:35 PM

It is incomprehensible to me that we would attempt to get PATH done without union support, and I am absolutely confident that Mike Morris would find it completely unacceptable to just let this happen. I am prepared to elevate this asap, to senior leadership at IBEW. I feel quite comfortable talking to Ed Hill, but I need to know facts. At this point, I don't understand exactly what we know about them no longer being on board. Thanks st

PATH00049696

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**From:** Blankenship, George B.  
**Sent:** Monday, November 16, 2009 2:19 AM  
**To:** Faulk, Todd W.; Dudzinski, Edward  
**Cc:** Warnock, L. Aldie; Tompkins, Daniel P.  
**Subject:** UWUA Position

Todd and Ed,

Late Friday I received a call from Matt Sutton, a representative from our PATH PR firm, Charles Ryan, who has been assisting our unions with their support efforts on our PATH project. Matt had contacted Bob Whelan to follow up on Bob's past commitment to assist with the project to see if Bob could recruit some members to speak in support of the project at this Thursday's public comment hearing in Loudoun County VA and also to continue discussions with Bob about his members signing letters of support to the VA SCC and letters to the editors of service territory newspapers. According to Matt, Bob was very much interested in continuing to support our efforts, but indicated that due to a grievance that the UWUA had been dealing with recently he did not think that they would be able to help out until that was resolved. Bob did not disclose to Matt what the issue was, but that they expected it to have been resolved some time ago and it is still pending. I just wanted to bring this to everyone's attention. I suggest we back off reaching out to Bob or the UWUA until such time as you tell us these issues are resolved. Let me know if you feel that is appropriate.

Thanks,

**George B. Blankenship**  
*Director, External Affairs*  
*Office 724-838-6362*  
*Fax 724-853-3699*

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Matt Sutton <msutton@charlesryan.com>  
**Sent:** Wednesday, February 9, 2011 9:41 AM  
**To:** taholliday@aep.com  
**Subject:** List of labor support  
**Attach:** Labor PATH Activities.docx

---

Tom,

Attached is the list of labor activities that you asked for. I just put them down in bullet format, if you need me to flush them out a little more, just let me know.

Thanks...Matt



### Labor PATH Activities

- Recruit speakers for the West Virginia public hearings, as well as both sets of Virginia hearings
- Had local members write letters to the West Virginia PSC and Virginia SCC
- Signed Letters to the Editor in support of the project
- Local unions have joined the coalitions in West Virginia, Virginia and Maryland
- Key leaders sit on both the West Virginia and Maryland coalition steering committees
- Allowed PEAT to sponsor and display booth at several trade shows in all three states
- Invited PEAT member (Tom Bloss) to provide updates to management teams and local unions
- Helped organize members and key leaders to write letters to Maryland elected officials opposing legislation last year
- Had local workers sign the PATH petition in support of the project in all three states
- Coordinated meetings for West Virginia coalition with Governor Manchin and acting Governor Tomblin
- Participated in and found speakers for two West Virginia coalition energy forums
- Had members write and send letters concerning the NEPA process
- WV ACT has provided updates on the Project in their membership newsletter
- Spoken with elected officials in the all three states in support of PATH
- Had a speaker for a Maryland coalition membership meeting
- Coordinated groups for the PLA announcements

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**From:** Tom Bloss [tbloss@pritchardelectric.com]  
**Sent:** Tuesday, January 25, 2011 2:24 PM  
**To:** tphouseholder@aep.com; apugh@aep.com; Estel, C. Vernon, Jr.; 'Matt Sutton'; 'Susan Lavenski'  
**Subject:** FW: Virginia SCC Public Hearings

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**From:** frank hartsoe [mailto:boilermakers45@hotmail.com]  
**Sent:** Monday, January 24, 2011 4:17 PM  
**To:** tbloss@pritchardelectric.com  
**Subject:** RE: Virginia SCC Public Hearings

Hi Tom,

I will gladly pass this along to the trades and see how many speakers we can round up. I would think we are good for a couple or so.

Thanks for keeping us in mind.

Frank Hartsoe -Boilermakers Local 45

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**From:** tbloss@pritchardelectric.com  
**To:** boilermakers45@hotmail.com  
**CC:** tphouseholder@aep.com; apugh@aep.com; CESTEL@alleghenypower.com; msutton@CharlesRyan.com; SLavenski@CharlesRyan.com  
**Subject:** Virginia SCC Public Hearings  
**Date:** Mon, 24 Jan 2011 10:51:01 -0500

Frank:

The Virginia SCC will be holding public hearings on the PATH 765 kV transmission line project the first local hearing will be in Winchester on Wednesday, February 2, 2011 in the John Handley High School auditorium, 425 Handley Boulevard. The hearing will begin at 2 p.m. and then reconvene at 7 p.m.

The next local hearing will be in Purcellville in Loudoun County on Thursday, February 3 in the Loudoun Valley High School auditorium, 340 North Maple Avenue. The hearing will begin at 4 p.m. and then reconvene at 7 p.m. Any person wishing to testify at the hearings should arrive early and notify the SCC bailiff.

Do you or any of the other trades have anyone in the area that could speak in favor of the project? Jim Kauffman and Brian Malloy of the IBEW are trying to get some folks to speak all the speakers have to say is they are here in support of the project. If you need any information about the project or would like for me to meet with potential speakers I can do it. Vance knows about the hearings and he said he is very busy and did not have the time to contact people. I understand this is a busy time with the Legislative sessions in progress in all three states.

I realize the line and station work on the project will not be Boilermaker work but it will be union work it will come from power plants where Boilermakers are a vital part of keeping the plants on line and getting them back on line in times of trouble.

If you have any questions please contact me. Thank you and the Virginia State Building Trades for all your support.

*Tom Bloss*

Tom Bloss  
Director of Project Development  
Pritchard Electric  
2425 Eight Avenue  
Huntington, WV 25703  
304-529-2566 Ext.14  
Fax. 304-529-2567  
Cell 304-634-8185

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**From:** Dudzinski, Edward  
**Sent:** Thursday, June 25, 2009 12:30 PM  
**To:** Haney, James R.  
**Subject:** FW: labor support

Please give me a call before I respond,,,ed

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**From:** Warnock, L. Aldie  
**Sent:** Wednesday, June 24, 2009 9:41 PM  
**To:** Dudzinski, Edward; Haney, James R.  
**Subject:** FW: labor support

See below. This sounds like a good plan below. Is the explanation at the end in line with your understanding?

*Aldie Warnock*  
 Allegheny Energy  
 VP, External Affairs  
 800 Cabin Hill Drive  
 Greensburg, Pa 15601  
[awarnoc@alleghenyenergy.com](mailto:awarnoc@alleghenyenergy.com)  
 724-331-9545  
 724-853-4485 (fax)

---

**From:** Susan Lavenski [<mailto:SLavenski@CharlesRyan.com>]  
**Sent:** Wednesday, June 24, 2009 1:41 PM  
**To:** Warnock, L. Aldie  
**Cc:** Matt Sutton  
**Subject:** labor support

Matt and I discussed and have outlined the priorities. Thoughts?

Labor support (Highest to Lowest Priority)

- Letters to the Governor and PSCs, SCC and elected officials (we can provide bullets and all information for mailing)
- Testify at the hearings
- Sign PATH specific petitions, including individual members
- Letters to the Editor (we can provide bullets and help with distribution)
- Membership to attend pro-PATH rallies around the hearing
- Join Coalition

We are suggesting Letters to the Governors, PSCs, SCC first because we think that if this is the issue we are worried about and we can show the Governor that we have labor support, then it should ease everything else.

Understanding of Labor Organization

It is our understanding from conversations with Tom Bloss at the state and national level, the IBEW is under the Building and Construction Trades and they pay dues to them. The Utility Workers are an arm of the IBEW but they are not under the Building and Construction Trades. The Building and Construction Trades recognize and support the Utility Workers, but the Utility Workers do not pay dues to the Building and Construction Trades. This really means that the Building and Construction Trades do not have a huge amount to gain for the line, just the road construction according to Bloss.



Let me know what you think!

Susan

## **Exhibit No. NH-40**

**PATH Response to Information Request Newman2011-21.20.4,  
Corporate stewardship**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**Response of Potomac-Appalachian Transmission Highline, LLC  
PATH Formula Rate Annual Update and PTRR Filings/Postings in 2011  
FERC Docket No. ER08-386-000**

Information Request submitted by: Keryn Newman      Email: keryn@stoppathwv.com

Date Information Request submitted: October 17, 2011

Response date: November 4, 2011

This response and any information attached hereto are provided pursuant to Sections VI.C. and VI.D. of Attachment H-19B of the PJM Open Access Transmission Tariff. Any use of this response and such information for purposes other than those set forth in Attachment H-19B violates Attachment H-19B and is not authorized.

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**Newman2011-21.20:**

Referencing Newman2011-16.22

1. When will the PATH Companies make a determination about how and when this and other corrections will be made? I request that this information be shared with interested parties when determined.
2. In accordance with § 385.410 (a)(2)(ii), please provide a description of the approximate number of documents that would have to be produced and a summary of the information contained in such document to substantiate your claim of "burden." .
3. Is "corporate stewardship" an expense described as properly includible in account 426.1?
4. What is the difference between this "corporate stewardship" that "should be classified in account 426.1" and other "corporate stewardship" expensed in account 930.2?

**Response:**

1. The PATH Companies are discussing how and when these and other adjustments will be made. At this time, the PATH Companies expect that in a manner similar to the updating of the 2011 PTRR in December 2010 they will update the 2012 PTRR in mid-December 2011 to adjust the PTRR for amounts that should not be recovered through the Formula Rate.

2. § 385.410 (a)(2)(ii) applies only to discovery requests that request the production of documents. Newman2011-16.22 did not request the production of documents. Therefore, § 385.410 (a)(2)(ii) is not applicable.
3. Only donations related to corporate stewardship are includible in FERC account 426.1.
4. Corporate stewardship related donations are recorded to FERC account 426.1. Corporate stewardship related memberships are recorded to FERC account 930.2.

# **Exhibit No. NH-41**

**Board of Advisors Conference Call Meeting Minutes,  
September 18, 2009**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**Board of Advisors Conference Call**  
**September 18, 2009**  
**2:00 p.m. - 3:15 p.m.**

**AGENDA**

**2:00 p.m.-2:45 p.m.**

- WV, VA and MD Coalition Updates: Charged all three with getting 100 petitions signed. Can be friends, family, etc. Twenty members by end of year. Start with State chamber in WV/MD, send note to all local chambers. Look at events before/after hearings. Couple issues with MD/VA re: deliverables. Shaila just getting back from illness. VA coalition, some issues trying to stay in the loop. Should be fine after discussions. Need to push on other deliverables. Newsletter, speaking opps, media opps, etc. MD – oped will go out shortly in Maryland. Nov. 1 deadline to get petition signers.
- Roy Smith: Originally backed out of PEAT. Willing to bet back in. Influential with Dave Efaw and White, etc.
- Speaking Engagements: Calendar getting full. Had three people on same day in three different states. Working into January/Feb. of next year. **PATH can join chambers. It helps getting speaking engagements.** Gives opportunities with media too.
- Organizational Outreach: Ten different groups targeted, IBEW (MD/VA) cover eastern panhandle of WV; UAWA (WV/MD, VA trades, WV Trades, DCBalt trades, Carpenters, UWA. Set up letter writing campaign. Ask for two people per week, through end of year. CRA will write letters. Letters to PSCs.
- Retirees: Insert in AEPConnect. / Friddle has five groups of retirees to target .. have PEAT person come in and talk with them.
- Public Hearings in WV: Eight people confirmed. Tasked folks with getting 20 and Bloss with getting 20. Four UWA, two people from CEM's firm. 10 at Flatwoods. Labor support of coalition in Charleston Sep. 30.

-Petitions

**2:45 p.m.-3:15 p.m. (McGuire Woods and Dominion will join the call)**  
**Tompkins, Jeff, Missy, Mark, Heather, CRA,**

- Virginia Coalition Update: Richmond Event – Dan Carson. Don't have AE person yet.

# **Exhibit No. NH-42**

**PATH emails discussing memberships**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** deheydlauff@aep.com  
**Sent:** Wednesday, September 29, 2010 10:15 AM  
**To:** Matt Sutton <msutton@charlesryan.com>  
**Cc:** Aldie Warnock <awarnoc@allegHENyenergy.com>; Doug Colafella <dcolafe@allegHENypower.com>; Lavenski Susan <slavenski@charlesryan.com>; Tom Holliday <taholliday@aep.com>  
**Subject:** Re: PEAT

---

I like this strategy - retail lobbying at its best.

I will be attending a Board meeting in Michigan on Friday an unable to participate on the call.

Dale

Dale E. Heydlauff  
Vice President-Corporate Communications  
American Electric Power  
1 Riverside Plaza  
Columbus, Ohio 43215  
Phone: 614/716-1280  
Fax: 614/716-2699

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Matt Sutton <msutton@charlesryan.com>

To: Aldie Warnock <awarnoc@allegHENyenergy.com>  
cc: Lavenski Susan <slavenski@charlesryan.com>  
Subject: PEAT

09/29/2010 10:00 AM

Good morning,

On our BOA call on Friday, we want to discuss the direction in which some of the PEAT team members are taking to get the message out. As you know, we have been having difficulties this year scheduling events at Chambers, Rotaries, etc, so we think that it would be best if the PEAT members focus more on setting up individual meetings with Chamber leaders, association heads, CEOs, etc and then try and get larger group presentations out of those meetings. This isn't really anything new, because Russell and Tom Bloss have been doing this, but we wanted to take it to the next level and set up dozens of these over the next couple months.

Dan Tompkins and I met with Russell and the Artemis Group last week and went through the people in Maryland that Russell needs to meet with and we are going to have a similar meeting with Clint next week in Virginia about setting up similar meetings. Russell and Tom Bloss have already set up a meeting with Rod Easter (Baltimore Building and Construction Trades) and Dan and Russell are meeting with the head of Maryland State Chamber early in October.

The goal of these individual meetings is to talk with key leaders in the community and hopefully be able to have them help us set up larger speaking opportunities, possibly some lunches that PEAT could sponsor for other key community leaders. We will continue to work with the Chambers and other groups to set up speaking engagements, but we wanted to make sure that we were taking advantage of the experts we have to get the message out about the project.

Just wanted to let you know where we were headed so that we can discuss it on the call.

PATH00002411



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Thanks...Matt

PATH00002412

# **Exhibit No. NH-43**

**PATH Response to Information Request IND-PATH-V-127,  
Accounts 426.1 and 426.4 detail**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Potomac-Appalachian Transmission Highline, LLC, ) Docket Nos. ER09-2156-002  
and PJM Interconnection, L.L.C. ) ER12-2708-003**

**POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE, LLC  
RESPONSE TO  
PRO SE'S FIFTH SET OF DATA REQUESTS**

**IND-PATH-V-127**

Provide complete "Description of Service" for each line item on IND-PATH-III-66, Attachment B, that describes the service, not the vendor.

**RESPONSE:**

See IND-PATH-V-127 Attachment A.

Prepared by or under the supervision of:

Cheryl Gonder

IND-PATH-III-66 REVISED ATTACHMENT B

Path-Allegheny

Sum of Path Allocated Amount

YEAR	Regulatory account	NAME	Invoice Number	Invoice Date	Description of Service	PATH Allocated Amount		
2009	90426100	Various - Total by Vendor less than \$100	(blank)	(blank)	Various-Vendor Total<\$100	\$1,393		
		DO NOT USE DOLLAR ENERGY FUND INC	(blank)	(blank)	Hardship Donation	\$770		
		UNITED WAY OF WESTMORELAND CO	(blank)	(blank)	Corporate Sponsorship/ Annual Campaign	\$618		
		MD CHAMBER OF COMMERCE	(blank)	(blank)	MD Chamber of Commerce membership provides the opportunity, outside of the regulatory process, to provide educational materials about the PATH Project to Chamber participants through various Chamber sponsored events.	\$3,500		
		TOP OF VIRGINIA REGIONAL CHAMBER	(blank)	(blank)	The Top of Virginia Regional Chamber provided the PATH Companies with the opportunity to meet with other members of the Chamber in Clark and Frederick Counties and provide educational material and information regarding the PATH Project.	\$500		
		C & O CANAL TRUST	(blank)	(blank)	Donation to offset transportation costs of students to visit the C&O Canal National Historic Park	\$2,500		
		HOUSE REPUBLICAN CAMPAIGN COMMITTEE	(blank)	(blank)	House Majority Retreat Donation	\$2,000		
		MORGAN ARTS COUNCIL	(blank)	(blank)	Corporate Sponsorship of Art & Elegance Ball	\$1,500		
		NORTH AMERICAN TRANSMISSION FORUM	(blank)	(blank)	Required Payment by all utilities	\$164		
		<b>90426100 Total</b>						<b>\$12,945</b>
		2009	90426400	EDISON ELECTRIC INSTITUTE	(blank)	(blank)	Membership benefits the whole corporation and provides information on electric industry. Corporate monitoring of organizations activities. The costs are allocated to all entities and PATH receives its share.	\$1,762
				J. Christopher LaGow	(blank)	(blank)	Consulting Services for PATH AYE	\$17,511
				JANA O SHEFFER	(blank)	(blank)	Consulting services-CPCN related	\$2,550
				Various - Total by Vendor less than \$100	(blank)	(blank)	Various-Vendor Total<\$100	\$3,842
				LeClair Ryan	(blank)	(blank)	Consulting Services-PATH	\$5,900
Gordon, Feinblatt et JANA O SHEFFER	(blank)			(blank)	Amos to Welton Spring Permitting Services	\$2,500		
	121209			12/12/2009	Consulting services-CPCN related	\$300		
	01-0131			2/17/2009	Consulting services-CPCN related	\$1,364		
	02/0228			2/17/2009	Consulting services-CPCN related	\$4,064		
	03-0131			4/5/2009	Consulting services-CPCN related	\$1,500		
	04-0130			5/8/2009	Consulting services-CPCN related	\$1,800		
	May Services			6/5/2009	Consulting services-CPCN related	\$2,400		
	November Services			12/1/2009	Consulting services-CPCN related	\$450		
	October Services			11/1/2009	Consulting services-CPCN related	\$675		
	September Services			10/2/2009	Consulting services-CPCN related	\$1,200		
LAW OFC OF J CHRISTOPHER LAGOW	(blank)			(blank)	Consulting Services for PATH AYE	\$20,649		
WILLIAM R MILES	(blank)			(blank)	Consulting Services-PATH	\$20,000		
MURPHY COMPANIES INC	(blank)			(blank)	Consulting Services-PATH	\$166,134		
GORDON FEINBLATT ROTHMAN HOFFBERG	(blank)			(blank)	Amos to Welton Spring Permitting Services	\$37,500		
LECLAIR RYAN, A PROFESSIONAL CORP	(blank)			(blank)	Consulting Services-PATH	\$7,501		
ACCESS POINT PUBLIC AFFAIRS LLC	(blank)	(blank)	Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	\$15,021				
<b>90426400 Total</b>						<b>\$314,624</b>		
<b>2009 Total</b>						<b>\$327,569</b>		
2010	90426100	Various - Total by Vendor less than \$100	(blank)	(blank)	Various-Vendor Total<\$100	\$438		
		JEFFERSON CO FAIR ASSOC INC	(blank)	(blank)	To improve the overall electrical utilization on the fairgrounds	\$4,264		
		PRESTON CO CHAMBER OF COMMERCE	(blank)	(blank)	The Preston County Chamber of Commerce Chamber provided the PATH Companies with the opportunity to meet with other members of the Chamber and provide educational material and information regarding the PATH Project.	\$170		
		DO NOT USE DOLLAR ENERGY FUND INC	(blank)	(blank)	Hardship Donation	\$1,138		
		UNITED WAY OF WESTMORELAND CO	(blank)	(blank)	Corporate Sponsorship/ Annual Campaign	\$1,699		
		CITY OF BRUNSWICK	(blank)	(blank)	Summer Concert Series Sponsorship	\$400		
		MOUNTAIN MARYLAND PACE	(blank)	(blank)	2010 Railroad Days & Veteran Day Parade Sponsorships Sponsorship of PACE (Positive Attitudes Change Everything)	\$3,500		
		WV MANUFACTURERS ASSOC	(blank)	(blank)	The WV Manufacturers Association provides members with access to experts in the area of environmental protection, workers' compensation, unemployment compensation, tax, safety and other areas of interest to manufacturers.	\$1,000		
		RELIGIOUS COALITION	(blank)	(blank)	Hardship Donation	\$162		
		MLSF	(blank)	(blank)	Maryland Legislative Sportsmen's Foundation - to advance the positive results for Maryland Sportsmen	\$2,500		
		MORGAN ARTS COUNCIL	(blank)	(blank)	Corporate Sponsorship of Art & Elegance Ball	\$1,500		

IND-PATH-III-66 REVISED ATTACHMENT B

Sum of Path Allocated Amount

YEAR	Regulatory account	NAME	Invoice Number	Invoice Date	Description of Service	PATH Allocated Amount
		MARYLAND MUNICIPAL LEAGUE	(blank)	(blank)	Maryland Municipal League membership provides the opportunity, outside of the regulatory process, to provide educational materials about the PATH Project to League participants through various League sponsored events.	\$6,500
		NORTH AMERICAN TRANSMISSION FORUM	(blank)	(blank)	Required Payment by all utilities	\$487
		COMMUNITY FOUNDATION OF HAGERSTOWN	(blank)	(blank)	Donation-"Race for Ryan" - Ryan Myers Memorial Scholarship	\$2,500
		MACO	(blank)	(blank)	MACO membership provides the opportunity, outside of the regulatory process, to provide educational materials about the PATH Project to MACO participants through various MACO sponsored events.	\$3,000
		THUNDER OVER THE BLUE RIDGE INC	TOTBR SPONSOR	7/9/2010	Sponsorship of Martinsburg Air Show	\$2,500
		WV ECONOMIC DEVELOPMENT COUNCIL	WVEDC SPONSOR B	8/20/2010	The WV Economic Development Council promotes a unified program of economic development in West Virginia, and activities that retain and expand present business and industry and attract new business to WV.	\$120
		ST JOHNS UNIVERSITY	100810	9/28/2010	Sponsorship of the Spirit of Service Award	\$335
		American Coalition for Clean Coal Electriciti	(blank)	(blank)	2010 Member Dues	\$720
<b>90426100 Total</b>						<b>\$33,932</b>
					Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	
90426400		ACCESS POINT PUBLIC AFFAIRS LLC	(blank)	(blank)	Loudoun County and how to manage through this environment.	(\$4,070)
		ECKERT SEAMANS CHERIN & MELLOTT	(blank)	(blank)	Professional & Consulting Services in Virginia	(\$4,000)
		GORDON FEINBLATT ROTHMAN HOFFBERG	(blank)	(blank)	Amos to Welton Spring Permitting Services	(\$2,500)
		Various - Total by Vendor less than \$100	(blank)	(blank)	Various-Vendor Total<\$100	\$4,143
			April Services	5/1/2010	Consulting services-CPCN related	\$2,700
			February Services	2/28/2010	Consulting services-CPCN related	\$750
			January Services	1/31/2010	Consulting services-CPCN related	\$2,250
			June 2010 Serv	7/7/2010	Consulting services-CPCN related	\$1,200
			March Services	4/1/2010	Consulting services-CPCN related	\$1,650
			MAY 2010	6/3/2010	Consulting services-CPCN related	\$1,950
		LAW OFC OF J CHRISTOPHER LAGOW	984	6/23/2010	Consulting Services for PATH AYE	\$2,029
			992	7/20/2010	Consulting Services for PATH AYE	\$2,032
			997	8/23/2010	Consulting Services for PATH AYE	\$2,031
			1004	9/22/2010	Consulting Services for PATH AYE	\$2,029
			1009	12/22/2010	Consulting Services for PATH AYE	\$2,020
			1013	11/23/2010	Consulting Services for PATH AYE	\$2,059
		WILLIAM R MILES	1135	12/3/2009	Consulting Services-PATH	\$2,500
			1138	1/5/2010	Consulting Services-PATH	\$2,500
			1140	1/12/2010	Consulting Services-PATH	\$2,500
			1145	2/23/2010	Consulting Services-PATH	\$2,500
			1148	3/1/2010	Consulting Services-PATH	\$1,250
			1153	3/30/2010	Consulting Services-PATH	\$1,250
			1156	4/28/2010	Consulting Services-PATH	\$1,250
			1170	8/1/2010	Consulting Services-PATH	\$1,250
			1173	9/10/2010	Consulting Services-PATH	\$1,250
			1175	10/4/2010	Consulting Services-PATH	\$1,250
			AUGUST 2010	7/15/2010	Consulting Services-PATH	\$10,000
			DECEMBER 2010	11/15/2010	Consulting Services-PATH	\$10,000
			FEB 2010	1/15/2010	Consulting Services-PATH	\$15,000
			JAN 2010	12/15/2009	Consulting Services-PATH	\$15,000
			JULY 2010	6/15/2010	Consulting Services-PATH	\$10,000
			NOV 23, 2010	11/23/2010	Consulting Services-PATH	\$670
			NOVEMBER 2010	10/15/2010	Consulting Services-PATH	\$10,000
			OCTOBER 2010-A	8/15/2010	Consulting Services-PATH	\$10,000
			SEPTEMBER 2010	8/15/2010	Consulting Services-PATH	\$10,000
		GORDON FEINBLATT ROTHMAN HOFFBERG	(blank)	(blank)	Amos to Welton Spring Permitting Services	\$12,702
		MCGUIREWOODS LLP	(blank)	(blank)	Corporate Allocation of Strategic Advice on Regulatory Matters	\$495
		ECKERT SEAMANS CHERIN & MELLOTT	(blank)	(blank)	Professional & Consulting Services in Virginia	\$16,541
					Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	
		ACCESS POINT PUBLIC AFFAIRS LLC	(blank)	(blank)	Loudoun County and how to manage through this environment.	\$50,069
		Affiliated Company Allocation	(blank)	(blank)	Corporate Allocation	(\$130)

## IND-PATH-III-66 REVISED ATTACHMENT B

## Sum of Path Allocated Amount

YEAR	Regulatory account	NAME	Invoice Number	Invoice Date	Description of Service	PATH Allocated Amount
					Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	(\$50,069)
		ACCESS POINT PUBLIC AFFAIRS LLC	(blank)	(blank)		
		American Coalition for Clean Coal Electricit	(blank)	(blank)	2010 Member Dues	\$240
		Democratic Governors Association	(blank)	(blank)	2010 Membership Renewal	\$830
					Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	
		ACCESS POINT PUBLIC AFFAIRS LLC	(blank)	(blank)		\$7,374
		GORDON FEINBLATT ROTHMAN HOFFBERG	(blank)	(blank)	Amos to Welton Spring Permitting Services	\$10,000
		J. Christopher LaGow	(blank)	(blank)	Consulting Services for PATH AYE	(\$15,511)
		JANA O SHEFFER	(blank)	(blank)	Consulting services-CPCN related	\$3,529
		WILLIAM R MILES	(blank)	(blank)	Consulting Services-PATH	\$1,250
		Eckert Seamans	(blank)	(blank)	Professional & Consulting Services in Virginia	\$2,449
		LeClair Ryan	(blank)	(blank)	Consulting Services-PATH	(\$6,733)
		The Murphy Companies	(blank)	(blank)	Consulting Services-PATH	\$19,747
		<b>90426400 Total</b>				<b>\$177,226</b>
<b>2010</b>						
<b>Total</b>						<b>\$211,158</b>
<b>2011</b>	<b>90426100</b>	<b>KING STREET FURNITURE DONATION</b>	<b>(blank)</b>	<b>(blank)</b>	<b>King Street Furniture Donation</b>	<b>\$35,471</b>
		ALLEGANY CO DEPT OF SOCIAL	<b>2011 CEF MD</b>	1/3/2011	Hardship Donation	\$120
		UNITED WAY OF WESTMORELAND CO	<b>2010 CORP GIFT</b>	12/21/2010	Corporate Sponsorship/ Annual Campaign	\$4,402
		WASHINGTON COUNTY COMMUNITY	<b>2011 CEF MD</b>	1/3/2011	Hardship Donation	\$131
		DOLLAR ENERGY FUND INC		239 9/15/2010	Hardship Donation	\$1,515
				241 9/15/2010	Hardship Donation	\$253
		RELIGIOUS COALITION	<b>2011 CEF MD</b>	1/3/2011	Hardship Donation	\$251
		MARYLAND MUNICIPAL LEAGUE	<b>2011-11</b>	2/3/2011	Maryland Municipal League membership provides the opportunity, outside of the regulatory process, to provide educational materials about the PATH Project to League participants through various League sponsored events.	\$7,500
		MACO	<b>20110202-CK1</b>	2/2/2011	MACO membership provides the opportunity, outside of the regulatory process, to provide educational materials about the PATH Project to MACO participants through various MACO sponsored events.	\$7,000
		THUNDER OVER THE BLUE RIDGE INC	<b>BLUERIDGESPONSOR</b>	1/7/2011	Sponsorship of Martinsburg Air Show	\$2,500
		ALLEGHENY CONFERENCE ON COMMUNIT	<b>PLEDGE 2011-2012</b>	1/27/2011	PLEDGE 2011-2012	\$253
		FREDERICK CHAPTER OF IZAAK WALTON	<b>100</b>	2/1/2011	Donation for use of facility for MACO event	\$500
		Various - Total by Vendor less than \$100	<b>(blank)</b>	<b>(blank)</b>	Various-Vendor Total<\$100	\$258
		<b>90426100 Total</b>				<b>\$60,153</b>
		Various - Total by Vendor less than \$100	<b>(blank)</b>	<b>(blank)</b>	Various-Vendor Total<\$100	\$373
		JANA O SHEFFER	<b>12172010</b>	12/17/2010	Consulting services-CPCN related	\$750
			<b>JAN SERVICES</b>	2/2/2011	Consulting services-CPCN related	\$750
		LAW OFC OF J CHRISTOPHER LAGOW	<b>1047</b>	2/23/2011	Consulting Services for PATH AYE	\$2,019
			<b>1050</b>	2/25/2011	Consulting Services for PATH AYE	\$2,008
			<b>1052</b>	2/25/2011	Consulting Services for PATH AYE	\$2,029
			<b>1060</b>	3/25/2011	Consulting Services for PATH AYE	\$2,043
		WILLIAM R MILES	<b>1201</b>	11/14/2010	Consulting Services-PATH	\$2,500
			<b>1206</b>	12/10/2010	Consulting Services-PATH	\$2,500
			<b>1210</b>	1/3/2011	Consulting Services-PATH	\$2,500
			<b>1216</b>	2/1/2011	Consulting Services-PATH	\$2,500
		MURPHY COMPANIES INC	<b>April 2011</b>	3/15/2011	Consulting Services-PATH	\$5,000
			<b>February 2011</b>	1/15/2011	Consulting Services-PATH	\$5,000
			<b>January 2011</b>	12/15/2010	Consulting Services-PATH	\$5,000
			<b>March 2011</b>	2/15/2011	Consulting Services-PATH	\$5,000
		GORDON FEINBLATT ROTHMAN HOFFBERG	<b>71074267</b>	3/4/2011	Amos to Welton Spring Permitting Services	\$6,250
			<b>71074271</b>	3/4/2011	Amos to Welton Spring Permitting Services	\$6,250
			<b>71074275</b>	3/4/2011	Amos to Welton Spring Permitting Services	\$6,250
		ECKERT SEAMANS CHERIN & MELLOTT	<b>731896</b>	2/28/2011	Professional & Consulting Services in Virginia	\$1,250
					Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	
		ACCESS POINT PUBLIC AFFAIRS LLC	<b>C-135-4</b>	12/23/2010		\$5,000

IND-PATH-III-66 REVISED ATTACHMENT B

Sum of Path Allocated Amount

YEAR	Regulatory account	NAME	Invoice Number	Invoice Date	Description of Service	PATH Allocated Amount
		ACCESS POINT PUBLIC AFFAIRS LLC	C-135-5	1/30/2011	Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	\$5,000
			C-135-6	3/3/2011	Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	\$5,000
			C-135-7	3/30/2011	Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	\$5,000
		West Penn Power Company	C-135-8	3/30/2011	Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	\$5,000
			4104001292	11/9/2011	Corporate Allocation	\$1,527
		ACCESS POINT	(blank)	(blank)	Access Point's Role was limited to communicating information about the project to local officials, gathering feedback from these officials, distributing public information to these officials and providing strategic guidance to PATH representatives on the environment in Loudoun County and how to manage through this environment.	(\$5,000)
		Eckert Seamans	(blank)	(blank)	Professional & Consulting Services in Virginia	(\$1,500)
		Eckert Seamans et all	(blank)	(blank)	Professional & Consulting Services in Virginia	\$1,250
		EDISON ELECTRIC INSTITUTE	(blank)	(blank)	Membership benefits the whole corporation and provides information on electric industry. Corporate monitoring of organizations activities. The costs are allocated to all entities and PATH receives its share.	\$550
		GORDON FEINBLATT ROTHMAN HOFFBERG	(blank)	(blank)	Amos to Welton Spring Permitting Services	\$3,750
		J. Christopher LaGow	(blank)	(blank)	Consulting Services for PATH AYE	(\$2,000)
		JANA O SHEFFER	(blank)	(blank)	Consulting services-CPCN related	(\$168)
		MURPHY COMPANIES INC	(blank)	(blank)	Consulting Services-PATH	(\$15,000)
		WILLIAM R MILES	(blank)	(blank)	Consulting Services-PATH	(\$1,250)
		<b>90426400 Total</b>				<b>\$67,131</b>
<b>2011</b>						
<b>Total</b>						<b>\$127,284</b>
<b>2012</b>	<b>90426100</b>	Various - Total by Vendor less than \$100	(blank)	(blank)	Various-Vendor Total<\$100	\$830
	<b>90426100 Total</b>					<b>\$830</b>
	<b>90426400</b>	Various - Total by Vendor less than \$100	(blank)	(blank)	Various-Vendor Total<\$100	\$86
	<b>90426400 Total</b>					<b>\$86</b>
<b>2012</b>						
<b>Total</b>						<b>\$917</b>

## **Exhibit No. NH-44**

**PATH Response to Information Request IND-PATH-VI-204,  
Maryland Chamber of Commerce invoices**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

<b>Potomac-Appalachian Transmission Highline, LLC, )</b>	<b>)</b>	<b>Docket Nos. ER09-2156-002</b>
<b>and PJM Interconnection, L.L.C. )</b>	<b>)</b>	<b>ER12-2708-003</b>

**POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE, LLC  
RESPONSE TO  
PRO SE'S SIXTH SET OF DATA REQUESTS**

**IND-PATH-VI-204**

For the calendar year 2009, provide invoices for the following vendors with expenses recorded in both account 930.2 and 426.1: Maryland Chamber of Commerce - \$15,745 in 930.2; \$3,500 in 426.1. Top of Va Regional Chamber - \$800 in 930.2; \$500 in 426.1.

**RESPONSE:**

The PATH Companies object to this request as contrary to Rule 402(a), 18 C.F.R. § 385.402(a), to the extent that the request seeks information and documents that are beyond the scope of issues set for hearing in Consolidated Docket Nos. ER09-1256 and ER12-2708 and is irrelevant and not likely to lead to the discovery of relevant material. *See also, e.g., Magellan Pipeline Co. L.P.*, 134 FERC ¶ 61,117 at PP 4, 12 (2011); *Williams Natural Gas Co.*, 72 FERC ¶ 61,170 at 61,848 (1995). Notwithstanding and without waiving this objection, see IND-PATH-VI-204 Attachment A.

Prepared by or under the supervision of:

Cheryl Gonder

From: HAGERSTOWN REGION

301 790 6382

01/21/2009 11:43 #098 P.001



Get Connected!

RECEIVED

JAN 23 2009

INVOICE

ID: '09 Corporate Sponsorship  
DATE: January 7, 2009

Inv# 09' Corp. Sponsor

To: Mr. Jay Mason  
Manager, State Government Affairs  
PATH Allegheny an Allegheny Energy Company  
10802 Bower Avenue  
Williamsport, MD 21785-3018

< Please Return This Invoice with Your Remittance >

DESCRIPTION	AMOUNT DUE
CORPORATE SPONSORSHIP - GOLD LEVEL For Period Covering 01/01/2009 to 12/31/2009	\$14,000.00
TOTAL	\$14,000.00

Payment Due: Upon Receipt

Total Enclosed: \$ \_\_\_\_\_  Check  Credit Card  
 MasterCard  Visa  Amex Exp. Date \_\_\_\_/\_\_\_\_/\_\_\_\_  
Account # \_\_\_\_\_ Signature \_\_\_\_\_

MAIL PAYMENT TO: Maryland Chamber of Commerce, 60 West Street, Suite 100  
Annapolis, MD 21401  
Phone: 410-268-0642 or 301-281-2858

Reviewed by:  
*[Signature]*

JAN 22 2009

WF # 69641

*Rec'd in EHV  
6/19/09*



GET CONNECTED

2 0 0 9  
Platinum Corporate  
Sponsors  
COMCAST  
M&T BANK  
VERIZON

Aldie Warnock  
PATH Allegheny  
10802 Bower Ave.  
Williamsport, MD 21795

**INVOICE**

**Customer ID**  
10148

**Invoice No.**  
7044

**Date Due**  
08/01/2009

	Rate	Amount
Membership Renewal Investment 08/01/2009 to 07/31/2010	\$1,745.00	\$1,745.00

**Payment Due: Upon Receipt**

Total Enclosed: \$ \_\_\_\_\_ Payment Type:  Check  MasterCard  Visa  AmEx

Account # \_\_\_\_\_ Exp Date \_\_\_/\_\_\_/\_\_\_

Signature: \_\_\_\_\_

**Mall payment to:** Maryland Chamber of Commerce  
60 West Street, Suite 100  
Annapolis, MD 21401

**Online:** Pay your bill online with a credit card. Visit [www.mdchamber.org](http://www.mdchamber.org) and login to the members only section. Username: 10148  
Password: 6253

**Fax:** (410) 269-5247 credit card payments only

**Questions:** Call: (410) 269-0642 or (301) 261-2858

Reviewed by: *[Signature]*

JUN 22 2009

Thank you for your support! Under federal law, 55 percent of your membership investment in the Maryland Chamber of Commerce is tax deductible as an ordinary business expense. Chamber dues are not charitable contributions. The remaining 45 percent is related to Year 2009 lobbying expenses of the Chamber that are not tax deductible under federal law. Federal Tax ID #52-1784310

*WF 79482*



GET CONNECTED

2009  
Platinum Corporate  
Sponsor  
COMCAST  
NET BANK  
VERIZON

RECEIVED

INVOICE

Customer ID  
10148

Invoice No:  
7284

Date Due  
11/04/2009

Mr. Daniel Tompkins  
Allegheny Energy  
68 State Cir.  
Annapolis, MD 21401

	Qty.	Rate	Amount
Thursday Reception Sponsorship 2009 Business Policy Conference	1	\$3,500.00	\$3,500.00
		<b>Total</b>	<b>\$3,500.00</b>
		<b>Amt Paid</b>	<b>\$0.00</b>
		<b>Balance Due</b>	<b>\$3,500.00</b>

Payment Due: Upon Receipt

Total Enclosed: \$ \_\_\_\_\_ Payment Type: Check MasterCard Visa AmEx

Account # \_\_\_\_\_ Exp Date / / \_\_\_\_\_

Signature: \_\_\_\_\_

Make Check Payable to: Maryland Chamber of Commerce

Mail to: Maryland Chamber of Commerce, 60 West Street, Suite 100, Annapolis, MD 21401

Fax to: (410) 269-5247.

ACCOUNT SUMMARY  
DAYS PAST DUE FOR ALL OUTSTANDING INVOICES

Current	30 Days	60 Days	90 Days	120 Days	Total Outstanding

Math. Review  
- Brenda  
10/14/09

60 West Street • Suite 100 • Annapolis, MD 21401-2479 • 410-269-0642 • 301-261-2858 • Fax 410-269-5247 • www.mdchamber.org

NF 86568

(H)

## **Exhibit No. NH-45**

**Petition of the Maryland Chamber of Commerce to intervene  
out-of-time, MD PSC Case No. 9223, February 11, 2011**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

IND-PATH-VII-220 ATTACHMENT C  
BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF MARYLAND

IN THE MATTER OF THE APPLICATION OF THE \*  
POTOMAC EDISON COMPANY D/B/A ALLEGHENY \*  
POWER FOR A CERTIFICATE OF PUBLIC \*  
CONVENIENCE AND NECESSITY TO CONSTRUCT \* CASE NO. 9223  
THE MARYLAND SEGMENTS OF A 765 KV \*  
ELECTRIC TRANSMISSION LINE AND A \*  
SUBSTATION IN FREDERICK COUNTY, \*  
MARYLAND \*

\* \* \* \* \*

PETITION OF THE MARYLAND CHAMBER OF COMMERCE  
TO INTERVENE OUT-OF-TIME

The Maryland Chamber of Commerce (“Chamber”) hereby files this Petition to Intervene out-of-time, asking to be made a party in the above-captioned proceeding, and in support states as follows:

1. The Chamber is Maryland’s leading statewide business advocacy organization, and its 860 member companies employ more than 442,000 people in the state.
2. The Commission first instituted this proceeding in response to the application of Potomac Edison Company d/b/a Allegheny Power (“Allegheny Power”) for a Certificate of Public Convenience and Necessity (“CPCN”) to construct the Potomac-Appalachian Transmission Highline (“PATH”).
3. On January 19, 2010, Commission Staff filed its Petition Regarding the Justification for the Proposed PATH Transmission Line. Staff’s Petition cites an analysis performed by PJM Interconnection, LLC that indicates that, if the PATH line is in service

## IND-PATH-VII-220 ATTACHMENT C

by 2013, Maryland consumers could potentially save almost a half billion dollars per year.

4. Although Staff's Petition merely raises these potential benefits and requests that the Commission direct Allegheny Power to address these issues in its testimony, such potential savings are eye-catching to say the least. In addition, Staff's Petition notes PATH's potential to support Maryland Renewable Portfolio Standard goals.

5. Section 3-106 of the Public Utilities Article provides that an entity shall be granted leave to intervene if no other party can adequately represent its interests, and the issues sought to be raised are relevant and material.

6. Maryland businesses have had to cope with higher electricity rates over the past several years just as residential customers have. For larger businesses, these costs can constitute a significant portion of their total budget, and these increased costs can compromise their ability to compete internally, nationally and internationally. And when businesses suffer it often means the loss of jobs.

7. No other party to this proceeding can adequately represent the Maryland business interests of the Maryland Chamber and these interests are directly relevant and material to this proceeding. For example, the CPCN statute specifically requires the Commission consider the economic effect PATH will have on Maryland. Md. Code Ann., Pub. Utils. § 7-207(e)(2)(ii). The Maryland Chamber is uniquely positioned to address PATH's potential economic impact on Maryland businesses.

8. Although this docket has been ongoing and the deadline for intervention has passed, the Staff's Petition represents a significant development in the course of these

## IND-PATH-VII-220 ATTACHMENT C

proceedings. The Maryland Chamber accepts that by moving to intervene out-of-time it must take the docket as it stands on the day of intervention in accordance with long-standing Commission policy.

9. Accordingly, the Maryland Chamber should be permitted to intervene in this proceeding, to be represented by counsel, and to have and enjoy all of the rights of a party. The Maryland Chamber further requests that its counsel be served with copies of all filings and pleadings (either via regular mail or the e-mail address below):

Michael C. Powell, Esquire  
Todd R. Chason, Esquire  
Gordon, Feinblatt, Rothman,  
Hoffberger & Hollander, LLC  
233 East Redwood Street  
Baltimore, Maryland 21202-3332  
[tchason@gflaw.com](mailto:tchason@gflaw.com)

WHEREFORE, in consideration of the foregoing, the Maryland Chamber of Commerce requests that it be permitted to intervene in this proceeding.

Respectfully submitted,

---

Michael C. Powell  
Todd R. Chason  
Gordon, Feinblatt, Rothman  
Hoffberger and Hollander  
233 East Redwood Street  
Baltimore, Maryland 21202  
(410) 576-4069  
(410) 572-4196  
Counsel for the Maryland Chamber of Commerce

CERTIFICATE OF SERVICE



IND-PATH-VII-220 ATTACHMENT C

I HEREBY CERTIFY, that on this 11<sup>th</sup> day of February, 2011, a copy of the foregoing Petition to Intervene on behalf of the Maryland Chamber of Commerce was mailed via first-class mail to those persons listed on the Commission's Service List as of that date.

---

Todd R. Chason

# **Exhibit No. NH-46**

**PATH Board of Advisors Meeting Minutes, November 5, 2010**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**Board of Advisors Conference Call**  
**November 5, 2010**  
**2:00 p.m. – 2:45 p.m.**

**AGENDA**

– Maryland Discussion

- Anything more to discuss – question about whether Chamber people can be in spots given that they are planning to intervene in a positive way. Maryland state chamber. Use industrial customers instead.
- Advertising during legis. Session.? ExAff concerned, but PR thinks we gotta do it. Aldie is okay.

– Advertising Options/Timing in 2011 (Legislative Sessions, Public Hearings, Evidentiary Hearings)

- Invite list is set
- Working on Agenda. Need to address RTEp and new stuff and what's it mean to the message. Breakout session, discuss use of project, coalition or PEAT on various issues. Media strategy for next year.
- Working with Dominion on re-build? Issue with MAPP and messaging.

– Coalition Planning in November

– December Strategy Meeting

- Invite list is set
- Working on Agenda. Need to address RTEp and new stuff and what's it mean to the message. Breakout session, discuss use of project, coalition or PEAT on various issues. Media strategy for next year
- Working with Dominion on re-build? Issue with MAPP and messaging.
- Election update.
- Don't invite Puccio due to potential scandal issues.

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

- 2011 Budget
- Prepping new amendments. Back to higher levels. Send to us after the Discovery ends on FERC.

Project agreement maybe ready to be signed next week. Building trades in WV and IBEW in Maryland.

PATH00007508

## **Exhibit No. NH-47**

**PATH Response to Information Request IND-PATH-V-SUPP-111,  
Conflict Waiver Letter**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Potomac-Appalachian Transmission Highline, LLC, ) Docket Nos. ER09-2156-002  
and PJM Interconnection, L.L.C. ) ER12-2708-003**

**POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE, LLC  
RESPONSE TO  
PRO SE'S FIFTH SET OF DATA REQUESTS**

**IND-PATH-V-SUPP-111**

Provide copies of any emails, memorandums, correspondence, telephone records, notes, or other documents written or received by PATH or parent company employees, contractors, or subcontractors, and which are in the possession of PATH on any email or computer system, from Michael C. Powell and/or Todd Chason of Gordon, Feinblatt, Rothman Hoffberger and Hollander regarding the Petition of The Maryland Chamber of Commerce to Intervene Out-of-Time, Maryland Public Service Commission Case No. 9223, dated February 11, 2011.

**RESPONSE:**

The Petition of the Maryland Chamber of Commerce to Intervene Out-of-Time in Case No. 9223 before the Maryland Public Service Commission is beyond the scope of issues set for hearing in the Federal Energy Regulatory Commission consolidated Docket Nos. ER09-1256 and ER12-2708.

**SUPPLEMENTAL RESPONSE:**

See IND-PATH-V-111 Attachment A.

Prepared by or under the supervision of:

Margaret Claybour

ATTACHMENT 1

**GORDON • FEINBLATT**  
ROTHMAN, HOFFBERGER & HOLLANDER, LLC

**MICHAEL C. POWELL**  
410.576.4175  
FAX 410.576.4196  
mpowell@gfirlaw.com

ATTORNEYS AT LAW  
288 EAST REDWOOD STREET  
BALTIMORE, MARYLAND  
21202-3332  
410.576.4000  
www.gfirlaw.com

January 12, 2011

**VIA ELECTRONIC MAIL**

Randall B. Palmer, Esquire  
Assistant General Counsel  
PATH-Allegheny  
800 Cabin Hill Drive  
Greensburg, Pennsylvania 15601

Kathleen T. Snyder, CCE  
President/CEO  
Maryland Chamber of Commerce  
60 West Street, Suite 100  
Annapolis, Maryland 21401

Re: Conflict Waiver- Allegheny/Chamber

Dear Mr. Palmer and Ms. Snyder:

Gordon, Feinblatt, Rothman, Hoffberger & Hollander, LLC ("the Firm") has been retained to represent the Maryland Chamber of Commerce ("the Chamber") on government relations issues on the Potomac-Allegheny Transmission Highline ("PATH") and will represent the Chamber in the PATH proceeding before the Maryland Public Service Commission ("PATH Proceeding").

The Firm also represents Allegheny on a number of issues, including government relations help on PATH.

Pursuant to the Rules of Professional Responsibility governing the practice of law in Maryland, the Firm must obtain the consent of both the Chamber and Allegheny to its representation of the Chamber.

We will, of course, owe a duty of undivided loyalty to the Chamber in the PATH Proceeding and we will zealously represent the Chamber as the Maryland Rules of Professional Conduct require. While we believe that the interests of the Chamber and Allegheny are and will continue to be similar with respect to the PATH Proceeding, if at any point the interests of the

**GORDON • FEINBLATT**  
ROTHMAN, HOFFBERGER & HOLLANDER, LLC

Randall B. Palmer  
Kathleen T. Snyder  
January 12, 2011  
Page 2

Chamber and Allegheny become adverse then the Firm shall withdraw from representing the Chamber and shall proceed to solely represent Allegheny on other matters.

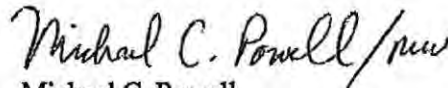
We do not believe that the Firm's representation of the Chamber in connection with the PATH Proceeding will have any affect on the professional judgment of the lawyers of this Firm dealing with matters for which the Firm has been engaged by the Allegheny, have any bearing on the Firm's loyalty and dedication to Allegheny in those matters, or otherwise adversely affect the relationship of this Firm or the lawyers of this Firm to Allegheny in connection with such representation.

We also do not believe that the Firm's current and prior representation of Allegheny in matters unrelated to the PATH Proceeding will have any affect on the professional judgment of the lawyers of this Firm in representing the Chamber in connection with the PATH Proceeding, have any bearing on the Firm's loyalty and dedication to the Chamber in the PATH Proceeding or otherwise adversely affect the relationship of this Firm or the lawyers of this Firm with the Chamber in connection with such representation.

If, in the course of these dual representations, the Firm comes into possession of any confidential information including any information that constitutes attorney-client information involving attorneys other than the Firm and attorney work product (collectively, "Confidential Information") belonging to one of the clients, the Firm will not share such Confidential Information with the other client and both clients hereby consent, in advance, to that understanding. If the Firm is unable to continue to represent both parties while in possession of such Confidential Information the Firm shall withdraw from representing the Chamber and shall proceed to solely represent Allegheny.

If the Chamber and Allegheny will consent to the Firm's representation of the Chamber under the circumstances outlined in this letter, then their consent should be indicated below over their representatives' signatures on the enclosed copy of this letter which should be then returned to me. I will provide the Chamber and Allegheny with a copy of this letter reflecting the consent of the other.

Very truly yours,

  
Michael C. Powell



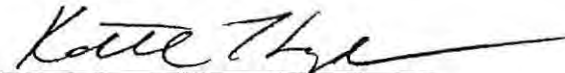
**GORDON • FEINBLATT**  
ROTHMAN, HOFFBERGER & HOLLANDER, LLC

Randall B. Palmer  
Kathleen T. Snyder  
January 12, 2011  
Page 3

CONSENT

Upon the facts disclosed in the above letter, the undersigned hereby consents on behalf of Allegheny Energy, Inc. and its affiliates to the representation by Gordon, Feinblatt, Rothman, Hoffberger & Hollander, LLC of the Maryland Chamber of Commerce in connection with the PATH Proceeding described above.

\_\_\_\_\_  
Randall B. Palmer  
Assistant General Counsel

  
\_\_\_\_\_  
Kathleen T. Snyder, CGE 1-12-11  
President/CEO

# **Exhibit No. NH-48**

**Maryland State Ethics Commission Lobbyist Registrations,  
2010 and 2011**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

## LOBBYING REGISTRATION

This registration form may be submitted electronically, but it will not take effect or be considered complete until The State Ethics Commission receives it, and a check in the amount of \$100.00 made payable to the State of Maryland.

1. Click "print version" and you will be able to print a copy of this document so that you may sign it.
2. If you are acting on behalf of an employer, send the printed and partially completed form to the employer identified in the form for his or her signature and selection of the employer's exemption status (you may make the selection of status electronically or the employer may do it, but the selection must be made or the registration will not be complete.)
3. Then you or the employer must send the paper copy to:

State Ethics Commission  
45 Calvert Street, 3rd Floor  
Annapolis, Maryland 21041

Along with a check in the amount of \$100 made payable to The State of Maryland

4. When the State Ethics Commission has received the completed and signed document and the appropriate check, the registration will be considered as filed and it will be released for public view.

**PART A. GENERAL INFORMATION**

What Type of registration are you seeking?

Legislative Action Lobbyist 

Grass Roots Lobbyist \_\_\_\_\_

Executive Action Lobbyist 

Non-exempt employer \_\_\_\_\_

Primary purpose of Organization

Is the employer or the registered organization (if there is no employer) organized and operated for the primary purpose of attempting to influence any legislation or executive action?

Yes \_\_\_\_\_ No Check Number: 1330**PART B. IDENTIFICATION OF REGISTRANT/REGULATED LOBBYIST****1. Identifying Information**a) Name of Registrant/Regulated Lobbyist: Daniel Paul Tompkinsb) Firm Name: Allegheny EnergyAddress:  
68 State Circle  
Annapolis, MD 21401c) Business telephone: (410)268-0858Cell phone: (301)491-2240

Do you want your telephone number on the published lobbyist list?

Yes  No \_\_\_\_\_d) What is your occupation or type of business? Lobbyist, Government Relations SpecialistIf other: N/A**2. Identification of others required to register**

a) Will any other person be required to register as a lobbyist on behalf of you or the organization identified in section 1?

Yes  No \_\_\_\_\_

b) If the answer to a) is "yes", identify each such person below and give their name and address?

Name: Timothy A Perry  
Address:  
233 E. Redwood Street  
Baltimore, MD 21202  
Business Phone: 410-576-4227  
Email: tperry@gfrlaw.comName: Michael C Powell  
Address:  
233 E. Redwood Street  
Baltimore, MD 21202  
Business Phone: 410-576-4175  
Email: mpowell@gfrlaw.comName: D. Robert Enten  
Address:  
233 E. Redwood Street  
Baltimore, MD 21202  
Business Phone: 410-576-4114  
Email: denten@gfrlaw.comName: Todd R Chason  
Address:  
233 East Redwood Street  
Baltimore, MD 21202-3332  
Business Phone: 410-576-4069  
Email: tchason@gfrlaw.com

Name: William R Miles  
 Address:  
P.O. Box 251  
Huntingtown, MD 20639  
 Business Phone: 410-414-2515  
 Email: billmiles@chesapeake.net

Name: Charles Joseph Kruff  
 Address:  
111 South Calvert Street  
Suite 2700  
Baltimore, MD 21202  
 Business Phone: 410-385-5308  
 Email: ckruff@alleghenyenergy.com

Name: L. Aldie Warnock  
 Address:  
800 Cabin Hill Drive  
Greensburg, PA 15601  
 Business Phone: 724-331-9545  
 Email: awarnoc@alleghenyenergy.com

### 3. Identification of employer

- a) Name of persons or organizations who compensate you for activities that require registration.  
PATH-Allegheny Energy

Permanent Address:  
800 Cabin Hill Drive  
G, PA 15601

Business Telephone: 724-837-3000

Nature of business: Energy Company

Website of employer:

- b) Will you be representing any other person or entity regarding the matters identified in this registration?  
 Yes \_\_\_\_\_ No  x

### 4. Registration Information

- a) For what period will this registration be effective?  
November 01, 2010 to October 31, 2011
- b) On what matters will you be acting or employing someone to act during the registration period?  
CERTIFICATE OF NEED  
COAL  
ELECTRICITY  
ENERGY MATTERS  
ENVIRONMENTAL MATTERS  
POWER PLANTS  
PUBLIC UTILITIES  
SOLAR ENERGY  
UTILITIES
- c) If known include the bill number(s) of the matter(s) on which you lobby

### PART C. REGISTRANT'S REGULATED LOBBYIST'S SIGNATURE

\_\_\_\_\_  
 (Name)

\_\_\_\_\_  
 (Date)

### PART D. AUTHORIZATION TO ACT

#### 1 Authorization

I hereby certify that the information contained herein is correct and that Daniel Paul Tompkins (name of lobbyist) is authorized to act on behalf of PATH-Allegheny Energy (name of employer) for the period from November 01, 2010 to October 31, 2011 unless this authority is terminated sooner.

#### 2 Exemption Status of Employer

- a)  The employer claims the exemption from filing its own registration and activity reports because all expenditures requiring registration and reporting will be reported by this registrant/regulator lobbyist.
- b)  The employer does not claim an exemption from filing its own registration and activity report because the registrants/regulator lobbyist will report only expenditures and compensation regard the filer's activity. If this option is selected, the employer must submit a separate registration for lobbying and the required reports.
- c)  The employer does not claim an exemption from filing its own registration and reports based on the activities of the filer will report only expenditures and compensation regarding the filer's activities. However, the employer does claim an exemption from filing its own registration and reporting because another regulated lobbyist will report any other expenditures of the employer, and the employer will engage in no other activity that would require it to register or report.

---

Employer's signature

Date

---

Signature of Person Identified in Part B, Section 3

Date

---

Employer's Typed Signature

## **LOBBYING REGISTRATION**

This registration form may be submitted electronically, but it will not take effect or be considered complete until The State Ethics Commission receives it, and a check in the amount of \$100.00 made payable to the State of Maryland.

1. Click "print version" and you will be able to print a copy of this document so that you may sign it.
2. If you are acting on behalf of an employer, send the printed and partially completed form to the employer identified in the form for his or her signature and selection of the employer's exemption status (you may make the selection of status electronically or the employer may do it, but the selection must be made or the registration will not be complete.)
3. Then you or the employer must send the paper copy to:

State Ethics Commission  
45 Calvert Street, 3rd Floor  
Annapolis, Maryland 21041

Along with a check in the amount of \$100 made payable to The State of Maryland

4. When the State Ethics Commission has received the completed and signed document and the appropriate check, the registration will be considered as filed and it will be released for public view.

**PART A. GENERAL INFORMATION**

What Type of registration are you seeking?

Legislative Action Lobbyist 

Grass Roots Lobbyist \_\_\_\_\_

Executive Action Lobbyist 

Non-exempt employer \_\_\_\_\_

Primary purpose of Organization

Is the employer or the registered organization (if there is no employer) organized and operated for the primary purpose of attempting to influence any legislation or executive action?

Yes \_\_\_\_\_ No Check Number: 1309**PART B. IDENTIFICATION OF REGISTRANT/REGULATED LOBBYIST****1. Identifying Information**a) Name of Registrant/Regulated Lobbyist: Daniel Paul Tompkinsb) Firm Name: Allegheny EnergyAddress:  
68 State Circle  
Annapolis, MD 21401c) Business telephone: (410)268-0858Cell phone: (301)491-2240

Do you want your telephone number on the published lobbyist list?

Yes  No \_\_\_\_\_d) What is your occupation or type of business? Lobbyist, Government Relations SpecialistIf other: N/A**2. Identification of others required to register**

a) Will any other person be required to register as a lobbyist on behalf of you or the organization identified in section 1?

Yes  No \_\_\_\_\_

b) If the answer to a) is "yes", identify each such person below and give their name and address?

Name: Timothy A Perry  
Address:  
233 E. Redwood Street  
Baltimore, MD 21202  
Business Phone: 410-576-4227  
Email: tperry@gfrlaw.comName: Michael C Powell  
Address:  
233 E. Redwood Street  
Baltimore, MD 21202  
Business Phone: 4105764175  
Email: mpowell@gfrlaw.comName: Bob Enten  
Address:  
233 E. Redwood Street  
Baltimore, MD 21202  
Business Phone: 410-576-4000  
Email: na@na.comName: Todd R Chason  
Address:  
233 East Redwood Street  
Baltimore, MD 21202-3332  
Business Phone: 410-576-4069  
Email: tchason@gfrlaw.com



Name: William R Miles  
 Address:  
P.O. Box 251  
Huntingtown, MD 20639  
 Business Phone: 410-414-2515  
 Email: billmiles@chesapeake.net

### 3. Identification of employer

- a) Name of persons or organizations who compensate you for activities that require registration.  
Allegheny Energy

Permanent Address:  
Allegheny Power, an Allegheny Energy Company  
800 Cabin Hill Drive  
Greensburg, PA 15601-1589

Business Telephone: 724-838-6952

Nature of business: Energy Company Engaged In Electricity Supply and Distribution

Website of employer:

- b) Will you be representing any other person or entity regarding the matters identified in this registration?  
 Yes \_\_\_\_\_ No x

### 4. Registration Information

- a) For what period will this registration be effective?  
November 01, 2009 to October 31, 2010
- b) On what matters will you be acting or employing someone to act during the registration period?  
CERTIFICATE OF NEED  
COAL  
ELECTRICITY  
ENERGY MATTERS  
ENVIRONMENTAL MATTERS  
POWER PLANTS  
PUBLIC UTILITIES  
SOLAR ENERGY  
UTILITIES
- c) If known include the bill number(s) of the matter(s) on which you lobby  
N/A

### PART C. REGISTRANT'S REGULATED LOBBYIST'S SIGNATURE

\_\_\_\_\_  
 (Name)

\_\_\_\_\_  
 (Date)

### PART D. AUTHORIZATION TO ACT

#### 1 Authorization

I hereby certify that the information contained herein is correct and that Daniel Paul Tompkins (name of lobbyist) is authorized to act on behalf of Allegheny Energy (name of employer) for the period from November 01, 2009 to October 31, 2010 unless this authority is terminated sooner.

#### 2 Exemption Status of Employer

- a) x The employer claims the exemption from filing its own registration and activity reports because all expenditures requiring registration and reporting will be reported by this registrant/regulated lobbyist.
- b) \_\_\_\_\_ The employer does not claim an exemption from filing its own registration and activity report because the registrants/regulated lobbyist will report only expenditures and compensation regard the filer's activity. If this option is selected, the employer must submit a separate registration for lobbying and the required reports.
- c) \_\_\_\_\_ The employer does not claim an exemption from filing its own registration and reports based on the activities of the filer will report only expenditures and compensation regarding the filer's activities. However, the employer does claim an exemption from filing its own registration and reporting because another regulated lobbyist will report any other expenditures of the employer, and the employer will engage in no other activity that would require it to register or report.

---

Employer's signature

Date

---

Signature of Person Identified in Part B, Section 3

Date

---

Employer's Typed Signature

# **Exhibit No. NH-50**

**R.L.Repass Partners, Inc. Scope of Work, April 30, 2010**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

2014/11/21 5:11:25 PM FERC PDF (Unofficial) 11/21/2014 1:08:29 PM



R.L. Repass & Partners, Inc.

Opinion Research \* Marketing Research \* Strategic Counsel

## Scope of Work – Multi-Method Opinion Research

**Client:** PATH West Virginia Transmission Company, LLC/  
PATH Allegheny Transmission Company, LLC/CRA

**Market(s):** West Virginia/Virginia/Maryland **Job #:** TBD  
**Date:** 04.30.2010

**TITLE OF STUDY:** PATH Project – New Baseline, Qualitative

### BACKGROUND:

PATH West Virginia Transmission Company, LLC and PATH Allegheny Transmission Company, LLC have contracted with CRA for external public relations and communications services related to the Potomac-Appalachian Transmission Highline Project (PATH). PATH is a new transmission line being planned to upgrade the regional transmission grid in West Virginia, Virginia, and Maryland. The proposed line extends from Putnam County, W.Va. to Frederick County, Md., including Frederick and Loudoun counties in Va.

After further route changes and postponement of the PATH Project (development of transmission lines), there is a need to assess new messaging and to build new baseline measures, while assessing metrics from earlier tracking studies. The survey instrument will be revised collaboratively to capture the new information objectives.

In addition, it's equally important to reassess opinions and attitudes qualitatively in order to develop in-depth context around the situation that will compliment survey data. Included in this Scope of Work is the addition of six focus groups to be conducted in three counties.

### INFORMATION

#### OBJECTIVES:

The primary information objective of this tracking research is to reassess and monitor public opinion toward PATH and its' opposition. This research will provide an assessment of the communications strategy and provide inputs for changes to the strategy if warranted.

Analysis of opinion tracking data will be compared/contrasted to all available baseline data conducted in March of 2008 and the tracking research conducted in December 2008, including comparisons (where appropriate) to aggregate and county data.

### METHODOLOGY:

#### Survey –

The Tracking Research will be conducted "blind," without identifying clients or the specific topic by name. The questionnaire will include appropriate tracking/comparative questions from the baseline research, plus additional topics provided by the clients. We have budgeted for an average interview length of 12 minutes, with approximately 50 closed-end/rating questions. A random sample of respondents will be selected to represent households affected by the proposed electric transmission line. We recommend conducting a total of 1100 interviews, including a representative sample of 600 in the affected counties and an over quota (OQ) of 501 interviews in less populated counties. The purpose of the OQ sample is to have sufficient completed interviews in less populated counties for statistical analysis. Respondents will be screened, qualified, and interviewed by telephone from our call center located in Charleston, W.Va.

The recommended sample configuration is detailed on the next page:



County (WV unless otherwise noted)	2006 Population	Percent of Total	Rep Size	OQ	Total Completes
Kanawha	192,419	19%	113	0	113
Braxton	14,810	1%	9	41	50
Upshur	23,605	2%	14	36	50
Tucker	6,856	1%	4	46	50
Grant	11,915	1%	7	43	50
Hampshire	22,480	2%	13	37	50
Jefferson	50,832	5%	30	20	50
Hardy	13,420	1%	8	42	50
Calhoun	7,381	1%	4	46	50
Roane	15,583	2%	9	41	50
Frederick MD	222,938	22%	130	0	130
Clarke VA	14,458	1%	8	42	50
Frederick VA	71,187	7%	42	8	50
Loudoun VA	268,817	26%	157	0	157
Putnam	55,488	5%	32	18	50
Lewis	17,281	2%	10	40	50
Barbour	15,600	2%	9	41	50
<b>TOTAL</b>	<b>1,025,070</b>	<b>101%</b>	<b>599</b>	<b>501</b>	<b>1100</b>

**Focus Groups –**

In addition to the survey, a series of qualitative focus groups will be conducted to help refine messaging and explore concepts in-depth. These qualitative sessions will also add context to the survey data. A total of six groups will be conducted. Two in each of the following counties:

1. Kanawha
2. Lewis/Upshur (Weston area)
3. Frederick, MD

Each of the groups will include between eight and 10 respondents for a roundtable discussion. The discussion will be led by a senior moderator following a discussion outline developed in consultation with the client. Similar to the survey, the target audience is general population. We will recruit respondents to create groups representative of each county's population. A security employment screener will be included in order to exclude potential respondent bias toward the issue(s) presented so that we gain a real reaction and understanding from consumers in the area.

**STATISTICAL TESTING LEVEL:**

**Survey –**

Total Rep Sample: +/- 3.0 percentage points at the 95% confidence interval (overall)  
 Sampling variance by sub-samples will vary by sample size (e.g., by county, age, education, sex)  
 Statistical analyses using standard tests of significance for data columns (e.g., t-test, z-test)

**SAMPLE:**

Survey – Purchase of additional random digit telephone household sample for added counties  
 Qualitative – mix use of facility databases and purchased sample

**Confidential & Proprietary**  
 R.L. Repass & Partners, Inc.  
 10101 Alliance Road, Suite 190  
 Cincinnati, OH USA 45242-4747  
 513.772.1600  
 4/30/2010 5:02 PM



**TIMING:** Assuming prompt client approval of the Scope of Work, recruiting screeners, survey instruments, and other research documents, we recommend the following timeline for completion of this project:

Survey	
Questionnaire Approval	May 12
Programming, set up, testing	May 13 - 17
Telephone Interviewing/Data Collection	May 18 – June 1
Top line Report	June 2
Full Management Summary	June 15

Qualitative	
Recruiting and discussion guide development	May 5 - 17
Conduct groups	May 18 – 20
Reporting	June 1

NOTE: Approval is required as soon as possible next week or dates will be adjusted accordingly.

Presentation of Findings – TBD

**CONTACT/AGENCY:** R.L. Repass & Partners, Inc. – Rex Repass, Charles McFadden, Will Krieger  
Charles Ryan Associates LLC – Susan Lavenski, Matthew Sutton  
PATH Team – Doug Colafella, Tom Holliday

**COST/TERMS:** The total research budget for this project as detailed in the Scope of Work is \$88,200

Telephone Survey, n=1100, 12 minutes - \$46,200  
Focus Groups, n=6 (60 respondents), three markets - \$7,000 per group/ \$42,000

All cost estimates include a +/- 10% contingency, standard in the market/opinion research industry. Travel expenses will be invoiced separately as incurred.

We invoice 50% of the total estimated fee upon acceptance of this Scope of Work, and the balance upon the clients' receipt of all deliverables. **Invoices are due within 15 days of receipt.**



**APPROVALS:**

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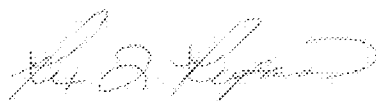
PATH Approvals

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

---

Charles Ryan Associates, LLC Approvals

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



R.L. Repass & Partners, Inc.  
Rex L. Repass, President/CEO  
Date: Friday, April 30, 2010



# **Exhibit No. NH-51**

**R.L.Repass Partners, Inc., Executive Summary PATH Public Opinion  
Research – Tracking Survey & Focus Groups, June 24, 2010**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



## IND-PATH-IV-77 Attachment G

**Executive Summary****PATH Public Opinion Research – Tracking Survey & Focus Groups  
June 24, 2010**

Below are key findings from public opinion tracking research and focus groups in counties impacted by the PATH project. For the quantitative research a total of 1,104 telephone interviews were executed, including representative samples in each county. In addition, six focus groups in Charleston, WV, Charles Town, WV and Frederick, MD were conducted. Research was completed in late May and early June 2010.

- Awareness of the PATH project is unchanged (60% now vs. 59% in December 2008).
- However, support for the project has decreased 10 percentage points to 46% since December 2008 (56%).
- Overall, strong opposition to PATH has increased since the last wave from 17% to 24% in this wave of polling.
- The strongest opposition is in the following areas: Tucker, Upshur, Calhoun and Jefferson counties in West Virginia; and Clark and Loudoun counties in Virginia.
- Results of focus groups in Charles Town, WV and Frederick, MD revealed an apparent impact of opposition grassroots initiatives on point of view – many respondents were aware of the opposition tactics and messaging, and were opposed to PATH.
- However, although down two percentage points from December 2008, nearly three in four (71%) said that building transmission lines is important in order to secure reliable power for the future of their area.
- *Securing reliable power for the future* and messaging related to this theme were strong in both the most recent tracking survey and focus group research.
- Other strong messages that resonated were: *Future demand for electricity will be greater than the current demand*; messaging related to the security, safety and vulnerability of the electrical grid.
- Opposition messaging that had the most resonance included themes related to potential health effects to people living/working near transmission lines, and the benefits of conservation/energy efficiency.
- Polling data indicates that media and word of mouth are the primary sources of information about PATH.
- However, focus group information in Jefferson County, WV and Frederick County, MD suggest that email contact, letter writing campaigns, public meetings and web content are effective opposition channels and the primary source of information regarding PATH.
- Although the polling data and focus group information indicate that Allegheny Energy and AEP have relatively strong brands and reputations, favorable opinion of each has decreased since the tracking research primarily related to rate increases, particularly for AEP.

**Confidential & Proprietary**

R.L. Repass & Partners, Inc.  
Cincinnati/Charleston  
1.866.545.2828  
repasspartners.com



R.L. Repass &amp; Partners, Inc.

Opinion Research ■ Marketing Research ■ Strategic Counsel

**EXECUTIVE BRIEFING**

PATH Consumer Focus Groups

June 24, 2010

**BACKGROUND & PURPOSE**

The Potomac-Appalachian Transmission Highline (PATH) project is a proposed 290-mile electric transmission line being planned as a joint venture between American Electric Power (AEP) and Allegheny Energy. The high-voltage lines will be constructed west of Charleston and continue northeast through West Virginia to Frederick, Maryland. Construction of the transmission line is necessary to meet increasing demand and to improve reliability of the existing grid.

Transmission line planning and construction is often associated with public concerns about routing, damage to the environment and land use issues. These concerns can be magnified by intense media scrutiny and well-organized grassroots opposition campaigns. Given this climate, it is important for AEP and Allegheny Energy to enhance their standing in the communities impacted by the PATH project and be prepared to provide detailed information about PATH in a manner that will enhance public understanding and support. To this end, a series of focus groups was conducted to evaluate public opinion in communities that may be impacted by the PATH project. Information from this research is being used as input for the development of a comprehensive communications strategy by Charles Ryan Associates (CRA), the agency of record for PATH.

Below and on the following pages we detail the information objectives of this research, summarize the findings and present communications recommendations for consideration.



## INFORMATION OBJECTIVES

The following is a general outline of the discussion content:

- ✓ Gain qualitative insights regarding public perceptions of energy and infrastructure development issues
- ✓ Test themes that may encourage positive perceptions about transmission line development
- ✓ Assess the strength of opposition messaging for future development of potential counter arguments
- ✓ Evaluate how consumers view the parent companies of the PATH project

## METHODOLOGY

To meet these objectives, six focus groups were conducted in Charleston and Charles Town, West Virginia, and Frederick, Maryland with targeted respondents.

Groups 1 & 2	June 1, 2010	Charleston	6 & 8 p.m.
Groups 3 & 4	June 2, 2010	Charles Town	6 & 8 p.m.
Groups 5 & 6	June 3, 2010	Frederick	6 & 8 p.m.

Focus groups are a form of qualitative research that allows in-depth understanding of marketing/communication issues from a small group of selected respondents under the direction of a trained moderator. The moderator for the groups was Rex Repass, President/CEO of R.L. Repass & Partners, Inc. (RL Repass). Working closely with the clients, a screening questionnaire was developed to qualify respondents to participate in the research. Information and analysis of the focus group findings are considered directional rather than conclusive.



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**SUMMARY**

Top-of-mind awareness of the PATH project is low, and those that are aware are not well informed. When prompted, or aided, there is awareness in the project. It appears that familiarity with PATH has been built from a grassroots campaign, as well as second-hand, word-of-mouth and viral information directed by opponents of the project in the eastern panhandle of West Virginia and, to a lesser extent, in Frederick, Maryland. Awareness in the project in the Charleston area was particularly low.

Many individuals in the panhandle of West Virginia and in Maryland have heard of PATH primarily from local yard signage opposing the project. Respondents mentioned that they have neighbors who have attended civic club meetings or other speaking engagements denouncing the PATH project. There also was information about PATH generated by opposition letter writing initiatives, email campaigns, and web content. A few respondents, more so in Charleston, were aware because they could recall hearing/reading about PATH in local media. However, there is very little detailed knowledge or an understanding of the status of the project, time lines and the overall purpose of PATH.

No specific messaging concepts were shared with the respondents, however there was a good deal of discussion around language and communication that works and and that doesn't. It appears that messages regarding *planning for the future* resonated highly with the public. They were uncomfortable with the notion of being *unprepared* or *waiting* to the eleventh hour to address this need.

Messaging that explained that it has been approximately *30 years since transmission lines in this area have been updated* also resonated with respondents. That fact appeared to have an impact on the perceptions as to the serious need for this project. The public understands that large, infrastructures do not last forever and again, they do not want to be unprepared for a catastrophic event in the future that would impact access to electricity. Conversations regarding the overall *safety* and *security* of the electrical grid without these updates developed out of this messaging discussion. It appears that the public is concerned about vulnerability in the event of catastrophe. There seems to be some potential messaging centered on safety and security issues if the transmission lines are not enhanced, refurbished, or rebuilt. That said there is a desire to minimize the impact of rebuilding the lines by using existing right-of-ways and towers if at all possible.

Messaging that did not work included language that "over sells" PATH bringing jobs and long-term economic development to the area. The general public has a perception that the jobs needed for PATH construction would be of a select skill set and that positions would be outsourced to fill those needs. Very few people believe that the construction of new transmission lines would be, on the surface, an enhancement to local economies. If it did bring any new jobs that did not need to be outsourced, those positions would likely be temporary, according to most respondents. Another message that did not resonate with the public was one centered on the PATH project not being necessary because of the recent recession and slow-



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growth economic conditions. Respondents felt that that was very short sighted. Potential messaging regarding possible increased tax revenues for counties impacted by PATH was viewed as confusing and not credible with most respondents.

Generally, the overall reputation of both Allegheny and AEP is favorable. Though there were complaints due to rate increases in all markets, a majority of customers in the focus groups have had positive experiences with both companies. Regarding rates, most understood that rates go up; they might not be happy about it, but it does not appear to be a significant area of concern for most. Many have never had an issue with prolonged power outages and have experienced good customer service when there has been an outage. Overall, there was a positive public perception associated with the Allegheny and AEP brands.



## DETAILED FINDINGS

### **On the surface, transmission line development is not perceived as a top-level infrastructure need.**

Participants were asked to rate the potential need for several different infrastructure projects: natural gas line construction, building highways/roads/bridges, expanding access to broadband, electric transmission line development, sewage/water line construction and residential housing development. Consistently electric transmission lines were ranked third or fourth out of the six infrastructure programs evaluated, which is indicative of moderate concern and/or interest. For the most part, respondents seemed to be aware of possible transmission line infrastructure concerns, but aren't overly worried presently. There were two or three instances throughout the duration of the eight focus groups where electric transmission lines were at one extreme or the other. In those cases, individuals were aware of the PATH project and seemed to be responding due to their pre-conceived knowledge and information about the project. Others had given little thought to transmission lines and the need for further development.

*"Well, when I think of new power lines, I think of some of the things that I have heard recently. We are talking about things that are important to West Virginia and I have the impression that this project is important because it's happening here, but it is going to help people outside of West Virginia."*

*"Electric is important. If you don't have it, you can't really do anything. We need to upgrade the grid."*

*"I gave it 3 because it is in the middle for me. I mean you need electric, but I don't really see an issue or a concern with it right now."*


*"I think electrical transmission lines might be something to be somewhat concerned about. I know the problem is starting with so many more users. The more houses there are, the more power is needed, and the more drainage on the power system."*

*"I don't think electrical transmission lines are an issue. I think Allegheny does a good job and takes care of the problems that they have."*

*"I have so many other things to worry about, I have to be honest I never give any thought to power."*



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** Any messaging regarding planning for the future to avoid a potential crash of the electrical grid resonates with the public.**

There appears to be a genuine unease at the notion of being unprepared for future electric demand and residential needs. Respondents were in agreement that there is an important need to plan ahead and think about the future, even with respect to enhancing electric transmission lines. Several respondents that had previously been quite negative about the development of new transmission lines found some value when discussed in context with “planning” to avoid a potential crash of the electrical grid or threats to the grid. Again, the fear of being *unprepared* is something in which participants were able to find agreement.

*“I think we do need to begin now if it takes ten years to complete.”*

*“I think people always ignore not only the length of time it takes for something to be built, but the steps that have to be passed in order to get it built. If this is going to take ten years to build, we have to start now.”*

*“That kind of puts it in perspective; if it takes ten years and they haven’t even started, then it’s really more like 40 years since the current ones have been updated. That seems like a very long time to me.”*

*“If it really takes ten years to do something like this and consumption is going to go up by a lot over that time, then it sounds like this is important.”*

*“If you don’t take care of this in a timely manner, it is going to triple the cost.”*

** Explaining that the transmission lines have not been updated in 30 years was important to consumers.**

When the messages that explained that it has been 30 years since the transmission lines have been updated, respondents took notice. They heard that message clearly. It appeared to cause a lot of concern about the functionality and reliability of transmission lines. The information seemed to create questions and spark interest in learning more and a broad understanding of potential need. Instead of the conversations being centered on the emotional viewpoint regarding the construction of new transmission lines, it was re-focused on the rational need. It appeared that there was some general consensus that if it’s a necessity to update the lines then it needed to be done now. This understanding or realization was only reached after respondents were told that it has



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been 30 years since transmission lines have had a significant upgrade. This message consistently resonated with all groups.

*"To me, that sounds kind of scary. I would think after that long a period that they would have to be fixed. But can't they just update them or add to them? Why do they have to build new ones?"*

*"Even though I think West Virginia has probably lost population in the past 30 years, I bet we still use more energy than we did then. It makes me wonder how the grid can support it."*

*"I think that means our area is at risk for some major problems when we need maintenance issues. It takes a long time to get things to West Virginia and things have changed so much over the past 30 years."*

*"It makes me wonder how stable we are. Is it going to take another 30 years to replace the ones we've got?"*

 **Messaging regarding security and safety add context, meaning and value.**

Though none of the messaging shared with the groups specifically focused on security or safety, these factors were mentioned spontaneously by respondents. Several respondents mentioned that they don't want the electrical grid to be vulnerable. When vulnerability was mentioned as an outcome of not taking action now, there was considerable conversation from others in the room. It is clear that safety/security of the electrical grid and the role of transmission lines is important to the public. Whether that is trying to protect the grid in the event of catastrophic event or being vulnerable to outside threats, there is a need to try and do what needs to be done in order to provide a sense of security.

*"What if something really bad were to happen? I don't like the idea of being vulnerable to people who want to hurt us."*

*"Remember what happened in New York a few years ago when they had that really bad black out? What if that happened here? I couldn't imagine being without power for a week."*

*"If this needs to be done because the alternative is that we are at risk or vulnerable when something major happens, then it needs to be replaced."*





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**2 Messaging about PATH generated job creation, economic benefits and increases to county tax revenues needs to be managed very carefully and cannot be overstated or hyped.**

Respondents viewed messaging about the PATH project bringing economic development and jobs to the areas where construction will take place skeptically. There is a feeling that these jobs would require a very special skill set and that local residents would not be considered for the jobs. Many respondents said that the people to fill these jobs would likely be recruited from other states. A few thought that it was possible for local people to benefit from these jobs, but that they would be short lived and obsolete as soon as the project was complete.

Messaging that centered on the current recession and suggesting that now is not the best time to take on a project of this magnitude did not resonate well with respondents. If anything, it appeared to make customers seem skeptical about the overall need for new transmission lines. Many of the respondents found this to be irresponsible; if the lines are needed and it takes ten years to build, why would we put it off due to the current state of the economy? This type of messaging seemed to create a great deal of skepticism.

One message discussed how county taxes would be positively impacted by the PATH project. This message was met with confusion and had little meaning or value to respondents.

*"There have been other instances where they have said there are going to be new jobs here in our area and they end up outsourcing to workers from Pennsylvania. The money doesn't stay here."*

*"I am skeptical because this seems like a very specialized job that not everyone could do."*

*"This is a highly specialized field. It wouldn't bring jobs to our area. They will bring in specialist from elsewhere to do this job."*

*"No way; there are more than enough guys out there who know how to do this stuff that live in places like Arizona or Texas. Why would they hire people locally? I don't buy it."*


*"To say that we halt this project because of the dip in the economy is shortsighted. The economy will come back, people will spend more, and use more power. If this can be postponed, that makes me wonder if we really need it."*



*"If this has to be done, then it doesn't really matter if we are in a recession. Why would we put something off that has to be done just because things are bad now? That doesn't make sense to me."*

*"If the power lines go over my property, I would like to get paid, not the county (tax revenue). They need to pay the people that have this bit of land that they are going to use."*

*"Why should the county receive any additional taxes or incentives? If it's going over my land, if my electric rates are going to continue to rise, and the county is going to profit, then I am totally against this."*

** Messaging from PATH opponents about health issues related to proximity to electric transmission lines and the need for conservation appears to resonate most with the public.**

The following opposition message themes tended to resonate most with respondents. The first focused on health concerns that transmission lines may cause to persons living or working in close proximity. Transmission lines being built close to schools and related health scares were a particular concern. Whether it is a valid reason for concern, there is a perceived notion that the transmission lines will be dangerous and can cause disease.

Another message from the opposition that has meaning to the public is language that promotes energy conservation versus building new transmission lines. Some in the public strongly feel conservation can help solve the problem of demand on the electrical grid, which will reduce the need for building transmission lines. Because there is limited public understanding about population growth, increased usage of electronics in the home and the stress that places on the system, the conservation messaging resonates with the public.

Finally, messaging regarding the aesthetic "eyesore" that the transmission will be seems to resonate with customers. The public in all of these markets are proud of their countryside and mountainous views. They don't want large transmission lines to interrupt that.

*"I've read about cancer being caused by living close to these power lines. There's been too much written about this – there's probably some truth in there somewhere."*

*"Why would you build these near schools? Even if the chance of them causing health problems is minor, why take the chance?"*



*"Before they build these lines, why don't we try to conserve more, buy more electric efficient appliances, and the like. I've replaced all the light bulbs in my house with energy saving ones . . . we should all do this."*

*"I know we all say not in my backyard, but these things really are an eyesore."*

** Opposition to the PATH project has developed a robust grassroots campaign, particularly in Charles Town and Frederick.**

Most respondents familiar with the PATH project learned about it via a grassroots campaign initiated by the opposition. Respondents reported seeing numerous yard signs condemning PATH; this was particularly the case in Charles Town and Frederick, where there was more awareness of PATH in general. There was no mention of yard signs in the Charleston groups. However, yard signs were mentioned in all other groups.

Others had either heard of or had neighbors who have attended local town hall meetings and speaking engagements orchestrated by the opposition. There also have been letter writing and email campaigns, and viral web initiatives utilizing blogs and Web sites that appear to have had an impact on public perceptions about PATH. Further, the opposition appears to have had some affect on local school teachers - one respondent mentioned that their child had been asked to write to legislators and/or regulators to express their opposition to the project. It appears that this grassroots effort by the opposition has been effective in, at minimum, planting a seed of doubt about PATH.

*"I have seen signs about those transmission lines in my neighbor's yard."*

*"There have been yard signs against construction of PATH. They are all over this area."*  
[Representative of Charles Town and Frederick respondents]

*"My neighbor is involved in some of the things going on to prevent PATH. My kids came home with something in their book bag talking about it. I don't really know that much about it, but I have mostly heard because of things like that."*

*"There are some email notifications going around talking about the transmission lines thing; I forget the name of it."*

*"My neighbor went to hear someone talk about this at his rotary club and he told me that the transmission lines can be very bad for causing cancer or health problems."*

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R.L. Repass & Partners, Inc.  
Cincinnati/Charleston  
1.866.545.2828  
repasspartners.com



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**2 The public is not very well informed about the specifics of PATH or the current status of the project.**

It was evident that, generally speaking, customers were not well informed about the PATH project. In Charleston there was very little knowledge or recognition of the project in general. A few in each group had heard something about recent delays and/or the project being “put on the back burner,” but were not able to recall specifics of delays until prompted by the moderator. There was almost no awareness at all regarding timeline or status of the project in Charleston.

In the other two markets, there was more awareness of the project timeline and status without being prompted by the moderator, but it was still only about half of each group. For the most part, that awareness wasn’t based on specific knowledge, but linked back to familiarity due to misinformation generated by the grassroots opposition campaign. One respondent in Charles Town had attended a Public Service Commission meeting or hearing regarding timing and a delay in the project. However, there was generally little knowledge about current timeline or status. A few respondents said they had heard the PATH project had been “stopped all together.”

*“I heard something about this about six months ago, but I haven’t heard anything lately.”*

*“My mother has been contacted – she has land where this is going through. But, she hasn’t had any contact with Allegheny for quite a while. I don’t think she knows what the status is.”*

*“I got an email about going to a PSC meeting and I went – there’s a lot of opposition to this in our area.” (Charles Town)*

**2 The overall reputation of Allegheny and AEP brands are generally viewed favorably.**

Respondents were asked to rate several different companies and brands, indicating their overall impression of each. For the most part, Allegheny and AEP both were viewed favorably. Other than expected complaints about rate increases, respondents were pleased with the quality of customer service and responsiveness of each company. Most commented that they’ve never had an issue with either company. The majority have had positive experiences. A small number of respondents in each group had negative experiences with these utilities, primarily related to power outages and the time lag to restore service. However, generally customers are satisfied with both Allegheny and AEP.



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*"Allegheny does a good job and they fix whatever issues arise. I have never had a problem with them."*

*"Well I have never had a problem with Appalachian. I don't approve of their rate hikes, but I have always had good service."*

*"I have a transformer in my yard and it'll blow and here they come. I call and they are quick."*

*"I live in a wooded area and the power used to blow frequently. They came and cut down some trees to help prevent that; it has worked very well. I have been happy with their customer service and their willingness to help us."*

*"Their sense of pricing. . . I think they take advantage of us when they set their rates."*



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## CONCLUSIONS & RECOMMENDATIONS

Below are conclusions and strategic recommendations for Allegheny Energy and AEP management to consider. It should be noted that the information below is based on the focus group research findings and our experience with similar, controversial issues. These do not take into consideration operational and other management realities.

1. Recognize that there appears to be some significant opposition to the PATH project in the eastern panhandle of West Virginia and in Frederick County, Maryland.
2. Public awareness and point of view in Charleston appears to be either non-existent or non-threatening.
  - Consider deploying outreach resources in the Charleston area and focus concentration of budget in the panhandle and contiguous markets
3. Most of those opposed at this point in time do not appear to be activists or inclined to aggressively work against construction of the transmission lines.
4. Opposition among non-activists appears to be based on second-hand information and emotional issues.
5. Logical benefits to construction resonate most with the public. Focus on simple messaging supported by facts.
  - Transmission lines have not been enhanced/replaced in 30 years
  - Failure to plan now and complete the project will likely results in an electric grid failure within five years
  - Industry experts, academics and regulators overseeing the electrical grid strongly support the PATH construction
    - Support with facts from the PJM report
    - Identify, recruit and elicit support from third parties - focus on academics where possible and failure to plan now and complete the project will increase the likelihood of a catastrophic failure of the system



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6. To neutralize the potential for those moderately opposed to become activists, it's important to strongly consider implementing a counter grassroots effort supported by modest use of paid and earned media.
  - o Consider organizing a counter email initiative and supportive bloggers to present facts about the need for PATH
  - o Consider paid media in local newspapers with simple messaging as described in item 4 on the previous page
  - o Continue to develop and place op-ed content in local newspapers
  - o Encourage a Q&A piece with senior Allegheny and AEP management and print media in the panhandle and in Frederick
7. Avoid overstating the jobs and economic benefits of PATH construction.
8. Be active with presentations to civic groups in the affected areas, particularly the eastern panhandle of West Virginia and in Maryland.
9. Develop counter messaging that is succinct to defuse opposition language that has some resonance (e.g., health issues associated with proximity to transmission lines and conservation).
10. Leverage the strength of the Allegheny and AEP brands - generally positive customer experiences with both utilities with respect to power outages and meeting needs.



# **Exhibit No. NH-53**

**Access Point Public Affairs Purchase Orders, Contracts,  
Work Plan and emails**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**





**Purchase Order**  
ISSUED BY  
**Allegheny Energy Service Corporation**  
*an Allegheny Energy company*

AGENT-FOR-BUYER  
800 Cabin Hill Drive  
Attn: Procurement  
Greensburg, PA 15601-1650  
FAX: (724) 830-7714

ACCESS POINT PUBLIC AFFAIRS LLC  
STE 100  
13028 DUNHILL DR  
FAIRFAX VA 22030-8269

Your Vendor Number with us  
10031314

Please Deliver to:  
PATH Allegheny Transmission Company,  
LLC  
PATH Allegheny Transmission Company,  
LLC  
800 Cabin Hill Drive  
Greensburg PA 15601

All material to Connellsville or Williamsport Distribution Centers must be delivered between 7:00 am and 11:00 am Monday through Friday only. For all other locations, deliveries must be made between 7:00 am and 3:00 pm Monday through Friday (unless otherwise specified on the purchase order). No U.S. holiday deliveries (including New Year's Day, President's Day, Good Friday, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day, and Christmas Day).

IMPORTANT: Invoice must be in purchase order unit of measure.

Buyer reserves the right to assign this contract, in whole or in part, to one or more of its affiliates, their successors or assigns at any time.

All Correspondence, Shipping Papers, Invoices, Bills of Lading and Packages must show the Stock Number, Purchase Order Number, and Work Order and Op Step Numbers (if applicable and as identified in the Purchase Order header text or item text).

ANY AGENT, REPRESENTATIVE, CONSULTANT OR CONTRACTOR PROVIDING SERVICES TO ALLEGHENY ENERGY IS EXPECTED TO FOLLOW ALLEGHENY ENERGY'S CODE OF BUSINESS CONDUCT AND ETHICS, WHICH IS AVAILABLE ON THE COMPANY'S WEBSITE, [www.alleghenyenergy.com](http://www.alleghenyenergy.com), IN THE CORPORATE GOVERNANCE SECTION. IT IS ALSO AVAILABLE AT [http://media.corporate-ir.net/media\\_files/nys/aye/corpgov/code4.pdf](http://media.corporate-ir.net/media_files/nys/aye/corpgov/code4.pdf).

This document, and any attached or referenced documents, may contain information proprietary to Allegheny Energy Service Corporation, its affiliates, and parent. You agree that this document is to be used solely by you exclusively for the purpose for which it is furnished, and AESC requires it to be returned or destroyed when no longer required for that purpose. This document and any information obtained therefrom shall not be reproduced, transmitted, or disclosed in whole or in part to other organizations without the prior written authorization of AESC.

Inco Terms : SVC Freight Not Applicable N

Currency : USD

Terms of Payment : Within 45 days Due Net

This offer to purchase includes all the terms and conditions applicable to this purchase order. Acknowledgement is required for services or exceptions only. Shipment of goods will constitute your acceptance of this purchase order's terms and conditions.

AUTHORIZED BY: 

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

Vendor Copy

Newman-2-Attachment A



**Purchase Order**

ISSUED BY

**Allegheny Energy Service Corporation**  
*an Allegheny Energy company*

AGENT-FOR-BUYER

800 Cabin Hill Drive

Attn: Procurement

Greensburg, PA 15601-1650

FAX: (724) 830-7714

**Header text**

Buyer: PATH-Allegheny Virginia Transmission Corporation  
 800 Cabin Hill Drive  
 Greensburg, PA 15601

Vendor: Access Point Public Affairs, LLC  
 13028 Dunhill Drive, Suite 100  
 Fairfax, VA 22030  
 703-222-7605  
 ATTN: Mindy Williams

Term of Purchase Order: Completion approximately 6-8 weeks after purchase order issuance.  
 Payment Rate: Flat fee of \$15,000 plus expenses supported with adequate documentation  
 Payment Terms: Net 45

This purchase order is issued to Access Point Public Affairs, LLC to provide intelligence gathering services to identify issues, positions, minimize opposition, and provide general information of interest for the PATH Project in Loudoun county, VA.

The attached Agreement For Independent Contractor Services between PATH-Allegheny and Access Point Public Affairs, LLC dated June 2, 2009 shall apply to this purchase order.

The terms and conditions printed on the back of this purchase order are of no force and effect.

Please send invoices to Angela Alton, 800 Cabin Hill Drive, Greensburg, PA 15601

Item	Material	Order Qty.	UOM	Unit Price	Per	Net Value
00010 US		1	AU	\$ .00	1	\$ .00

Description: Public Affairs Support

Required Date: 12-31-2009

Purch. Req. Number: 10243545      Purch. Req. Item: 00030

Tax Code Description: Vendor Bills Tax

The item covers the following services:

Service Item	Service Number	Service Description	Qty	UOM	Rate
	10	Public Affairs Support	.000		\$ .00

**End of Purchase Order**

Note: If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

### AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES

This Agreement is made this 2<sup>nd</sup> day of June 2009, by and between PATH Allegheny Transmission Company, LLC ("PATH-Allegheny" or "Company" or "Allegheny") for its successors or assigns and ACCESS POINT PUBLIC AFFAIRS, LLC, hereinafter referred to as "Independent Contractor."

WHEREAS, the Company desires to procure the services of Independent Contractor, upon the terms and conditions of this Agreement.

NOW, THEREFORE, intending to be legally bound, the parties agree as follows:

1. **Services to be Rendered.** Independent Contractor shall make its services available to PATH-Allegheny, on an as-needed basis. Services to be provided shall include, but not be limited to: use of the Independent Contractor's best efforts to represent, as the Company may direct, the Company's interests before any and all State, Regional, and Local Government Agencies in Virginia; and to assist the Company in any other consulting matters as the Company may direct (collectively, the "Services"). In performing these Services, Independent Contractor agrees as follows:

- (a) Independent Contractor shall comply with all applicable laws and regulations, including, without limitation, laws applicable to activities of the Contractor before any legislative body and any other governmental or regulatory agency;
- (b) Independent Contractor shall not (1) give, furnish or contribute monies, materials, or supplies, or (2) make loans to or in support of any candidate or to any political committee, through or in the name of the Company, directly or indirectly without the express permission of or at the express direction of the Company;
- (c) Independent Contractor warrants that, to its knowledge or belief, none of the work it is performing for other clients conflicts with the interests of the Company. Independent Contractor shall promptly notify the Company in writing of any potential conflict of interest that comes to its attention and the Company shall have the right to immediately terminate this Agreement should it determine that a conflict of interest exists;
- (d) Independent Contractor represents that it will perform said Services in a professional and competent manner. Independent Contractor further represents that Independent Contractor will not engage in any activities that would materially impair the Independent Contractor's ability to perform these Services;
- (e) Prior to the execution of this Agreement, Independent Contractor and the Company have reached an understanding as to the scope of the Services to be performed by the Independent Contractor, as herein set out, and the Independent Contractor will allocate appropriate time and resources to perform that level of Services for the Company; and

- (f) Independent Contractor may not assign the performance required of him under this Agreement without the prior written consent of Company and any assignment without such consent shall be void.

2. **Term of Agreement.** The term of this Agreement shall begin on the date of the final signature to this agreement and shall end within 6-8 weeks from that date. It is understood that Independent Contractor is free to pursue other work or consulting opportunities during the term of this Agreement. This Agreement may be terminated for cause at any time without notice by Company, or by Company or Independent Contractor, without cause, upon thirty (30) days' prior written notice. The obligations of paragraphs 7, 8, 9, 10, 11 and 12 shall continue even after termination of this Agreement.

3. **Place Where Services are to be Rendered.** Independent Contractor shall perform work from its home or other outside office space.

4. **No Authority to Enter into Contracts on Behalf of PATH-Allegheny.** Independent Contractor shall not have authority to enter into any contract or agreement on behalf of PATH-Allegheny with any other person or entity during the term of this Agreement. Independent Contractor will not hold himself out to have the authority, power, or right to enter into any financial obligation on behalf of PATH-Allegheny.

5. **Fees for Services Rendered.** PATH-Allegheny agrees to pay Independent Contractor a flat fee of ~~\$15,000.00~~, payable forty-five (45) days after invoiced to the Company, for the Term of Agreement as stated in Paragraph 2.

6. **Payment for Services Rendered.** Independent Contractor shall submit two invoices, one-half to be billed at start of the project and one-half at completion of the project, including a description of the services performed as well as a statement for expenses incurred for which Independent Contractor seeks reimbursement. Any expenses claimed for reimbursement must be supported by adequate documentation. Payment shall be made within forty-five (45) days of receipt of a correct invoice.

7. **Independent Contractor Relationship.** Independent Contractor in its performance hereunder shall be an independent contractor and nothing in this Agreement shall be construed as creating any other relationship. Independent Contractor shall at all times be free to exercise Independent Contractor's own initiative, judgment and discretion as to how best to complete each assignment or project. Independent Contractor may adopt such arrangements as it shall desire with regard to the hours during which services are to be provided, so long as such hours are consistent with proper accomplishment of the project or assignment, and so long as PATH-Allegheny's reasonable requests for meetings, consultations, status reports, etc. are met. Independent Contractor agrees that it shall not receive any medical, health, pension or other benefits from Company as a result of its provision of services hereunder.

8. **Indemnification of PATH-Allegheny** Independent Contractor shall be solely responsible for all of its acts or omissions (negligent or otherwise). Independent Contractor shall

indemnify and hold PATH-Allegheny harmless for any personal injury or property damage in connection with this Agreement. Independent Contractor shall upgrade its personal automobile insurance to include business use, with minimum limits of \$300,000 combined single limit per occurrence. Independent Contractor's personal automobile insurance shall constitute primary coverage for any accident in which Independent Contractor is involved in the course of providing services hereunder.

9. **Taxes.** Independent Contractor shall be responsible for all taxes applicable to any amounts paid by PATH-Allegheny to Independent Contractor and imposed by any federal, state, or local government or governmental agency. In accordance with applicable law, PATH-Allegheny shall file annually with the Internal Revenue Service a Form 1099-NEC U.S. Information Return-Statement for Recipients of Non-Employee Compensation, reflecting the gross annual payments to Independent Contractor, less any reimbursed expenses pursuant to this Agreement.

10. **Confidential Information.** In this Agreement "Confidential Information" means all information including, but not limited to, proprietary information and/or trade secrets, and all information disclosed to Independent Contractor or known by the Independent Contractor as a consequence of or through Independent Contractor's rendering services pursuant to the Agreement, which is not generally known in the industry in which PATH-Allegheny is or may become engaged, about Company's business, products, processes, and services, including, but not limited to, information relating to Inventions and/or Works (defined below), research, development, computer program designs, computer data, flow charts, source or object codes, products or services under development, pricing and pricing strategies, marketing and selling strategies, power generating, servicing, purchasing, accounting, engineering, costs and costing strategies, sources of supply, customer lists, customer requirements, business methods or practices, training and training programs, and the documentation thereof. It will be presumed that information supplied to Allegheny from outside sources is Confidential Information unless and until it is designated otherwise.

10.1. Independent Contractor acknowledges that it will have access to confidential information during the term of this Agreement. Independent Contractor acknowledges that all Confidential Information shall at all times remain the property of Company. Independent Contractor agrees to keep confidential all information it receives from whatever source whether oral or written during the course of this Agreement and agrees not to disclose any such information to any third party. Independent Contractor further agrees not to copy, print, transcribe or otherwise make available to any third party or retain for him/herself any documentation, diskette or any information in any other form or format provided to Independent Contractor, or acquired or learned by Independent Contractor during the term of this Agreement. Except as required to render services in accordance with this Agreement, Independent Contractor will not, during its term of engagement by Company, or thereafter, directly or indirectly use, divulge, disseminate, disclose, lecture upon, or publish any Confidential Information, Inventions and/or Works without having first obtained written permission from Company to do so.

10.2 Independent Contractor will safeguard and maintain on the premises of Company and elsewhere as required, to the extent possible in the performance of Independent

Contractor's work for Company, all documents and things that contain or embody Confidential Information, Inventions and/or Works.

10.3 The provisions of this Paragraph 10 shall survive beyond the term of Independent Contractor's engagement with Company.

11. **Inventions and Works.** All Inventions and/or Works made, conceived, developed or created by Independent Contractor, either solely or jointly with others, while rendering services in accordance with this Agreement and within one (1) year after termination of this Agreement, will be the property of Company and their nominees.

11.1 In this Agreement "Inventions" means discoveries, concepts, and ideas, whether patentable or not, including, but not limited to, apparatus, processes, methods, techniques, and formulae, as well as improvements thereof or know-how related thereto, relating to any present or prospective activities of Company.

11.2 In this Agreement "Works" means all material and information which is fixed in a tangible medium of expression including, but not limited to, notes, drawings, memoranda, correspondence, documents, records, notebooks, flow charts, computer data, computer programs and source and object codes, regardless of the medium in which they are fixed. "Works" include all such intellectual property not limited to information, improvements, manuscripts (including computer software), designs, symbols, audio and visual materials whether or not the same can be protected by copyright, patent or trademark.

11.3 All such Inventions and/or Works are "works for hire" as defined in the United States copyright laws, 17 U.S.C. Section 101, as amended.

11.4 Independent Contractor will, without delay:

(a) inform Company promptly and fully of such Inventions and/or Works by written reports, setting forth in detail a description, the operation and the results achieved;

(b) assign to Company all of Independent Contractor's right, title, and interest in and to such Inventions and/or Works, any applications for United States and foreign Letters Patent, any registrations for copyrights and/or trademarks, any continuations, divisions, continuations-in-part, reissues, extensions or additions thereof filed for upon such Inventions and/or Works, and any United States and foreign Letters patent, any copyrights and/or trademarks;

(c) assist Company and their nominees, at the expense of Company, to obtain, maintain and enforce such United States and foreign Letters Patent, copyrights and or trademarks for such Inventions and/or Works as the Company may elect; and

(d) execute, acknowledge, and deliver to Company at its expense such written documents and instruments, and do such other acts, such as giving testimony in support of Independent Contractor's inventorship and invention, as may be necessary in the opinion of Company to obtain, maintain and enforce the United States and foreign Letters Patent, copyrights and/or trademarks upon such Inventions and/or Works, and to vest the entire right and title thereto in Company and to confirm the complete ownership by Company of such Inventions

and/or Works. The decision to apply for legal protection shall be at the sole discretion of Company.

(e) Payment, if any, to Independent Contractor of royalties or other consideration for Inventions and/or Works shall be at the sole discretion of Company.

11.5. Except as described in Exhibit A annexed hereto, Independent Contractor agrees and acknowledges that Independent Contractor will not assert against Company or their customers any rights to any Inventions or Works made, created, or acquired by Independent Contractor, alone or jointly, prior to Independent Contractor working with Company. Any Inventions made and Works created by Independent Contractor and not described in Exhibit A hereto shall be deemed to have been made or created during Independent Contractor's work with Company.

11.6. Independent Contractor understands and agrees that any violation of this Agreement shall be deemed to be material and could result in termination of this Agreement. Independent Contractor acknowledges that valid consideration has been received, that the provisions of this Agreement are reasonable, that they are the result of arms length negotiations between the parties, that in the event of a violation of the provisions contained herein, Company's damages would be difficult to ascertain, and that the legal remedy available to Company for any breach on the part of Independent Contractor will be inadequate. Therefore, in the event of any violation of any of the provisions of this Agreement, Company shall be entitled to specific enforcement of this Agreement through injunctive or other equitable relief in a court with appropriate jurisdiction. The existence of any claim or cause of action by Independent Contractor or another against the Company, whether predicated on this Agreement or otherwise, shall not constitute a defense to enforcement by Company of this Agreement.

12. **Return of Confidential Information, Inventions and Works to Company.** Upon termination of this Agreement, for whatever reason, or upon request by Company, Independent Contractor will deliver to Company all Confidential Information including, but not limited to, the originals and all copies of notes, sketches, drawings, specifications, memoranda, correspondence and documents, records, notebooks, computer systems, computer disks and computer tapes and other repositories of Confidential Information then in Independent Contractor's possession or under Independent Contractor's control, whether prepared by Independent Contractor or by others. Upon termination of this Agreement, for whatever reason, or upon request by Company, Independent Contractor will deliver to Company, the originals and all copies of Works and Inventions, then in Independent Contractor's possession or under Independent Contractor's control.

13. **Reformation to Applicable Law.** It is the intention of the parties that the provisions of this Agreement shall be enforceable to the fullest extent permissible by law. If any of the provisions in this Agreement are hereafter construed to be invalid or unenforceable in any jurisdiction, the same shall not affect the remainder of the provisions in this Agreement or the enforceability therein in any other jurisdiction where such provisions shall be given full effect. If any provision of this Agreement shall be deemed unenforceable, in whole or in part, this Agreement shall be deemed to be amended to delete or modify the offending part so as to alter the Agreement to render it valid and enforceable.

14. **Fees and Costs.** If Company prevails in any suit or proceeding under this Agreement, Independent Contractor agrees to pay Company's attorneys fees, costs and expenses incurred in connection with such suit or proceeding or the enforcement of Company's rights under this Agreement, regardless of whether any provision of this Agreement is reformed under Paragraph 13.

15. **General Terms and Conditions.** Independent Contractor acknowledges and agrees that he/she is also subject to the attached Independent Contractor General Terms and Conditions. The attached Independent Contractor General Terms and Conditions supersede and replace the General Terms and Conditions which are a part of the Purchase Order to which this Agreement is attached.

16. **Binding Effect.** This Agreement shall bind Independent Contractor, Independent Contractor's heirs, and assigns, and may be assigned by PATH-Allegheny. The substantive law of the Commonwealth of Pennsylvania shall apply in matters relating to this Agreement. This Agreement sets forth the entire understanding concerning the subjects that are dealt with in this Agreement and supersedes any prior agreement on said subjects and shall not be changed, modified or terminated except upon written amendment executed by Company and the Independent Contractor. No delay in exercising any right, remedy or power hereunder or existing at law or equity shall be construed as a waiver thereof, and any such right remedy or power may be exercised from time to time and as often as expedient or necessary in the sole discretion of the party.

***INDEPENDENT CONTRACTOR ACKNOWLEDGES THAT HE/SHE HAS READ AND UNDERSTANDS THE PROVISIONS OF THIS AGREEMENT, THAT HE OR SHE HAS RECEIVED A COPY OF THIS AGREEMENT, THAT HE/SHE HAS BEEN GIVEN AN OPPORTUNITY TO REVIEW THIS AGREEMENT WITH LEGAL COUNSEL, AND THAT THE PROVISIONS OF THIS AGREEMENT ARE REASONABLE.***

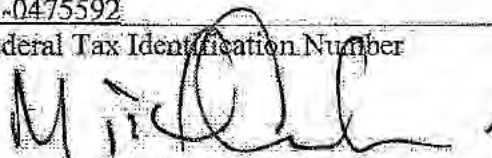


IN WITNESS WHEREOF, the parties have executed this Agreement or have caused this Agreement to be executed by their duly authorized representatives as of the day and year first above written.

**ACCESS POINT PUBLIC AFFAIRS, LLC**

51-0475592

Federal Tax Identification Number



By: Mike Carlin, Partner

June 2, 2009

Date



By: Mindy Williams, Partner

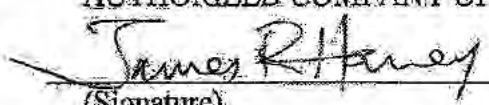
6.2.09

Date

**PATH Allegheny Transmission Company, LLC**

JAMES R. Haney

AUTHORIZED COMPANY OFFICER NAME



(Signature)

Vice President

(Title)

6/9/09

(Date)



**Purchase Order**  
ISSUED BY  
**Allegheny Energy Service Corporation**  
*an Allegheny Energy company*

AGENT-FOR-BUYER  
800 Cabin Hill Drive  
Attn: Procurement  
Greensburg, PA 15601-1650  
FAX: (724) 830-7714

ACCESS POINT PUBLIC AFFAIRS LLC  
STE 100  
13028 DUNHILL DR  
FAIRFAX VA 22030-8269

**Your Vendor Number with us**

10031314

**Please Deliver to :**

PATH Allegheny Transmission Company,  
LLC  
PATH Allegheny Transmission Company,  
LLC  
800 Cabin Hill Drive  
Greensburg PA 15601

All material to Connellsville or Williamsport Distribution Centers must be delivered between 7:00 am and 11:00 am Monday through Friday only. For all other locations, deliveries must be made between 7:00 am and 3:00 pm Monday through Friday (unless otherwise specified on the purchase order). No U.S. holiday deliveries (including New Year's Day, President's Day, Good Friday, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day, and Christmas Day).

**IMPORTANT:** Invoice must be in purchase order unit of measure.

Buyer reserves the right to assign this contract, in whole or in part, to one or more of its affiliates, their successors or assigns at any time.

All Correspondence, Shipping Papers, Invoices, Bills of Lading and Packages must show the Stock Number, Purchase Order Number, and Work Order and Op Step Numbers (if applicable and as identified in the Purchase Order header text or item text).

ANY AGENT, REPRESENTATIVE, CONSULTANT OR CONTRACTOR PROVIDING SERVICES TO ALLEGHENY ENERGY IS EXPECTED TO FOLLOW ALLEGHENY ENERGY'S CODE OF BUSINESS CONDUCT AND ETHICS, WHICH IS AVAILABLE ON THE COMPANY'S WEBSITE, [www.alleghenyenergy.com](http://www.alleghenyenergy.com), IN THE CORPORATE GOVERNANCE SECTION. IT IS ALSO AVAILABLE AT [http://media.corporate-ir.net/media\\_files/nys/aye/corpgov/code4.pdf](http://media.corporate-ir.net/media_files/nys/aye/corpgov/code4.pdf).

This document, and any attached or referenced documents, may contain information proprietary to Allegheny Energy Service Corporation, its affiliates, and parent. You agree that this document is to be used solely by you exclusively for the purpose for which it is furnished, and AESC requires it to be returned or destroyed when no longer required for that purpose. This document and any information obtained therefrom shall not be reproduced, transmitted, or disclosed in whole or in part to other organizations without the prior written authorization of AESC.

**IncoTerms :** SVC Freight Not Applicable N

**Currency :** USD

**Terms of Payment :** Within 60 days Due Net

**This offer to purchase includes all the terms and conditions applicable to this purchase order. Acknowledgement is required for services or exceptions only. Shipment of goods will constitute your acceptance of this purchase order's terms and conditions.**

**AUTHORIZED BY:** \_\_\_\_\_

**Note :** If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

**Bill and Mail Invoices to :**

**Buying Company:**

**PATH Allegheny Transmission Company, LLC**

Disbursement Accounting  
800 Cabin Hill Drive  
Greensburg, PA 15601-1650

**Purchase Order**

**Purchasing Document Date**

4500239980 11-24-2009

**Purchasing Buyer**

Carol Johnson

**Telephone**

724-838-6279

**Fax number**

724-830-7713

**Our Reference**

A. ALTON

**E-Mail**

cjohns2@alleghenyenergy.com

**Purchase Order**

ISSUED BY

**Allegheny Energy Service Corporation***an Allegheny Energy company*

AGENT-FOR-BUYER

800 Cabin Hill Drive

Attn: Procurement

Greensburg, PA 15601-1650

FAX: (724) 830-7714

**Header text**

Buyer: PATH-Allegheny Virginia Transmission Corporation  
800 Cabin Hill Drive  
Greensburg, PA 15601

Vendor: Access Point Public Affairs, LLC  
13028 Dunhill Drive, Suite 100  
Fairfax, VA 22030  
703-222-7605  
ATTN: Mindy Williams

Term of Purchase Order: September 1, 2009 through August 31, 2010

Payment Rate: Flat monthly fee of \$5,000 plus expenses supported with adequate documentation including mileage to be paid at the prevailing IRS reimbursement rate per mile. Monthly invoices shall be submitted indicating all hours worked, a description of the services performed, and any and all itemized expenses for which independent contractor seeks reimbursement.

Payment Terms: Net 60 Days after receipt of a correct invoice.

This purchase order is issued to Access Point Public Affairs, LLC to provide independent contractor services to PATH-Allegheny on an as-needed basis representing PATH-Allegheny, as directed, before the Legislature of Virginia and any and all State, Regional, and Local Government Agencies, and to assist in other lobbying and consulting matters.

Access Point will be providing the following services:

- Strategic guidance on next steps in Loudoun County to support opportunities to influence the Board of Supervisors
- Continued outreach to key stakeholders and those who influence them within Loudoun
- General Assembly member outreach and communications
- Continued message and communications support
- Regular intelligence reporting

The attached Agreement for Independent Contractor Services between PATH-Allegheny and Access Point Public Affairs, LLC dated October 26, 2009 shall apply to this purchase order.

The terms and conditions printed on the back of this purchase order are of no force and effect.

Please send invoices to Rhiannon Friend, 800 Cabin Hill Drive, Greensburg, PA 15601

**Header note**

Req. 10297298 for PATH-Allegheny

Sole Source Vendor - but for PATH Project no sole source form needed if Under \$100K following same protocol as AEP for PATH.

The purpose of the requisition is to create a purchase order for Access Point Public Affairs, LLC in the amount of \$60,000

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.



**Purchase Order**  
 ISSUED BY  
**Allegheny Energy Service Corporation**  
*an Allegheny Energy company*

AGENT-FOR-BUYER  
 800 Cabin Hill Drive  
 Attn: Procurement  
 Greensburg, PA 15601-1650  
 FAX: (724) 830-7714

Access Point will be providing the following services:

- Strategic guidance on next steps in Loudoun County to support opportunities to influence the Board of Supervisors
- Continued outreach to key stakeholders and those who influence them within Loudoun
- General Assembly member outreach and communications
- Continued message and communications support
- Regular intelligence reporting

Maximum PO Expenditure: \$60,000

Please see the attachment for more information

Please send Purchase orders to Angela Alton and Lynn Decario, 800 Cabin Hill Drive, Greensburg, PA 15601

Please send invoices to Rhiannon Friend, 800 Cabin Hill Drive, Greensburg, PA 15601

Item	Material	Order Qty.	UOM	Unit Price	Per	Net Value
00010 US		1	AU	\$ 60,000.00	1	\$ 60,000.00

**Description :** Miscellaneous Professional Services

**Required Date :** 08-31-2010

A/C Assig. Cat : F

<b>G/L Account</b>	<b>Order</b>	<b>Quantity</b>
616314	33004615	1

**Purch. Req. Number :** 10297298      **Purch. Req. Item :** 00010

**Tax Code Description :** Vendor Bills Tax

**The item covers the following services :**

Service Item	Service Number	Service Description	Qty	UOM	Rate
10		Miscellaneous Professional Services	.000		\$ .00

<b>Total Net Value</b>					\$ 60,000.00
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**End of Purchase Order**

Note : If it has been determined that the product purchased is a hazardous substance according to OSHA 1910.1200, 2 copies of the material safety data sheet for such product must be included with the shipping papers to the receiver of the product. If seller fails to supply such information, seller shall be considered to be in breach of contract.

**AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES**

This Agreement is made this 26<sup>th</sup> day of OCTOBER 2009, by and between PATH Allegheny Transmission Company, LLC ("PATH-Allegheny" or "Company" or "Allegheny") for its successors or assigns and ACCESS POINT PUBLIC AFFAIRS, LLC, hereinafter referred to as "Independent Contractor".

WHEREAS, the Company desires to procure the services of Independent Contractor, upon the terms and conditions of this Agreement,

NOW, THEREFORE, intending to be legally bound, the parties agree as follows:

1. **Services to be Rendered.** Non-Standard Terms & Conditions are specified in Exhibit B.

Independent Contractor shall provide services to Allegheny, on an as-needed basis. Services to be provided shall include, but not be limited to: use of the Independent Contractor's best efforts to represent, as the Company may direct, the Company's interests before the Legislature of Virginia and any and all State, Regional, and Local Government Agencies; and to assist the Company in any other lobbying and consulting matters as the Company may direct (collectively, the "Services"). In performing these Services, Independent Contractor agrees as follows:

- (a) Independent Contractor shall comply with all applicable laws and regulations, including, without limitation, laws applicable to activities of the Independent Contractor as a lobbyist before any legislative body and any other governmental or regulatory agency;
- (b) Independent Contractor shall register as a lobbyist representing the interests of the Company with any agency requiring such or like registration where Services are to be performed;
- (c) Independent Contractor shall not (1) give, furnish or contribute monies, materials, or supplies, or (2) make loans to or in support of any candidate or to any political committee, through or in the name of the Company, directly or indirectly without the express permission of or at the express direction of the Company;
- (d) Independent Contractor warrants that none of the work currently being performed for other clients conflicts with the interests of the Company. Independent Contractor shall promptly notify the Company in writing of any potential conflict of interest and the Company shall have the right to immediately terminate this Agreement should it determine that a conflict of interest exists;
- (e) Independent Contractor represents that the Services will be performed in a professional and competent manner. Independent Contractor further represents that Independent Contractor will not engage in any activities that would materially impair the Independent Contractor's ability to perform these Services;

- (f) Prior to the execution of this Agreement, Independent Contractor and the Company have reached an understanding as to the scope of the Services to be performed by the Independent Contractor, as herein set out, and the Independent Contractor will allocate appropriate time and resources to perform that level of Services for the Company; and
- (g) Independent Contractor may not assign the performance of any Service without the prior written consent of Company and any assignment without such consent shall be void.

2. **Term of Agreement.** The term of this Agreement shall begin on SEPT. 1, 2009 and shall end on AUG. 30, 2010. It is understood that Independent Contractor is free to pursue other work or consulting opportunities during the term of this Agreement. This Agreement may be terminated for cause at any time without notice by Company, or by Company or Independent Contractor, without cause, upon thirty (30) days' prior written notice. The provisions and obligations of paragraphs 8, 10, 11, 12 and 13 shall continue after termination of this Agreement.

3. **Place Where Services are to be Rendered.** Independent Contractor shall perform work from home or other outside office space.

4. **No Authority to Enter into Contracts on Behalf of Allegheny.** Independent Contractor shall not have authority to enter into any contract or agreement on behalf of Allegheny with any other person or entity. Independent Contractor will not represent the authority, power, or right to enter into any financial obligation on behalf of Allegheny to any other person or entity.

5. **Fees for Services Rendered.** Allegheny agrees to pay Independent Contractor a monthly fee of \$5,000, payable sixty (60) days after invoiced to the Company, for the Term of Agreement as stated in Paragraph 2. Independent Contractor will be reimbursed for all reasonable, verified and authorized expenses, incurred in the course of doing work for Company hereunder. Independent Contractor shall also be reimbursed for personal car use at the then-prevailing IRS reimbursement rate per mile when performing services for Company.

6. **Payment for Services Rendered.** Non-Standard Terms & Conditions are specified in Exhibit B.

Independent Contractor shall submit monthly invoices, indicating all hours worked and a description of the services performed as well as a statement for expenses incurred for which Independent Contractor seeks reimbursement. Any expenses claimed for reimbursement must be supported by adequate documentation. Payment shall be made within sixty (60) days of receipt of a correct invoice.

7. **Independent Contractor Relationship.** Independent Contractor in providing any Service hereunder shall be an Independent Contractor and nothing in this Agreement shall be

construed as creating any other relationship. Independent Contractor shall at all times be free to exercise Independent Contractor's own initiative, judgment and discretion as to how best to complete each assignment or project. Independent Contractor may adopt the hours during which Services are to be provided, so long as such hours are consistent with proper accomplishment of the Services, and so long as Allegheny's reasonable requests for meetings, consultations, status reports, etc. are met. Independent Contractor agrees that no employee benefits including but not limited to medical, health, pension or other benefits shall be provided by the Company pursuant to this Agreement.

8. **Indemnification of Allegheny** Independent Contractor shall be solely responsible for all of his/her acts or omissions (negligent or otherwise) taken or not taken pursuant to this Agreement. Independent Contractor shall defend, indemnify and hold Allegheny, its employees, agents, directors, officers and representatives, harmless for claims, losses, liabilities and expenses, including attorneys' fees growing out of personal injury death or property damage suffered or claimed to have been suffered by any person including Independent Contractor's employees in connection with this Agreement. Independent Contractor intends that the indemnity obligation to each party indemnified herein for claims related to or brought by anyone directly or indirectly employed by Independent Contractor or Independent Contractor's subcontractors shall not be limited in any way by any provision of any workers' compensation act, disability benefits act or other employee benefit act, and Independent Contractor hereby waives immunity under such acts to the extent such acts would bar recovery under, or full enforcement of, Independent Contractor's indemnity obligation.

9. **Insurance.** Insurance coverage shall comply with the insurance provisions shown in Exhibit A.

10. **Taxes.** Independent Contractor shall be responsible for all taxes applicable to any amounts paid by Allegheny to Independent Contractor and imposed by any federal, state, or local government or governmental agency. In accordance with applicable law, Allegheny shall file annually with the Internal Revenue Service a Form 1099-NEC U.S. Information Return-Statement for Recipients of Non-Employee Compensation, reflecting the gross annual payments to Independent Contractor, less any reimbursed expenses pursuant to this Agreement.

11. **Confidential Information.** In this Agreement "Confidential Information" means all information including, but not limited to, proprietary information and/or trade secrets, and all information disclosed to Independent Contractor or known by the Independent Contractor as a consequence of or through Independent Contractor's rendering services pursuant to the Agreement, which is not generally known in the industry in which Allegheny is or may become engaged, about Company's business, products, processes, and services, including, but not limited to, information relating to Inventions and/or Works (defined below), research, development, computer program designs, computer data, flow charts, source or object codes, products or services under development, pricing and pricing strategies, marketing and selling strategies, power generating, servicing, purchasing, accounting, engineering, costs and costing strategies, sources of supply, customer lists, customer requirements, business methods or practices, training and training programs, and the documentation thereof. It will be presumed that information

supplied to Allegheny from outside sources is Confidential Information unless and until it is designated otherwise.

**11.1.** Independent Contractor acknowledges access to confidential information during the term of this Agreement. Independent Contractor acknowledges that all Confidential Information shall at all times remain the property of Company. Independent Contractor agrees to keep confidential all information received from whatever source whether oral or written during the course of this Agreement and agrees not to disclose any such information to any third party. Independent Contractor further agrees not to copy, print, transcribe or otherwise make available to any third party or retain any documentation, diskette or any information in any other form or format provided to Independent Contractor, or acquired or learned by Independent Contractor during the term of this Agreement. Except as required to render Services in accordance with this Agreement, Independent Contractor will not directly or indirectly use, divulge, disseminate, disclose, lecture upon, or publish any Confidential Information, Inventions and/or Works without having first obtained written permission from Company to do so.

**11.2** Independent Contractor will safeguard and maintain on the premises of Company and elsewhere as required, to the extent possible in the performance of Independent Contractor's work for Company, all documents and things that contain or embody Confidential Information, Inventions and/or Works.

**12. Inventions and Works.** All Inventions and/or Works made, conceived, developed or created by Independent Contractor, either solely or jointly with others, while rendering services in accordance with this Agreement and within one (1) year after termination of this Agreement, will be the property of Company and their nominees.

**12.1** In this Agreement "Inventions" means discoveries, concepts, and ideas, whether patentable or not, including, but not limited to, apparatus, processes, methods, techniques, and formulae, as well as improvements thereof or know-how related thereto, relating to any present or prospective activities of Company.

**12.2** In this Agreement "Works" means all material and information which is fixed in a tangible medium of expression including, but not limited to, notes, drawings, memoranda, correspondence, documents, records, notebooks, flow charts, computer data, computer programs and source and object codes, regardless of the medium in which they are fixed. "Works" include all such intellectual property not limited to information, improvements, manuscripts (including computer software), designs, symbols, audio and visual materials whether or not the same can be protected by copyright, patent or trademark.

**12.3** All such Inventions and/or Works are "works for hire" as defined in the United States copyright laws, 17 U.S.C. Section 101, as amended.

**12.4** Independent Contractor will, without delay:

(a) inform Company promptly and fully of such Inventions and/or Works by written reports, setting forth in detail a description, the operation and the results achieved;



(b) assign to Company all of Independent Contractor's right, title, and interest in and to such Inventions and/or Works, any applications for United States and foreign Letters Patent, any registrations for copyrights and/or trademarks, any continuations, divisions, continuations-in-part, reissues, extensions or additions thereof filed for upon such Inventions and/or Works, and any United States and foreign Letters patent, any copyrights and/or trademarks;

(c) assist Company and their nominees, at the expense of Company, to obtain, maintain and enforce such United States and foreign Letters Patent, copyrights and or trademarks for such Inventions and/or Works as the Company may elect; and

(d) execute, acknowledge, and deliver to Company at their expense such written documents and instruments, and do such other acts, such as giving testimony in support of Independent Contractor's inventorship and invention, as may be necessary in the opinion of Company to obtain, maintain and enforce the United States and foreign Letters Patent, copyrights and/or trademarks upon such Inventions and/or Works, and to vest the entire right and title thereto in Company and to confirm the complete ownership by Company of such Inventions and/or Works. The decision to apply for legal protection shall be at the sole discretion of Company.

(e) Payment, if any, to Independent Contractor of royalties or other consideration for Inventions and/or Works shall be at the sole discretion of Company.

12.5. Except as described in Exhibit A annexed hereto, Independent Contractor agrees and acknowledges that Independent Contractor will not assert against Company or their customers any rights to any Inventions or Works made, created, or acquired by Independent Contractor, alone or jointly, prior to Independent Contractor working with Company. Any Inventions made and Works created by Independent Contractor and not described in Exhibit A hereto shall be deemed to have been made or created during Independent Contractor's work with Company.

12.6. Independent Contractor understands and agrees that any violation of this Agreement shall be deemed to be material and could result in termination of this Agreement. Independent Contractor acknowledges that valid consideration has been received, that the provisions of this Agreement are reasonable, that they are the result of arms-length negotiations between the parties, that in the event of a violation of the provisions contained herein, Company's damages would be difficult to ascertain, and that the legal remedy available to Company for any breach on the part of Independent Contractor will be inadequate. Therefore, in the event of any violation of any of the provisions of this Agreement, Company shall be entitled to specific enforcement of this Agreement through injunctive or other equitable relief in a court with appropriate jurisdiction. The existence of any claim or cause of action by Independent Contractor or another against the Company, whether predicated on this Agreement or otherwise, shall not constitute a defense to enforcement by Company of this Agreement.

13. **Return of Confidential Information, Inventions and Works to Company.** Upon termination of this Agreement, for whatever reason, or upon request by Company, Independent Contractor will deliver to Company all Confidential Information including, but not limited to, the originals and all copies of notes, sketches, drawings, specifications, memoranda, correspondence and documents, records, notebooks, computer systems, computer disks and computer tapes and other repositories of Confidential Information then in Independent Contractor's possession or under Independent Contractor's control, whether prepared by Independent Contractor or by others. Upon termination of this Agreement, for whatever reason, or upon request by Company, Independent Contractor will deliver to Company, the originals and all copies of Works and Inventions, then in Independent Contractor's possession or under Independent Contractor's control.

14. **Reformation to Applicable Law.** It is the intention of the parties that the provisions of this Agreement shall be enforceable to the fullest extent permissible by law. If any of the provisions in this Agreement are hereafter construed to be invalid or unenforceable in any jurisdiction, the same shall not affect the remainder of the provisions in this Agreement or the enforceability therein in any other jurisdiction where such provisions shall be given full effect. If any provision of this Agreement shall be deemed unenforceable, in whole or in part, this Agreement shall be deemed to be amended to delete or modify the offending part so as to alter the Agreement to render it valid and enforceable.

15. **Fees and Costs.** If Company prevails in any suit or proceeding under this Agreement, Independent Contractor agrees to pay Company's attorneys fees, costs and expenses incurred in connection with such suit or proceeding or the enforcement of Company's rights under this Agreement, regardless of whether any provision of this Agreement is reformed under Paragraph 13.

16. **General Terms and Conditions.** Independent Contractor acknowledges and agrees that he/she is also subject to the attached Independent Contractor General Terms and Conditions. The attached Independent Contractor General Terms and Conditions supersede and replace the General Terms and Conditions which are a part of the Purchase Order to which this Agreement is attached.

17. **Binding Effect.** This Agreement shall bind Independent Contractor, Independent Contractor's heirs, and assigns, and may be assigned by Allegheny. The substantive law of the Commonwealth of Pennsylvania shall apply in matters relating to this Agreement. This Agreement sets forth the entire understanding concerning the subjects that are dealt with in this Agreement and supersedes any prior agreement on said subjects and shall not be changed, modified or terminated except upon written amendment executed by Company and the Independent Contractor. No delay in exercising any right, remedy or power hereunder or existing at law or equity shall be construed as a waiver thereof, and any such right remedy or power may be exercised from time to time and as often as expedient or necessary in the sole discretion of the party.

18. **Non-Standard Terms and Conditions.** The Parties agree that the terms and conditions set forth in Exhibit B hereto are hereby incorporated herein by reference and

be made a part of this Agreement. In the event of any conflict between a provision of Exhibit B and any provisions of this Agreement that relates to the same subject matter, the pertinent provision of Exhibit B shall control.

***INDEPENDENT CONTRACTOR ACKNOWLEDGES THAT HE/SHE HAS READ AND UNDERSTANDS THE PROVISIONS OF THIS AGREEMENT, THAT HE OR SHE HAS RECEIVED A COPY OF THIS AGREEMENT, THAT HE/SHE HAS BEEN GIVEN AN OPPORTUNITY TO REVIEW THIS AGREEMENT WITH LEGAL COUNSEL, AND THAT THE PROVISIONS OF THIS AGREEMENT ARE REASONABLE.***

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

Nov 06 09:02:39p

IN WITNESS WHEREOF, the parties have executed this Agreement or have caused this Agreement to be executed by their duly authorized representatives as of the day and year first above written.

[Handwritten Signature] ACCESS POINT  
Public Affairs, LLC

51-0475592  
EIN No.

10/26/09  
Date

PATH Allegheny Transmission Company

JAMES RHANEY  
AUTHORIZED COMPANY OFFICER NAME

James R Haney 5.0110  
(Signature)

Vice President  
(Title)

11/9/09  
(Date)

## EXHIBIT A

### INDEPENDENT CONTRACTOR GENERAL TERMS AND CONDITIONS

1. **BUYER:** Each company for which services ordered herein are to be performed shall be the purchaser of those materials or services. The AE Companies shall not be liable to Independent Contractor for any obligation of any other buyer hereunder.
2. **SMALL BUSINESS STANDARDS:** Pursuant to the Small Business Act as amended (15 U.S.C. 5631 et seq.), Independent Contractor agrees to use its best efforts to carry out the policy stated in the said Act as amended so that small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals as defined in the Act have the maximum practicable opportunity to compete for subcontracts to the fullest extent consistent with the efficient performance of the contract.
3. **SAFETY AND HEALTH:** Independent Contractor shall take all precautions necessary and shall be solely responsible for the safety of the work and the safety and adequacy of the manner and methods it employs in performing the work and shall not require any employee or representative performing hereunder to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to health or safety. Independent Contractor shall conduct the work in conformance with all applicable safety and health laws, ordinances, rules, regulations, orders and all other requirements including those promulgated pursuant to OSHA and by the AE Companies when on the AE Companies' premises.
4. **PERMITS, LICENSES AND COMPLIANCE WITH THE LAW:** Independent Contractor shall obtain all licenses and permits that may be required by any governmental body or agency necessary to conduct Independent Contractor's business or to perform hereunder. Independent Contractor, Independent Contractor's subcontractors, and employees, agents and representatives of each in performance of work hereunder shall comply with all applicable governmental laws, ordinances, rules, regulations, orders and all other governmental requirements.
5. **PROPRIETARY RIGHTS:** Independent Contractor shall defend, at its own expense, indemnify and hold harmless the AE Companies, and employees, agents and representatives of each against all costs and damages, including attorneys' fees, arising out of any action in which it is alleged that the materials or any use thereof constitutes a misappropriation or infringement of any patent, copyright, trade secret or any other proprietary rights. If the AE Companies are found to misappropriate or infringe in any use of the materials specified in this purchase order, Independent Contractor shall, at its own expense, either procure for the AE Companies the right to use the materials or alter or replace said materials with functionally equivalent materials that are acceptable to The AE Companies and pay all expenses sustained as a result of such alteration or replacement.
6. **DELAY:** If, by reason of uncontrollable forces as defined herein, The AE Companies or Independent Contractor shall be unable to perform any of its obligations in whole or in part, and if within ten days after the occurrence thereof the party affected gives written notice to the other, then the obligations of both parties shall be suspended to the extent made necessary by such occurrence. The term "uncontrollable force" as used herein, includes, but is not limited to, acts of God, fires, floods, explosions, strikes and other labor disputes, governmental regulations, acts or omissions of governmental authority, unusually severe weather, inability to obtain necessary permits and licenses, inability of The AE Companies to obtain adequate financing or other economic impracticability.
7. **INSURANCE:** Prior to rendering any service hereunder, Independent Contractor shall, at its own expense, procure and thereafter keep in effect until service has been performed: (a) Workers' Compensation Insurance for its employees engaged in this work, sufficient to comply fully with requirements and coverages specified by laws of each jurisdiction in which work shall be performed; (b) Commercial General Liability Insurance providing limits of not less than \$1,000,000 combined single limit per occurrence for bodily injury and death and for property damage and including coverage for Contractual Liability, covering all liability of Independent Contractor under this agreement and including Products-Completed Operations; (c) Comprehensive Automobile Liability Insurance (including owned, non-owned and hired vehicles), providing limits of not less than \$500,000 combined single limit per occurrence for bodily injury and death and including property damage; (d) \$1,000,000 Professional Liability. Independent Contractor shall cause Allegheny Energy, its parent, any subsidiaries (including subsidiaries thereof), affiliated companies and any other affiliated organization, firm, partnership, venture, joint venture, corporation or enterprise which have either existed, exist now or may exist in the future to be added as an additional insured on the policies of insurance and furnish Allegheny Energy Service Corp., Attn: Event Risk Management, 800 Cabin Hill Drive, Greensburg, PA 15601 with certificates of insuring companies showing such insurance to be in effect and the expiration dates and agreeing to give thirty (30) days written notice to Allegheny Energy Service Corp. in advance of any change in or cancellation of such insurances. Non standard terms and conditions for automobile insurance are specified in Exhibit B.
8. **RIGHT TO AUDIT:** The AE Companies shall have the right to inspect and audit all the books, records, correspondence, receipts, vouchers, and memoranda, etc., of Independent Contractor, Independent Contractor's subcontractors and other entity used by Independent Contractor in performing this purchase order. Independent Contractor, Independent Contractor's subcontractors and any other entity used by Independent Contractor in the performance of this purchase order shall preserve all such records for a period of two years after final payment hereunder. Independent Contractor shall provide for such right to audit by The AE Companies in all contracts with subcontractors and other entities relating to this purchase order.
9. **INSPECTION:** The AE Companies shall have the right from time to time to inspect the work in progress or completed at Independent Contractor's premises upon reasonable notice and on the AE Companies' premises without such notice. Any such inspection shall in no way relieve Independent Contractor of any of its obligations under this purchase order. Any such work disclosed by any such inspection not to be in conformity with the requirements of this purchase order shall, immediately following notification thereof, be corrected by Independent Contractor at Independent Contractor's expense. Independent Contractor shall

provide safe access to such work and where necessary for such inspections shall provide scaffolds and ladders in place and such other equipment normal to conduct such inspections.

11. **ASSIGNMENT:** No right or interest in this purchase order shall be assigned by Independent Contractor, and no delegation or subcontracting of any obligation of Independent Contractor hereunder shall be made without written permission of The AE Companies. Any attempted assignment, delegation or subcontracting without such approval shall be void.

## EXHIBIT B

### NON-STANDARD TERMS & CONDITIONS

Exhibit B is referenced in Sections 1, 6 & Exhibit A Section 7 of this Agreement.

The non-standard terms & conditions set forth in this Exhibit B shall not establish precedent with regard to any other entity or agreement.

**Non-Standard Terms & Conditions are as follows:**

**Section 1** Services to be provided by Contractor are listed below. Contractor will not be representing Allegheny before the Legislature of Virginia; hence requirements in subsection (a), (b) & (c) are not applicable.

- **Access Point will provide the following enumerated services. In addition to the listed services below, Access Point and Allegheny may develop additional tasked items in support of the PATH project that relate to the development of strategic communications and public official outreach with and in Loudoun County.**
  - **Strategic guidance on next steps in Loudoun County to support opportunities to influence the Board of Supervisors – Access Point will provide strategic guidance on steps Allegheny may take to generate community support for County negotiations related to conservation easements in the PATH Application. The focus of efforts will be on identifying, creating and pursuing opportunities to encourage the County to minimize the impact of the PATH project on the community outside the existing transmission corridors by releasing conservation easements along the proposed route. Access Point will also consider potential roles non-Board of Supervisor public officials and community leaders may play to influence the Board on the conservation easements.**
  - **Continued outreach to key stakeholders and those who influence them within Loudoun – Access Point will maintain close contact with the key decision makers on the PATH project, as well as the potential influencers of those decision makers in Loudoun County. Access Point will serve as Allegheny's primary "local" connection to these stakeholders, providing strategic guidance on how best to work with them to support the ultimate goal of encouraging the Board of Supervisors to release the conservation easements along the proposed route in Loudoun County.**
  - **General Assembly member outreach and communications – To the extent necessary, and in coordination with other Allegheny contractors working with the General Assembly,**

Access Point will support outreach and communications to members of the northern Virginia delegation of the General Assembly outside Loudoun.

- **Continued message and communications support** – Access Point will continue providing feedback and guidance on Allegheny's communications within Loudoun.
- Access Point will utilize work with Allegheny to further develop communications messages for use in Loudoun County, with a particular focus on communications about the approval process for PATH (SCC Decision-Making and Post-SCC Decision) to help local officials better understand how and when negotiations with regard to the conservation easements can and should be happening.
- Access Point will help Allegheny prepare for and anticipate questions that may be raised and appropriate responses that consider the sensitivities and political dynamic in Loudoun County, as well as other hot button community issues that may be relevant to the PATH project.
- **Regular Intelligence Reporting** – Access Point will provide regular reports on our progress, including additional intelligence that is relevant to Allegheny's goals in Loudoun.

**Section 6** Contractor will not have to report all hours worked on the monthly invoice. The invoice must include the description of services performed as well as a statement for expenses incurred for which Independent Contractor seeks reimbursement. Any expenses claimed for reimbursement must be supported by adequate documentation. Payment shall be made within sixty (60) days of receipt of a correct invoice.

**Exhibit A Section 7** Independent Contractor shall provide the required insurance as stated in Exhibit A Section 7 with the exception of automobile insurance. Automobile insurance requirements as stated in Exhibit A Section 7 has been waived. Independent Contractor's personal automobile insurance shall include business use, with minimum limits of \$300,000 combined single limit per occurrence. Independent Contractor's personal automobile insurance shall constitute primary coverage for any accident in which Independent Contractor is involved in the course of providing services hereunder.





## MEMORANDUM

**DATE:** April 24, 2009

**TO:** George B. Blankenship  
Allegheny Energy

**FROM:** Mindy Williams  
Mike Carlin

**SUBJECT:** Intelligence Support of the PATH in Loudoun County

---

Thank you for the opportunity to be considered to support Allegheny Energy's PATH project, with a focus on Loudoun County. I have appreciated the chance to talk with you about the importance of the PATH project, and particularly, issues related to Loudoun County that may impact the project's overall success. This memo provides our thoughts on why we believe Access Point Public Affairs is well positioned to support Allegheny's goals and objectives with respect to the PATH project in Loudoun County, as well as a proposed work plan for the intelligence gathering support you are seeking, timetable and budget, for your consideration.

### CAPABILITY SUMMARY

Per our discussions, the principals of Access Point Public Affairs have more than 40 years of combined experience providing high level public affairs support throughout Virginia, including specific experience supporting energy infrastructure projects in northern Virginia. This has included providing public affairs support to advance infrastructure projects for Washington Gas, prior to starting Access Point Public Affairs, as well as Colonial Pipeline Company, Dominion Resources, and the Northern Virginia Electric Cooperative (NOVEC), which have all been Access Point clients.

Our principals are well positioned through our extensive involvement and strong relationships in the communities where we work, including in Loudoun County. We also have a proven track record of success in working with government and public opinion leaders to support the goals and objectives of our clients.

We would be happy to provide more specific information about our capabilities. You may also visit our web site at [www.accesspointpa.com](http://www.accesspointpa.com) for more information about our firm's strategic services, the capabilities of our principals, and our client experience.

## WORK PLAN

With regard to the PATH project, it is our understanding that, at this time, Allegheny is considering securing public affairs support to undertake an intelligence gathering effort to identify issues, positions and general information of interest among key government and public opinion leaders targets in Loudoun County, with the ultimate goal being to minimize opposition to the project as it is considered by the State Corporation Commission and, to the best extent possible, secure support by the Loudoun County Board of Supervisors for the release of the conservation easements, which is necessary in order for Allegheny to pursue the desired route for this project through portions of Loudoun County.

To that end, Access Point Public Affairs proposes the following work plan:

**Background review and message development** – Access Point will begin by working with Allegheny to understand efforts that have already been undertaken in Loudoun County, feedback received, messages developed and materials distributed. We will review and familiarize ourselves with all the relevant background information about this project so that we are well informed and prepared to speak, generally and informally, about the project through the intelligence gathering outreach described below.

How we communicate about this project will be critical to the project's ultimate success. With this in mind, Access Point will utilize our awareness and understanding of local issues and community players to work with Allegheny to further develop communications messages for use in Loudoun County, including for use as part of the intelligence gathering stakeholder outreach. Access Point will also work Allegheny to develop a comprehensive q&a document that anticipates questions that may be raised and appropriate responses that consider the sensitivities and political dynamic in Loudoun County, as well as the hot button community issues that may be relevant to the PATH project.

Having these messages and prepared questions and answers will enable us to use the intelligence gathering outreach as an opportunity, not only to learn about where key officials and leaders are on the project, but to also communicate key messages and possibly, dispel myths related to the project in, what will hopefully be a non-threatening environment where Allegheny can be seen as taking the time to really listen to the community's concerns and issues, rather than push for support or action.

**Identification of key stakeholders for intelligence gathering outreach** – Access Point will consider the key decision makers on this project, as well as the potential influencers of those decision makers in Loudoun County, and based on that, will propose a list of recommended stakeholder targets for the intelligence gathering phase of this effort. This list may include members of the Loudoun County Board of Supervisors, the Loudoun County Planning Commission, relevant County government staff, the Mayor of the Town of Lovettsville and other relevant town officials, members of Loudoun's General Assembly delegation, Congressional contacts, key business and economic development leaders, and other community leaders. Access Point will provide brief background on each recommended stakeholder target, to include the reason for including them as a target in the outreach and why/how they may influence the outcomes Allegheny is seeking with regard to the PATH project.

**Development of stakeholder questions** – Access Point will work with Allegheny to develop stakeholder questions to be asked during the outreach to assist in the intelligence gathering effort, with a focus on understanding each contact's position on the project, issues and questions they may have related to the project, negotiation points of interest, thoughts on energy infrastructure in general, other relevant priorities, and any additional information that may be helpful in further developing Allegheny's messages and/or public affairs strategy in Loudoun.

**Stakeholder outreach** – Once the stakeholder outreach list and questions are approved, Access Point will conduct the stakeholder outreach. We plan to seek face-to-face meetings where possible, but will also have phone conversations where necessary to conduct the outreach within the identified time table for this project.

**Final Intelligence Report** – Following this intelligence gathering effort, Access Point will compile a report that articulates the information learned in the outreach and will make recommendations for Allegheny to consider with regard to Loudoun County as it proceeds in its efforts to support and advance the PATH project.

## **TIME TABLE**

Given Allegheny's plans to file its application for the PATH project with the State Corporation Commission in mid-May, the goal will be to complete this effort as soon as possible, with the end goal being to have the project completed by no later than the end of June. Access Point is prepared to begin work on this as soon as an agreement is reached with Allegheny to proceed.

## **BUDGET/CONCLUSION**

It is our view that given the complexity and highly emotional reaction to this project and the positioning that has already taken place by both individual Board of Supervisors members and the Board as a whole, having a strong, credible local voice reaching out to learn more on behalf of Allegheny and the project will be extremely important to even having a dialogue with decision makers and those who may influence them in Loudoun County. Trust will be key to gathering information that can truly aid Allegheny in its efforts.

Access Point is well positioned through our strong local relationships to support Allegheny's efforts to gather intelligence and truly understand the issues and potential negotiation points among decision makers. Access Point is also uniquely qualified through our connections in the community to gather information that would not otherwise be available to Allegheny, to help in the development of appropriate communications messages and an overall strategy to support and advance the PATH project in Loudoun County.

To perform the functions identified in the work plan above, Access Point proposes a flat project fee of \$15,000 (plus reimbursement for out-of pocket expenses, such as meals associated with stakeholder outreach meetings, copies of materials, and the like; normal and customary administrative expenses are covered in the proposed flat fee).

As indicated above, Access Point is prepared to begin work immediately. We appreciate the opportunity to be considered for this important energy infrastructure project. Please let me know if you have any questions. Thank you for your consideration.

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**From:** Tompkins, Daniel P.  
**Sent:** Tuesday, January 04, 2011 1:48 AM  
**To:** Blankenship, George B.; Warnock, L. Aldie  
**Subject:** Re: Follow-up: Loudoun County Chamber Opportunities in 2011

I'm tied up at a fundraiser for the Speaker until about 930. I'll call after that.

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**From:** Blankenship, George B.  
**Sent:** Monday, January 03, 2011 08:20 PM  
**To:** Tompkins, Daniel P.; Warnock, L. Aldie  
**Subject:** Re: Follow-up: Loudoun County Chamber Opportunities in 2011

Give me a call first thing in the morning and we can discuss.

Thx

George Blankenship  
Director, External Affairs

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**From:** Tompkins, Daniel P.  
**Sent:** Monday, January 03, 2011 06:12 PM  
**To:** Blankenship, George B.; Warnock, L. Aldie  
**Subject:** RE: Follow-up: Loudoun County Chamber Opportunities in 2011

Given the current state of the project and the regulatory cases, I think we should hold off on any spends related to these activities. Do either of you have a different perspective? I'd like to get back to Mindy tomorrow.

Daniel Tompkins  
General Manager, State and Local Affairs MD & VA  
Allegheny Energy  
68 State Circle, Annapolis, MD 21401  
(410) 268-0858 - Office  
(301) 491-2240 - Mobile

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**From:** Mindy Williams [mailto:mwilliams@accesspointpa.com]  
**Sent:** Monday, January 03, 2011 4:22 PM  
**To:** Tompkins, Daniel P.; Blankenship, George B.; Warnock, L. Aldie  
**Cc:** Mindy Williams  
**Subject:** Follow-up: Loudoun County Chamber Opportunities in 2011  
**Importance:** High

Hope everyone had a great holiday.

Just wanted to follow up on these recommendations. With the Loudoun Chamber's Board of Supervisors Breakfast happening next Monday (January 10<sup>th</sup>), it would be great to confirm now if Allegheny wants to do the Advocate level PolicyMaker Series sponsorship I recommend below to get the maximum benefit. Let me know what you think.

Mindy

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**From:** Mindy Williams  
**Sent:** Friday, December 17, 2010 4:00 PM  
**To:** Tompkins, Daniel P.; gblanke@alleghenyenergy.com; Warnock, Aldie  
**Cc:** Mindy Williams  
**Subject:** Loudoun County Chamber Opportunities in 2011

The Loudoun County Chamber has what they term the "one-touch" program, which provides a chance to review and consider all the sponsorship and visibility opportunities for the coming year, and to put together a package that can be tailored to your individual business's goals and objectives. The package is available through the following link: [http://loudounchamber.org/html/marketops\\_sponsorships.html](http://loudounchamber.org/html/marketops_sponsorships.html).

As I review the opportunities and consider the year ahead, I recommend Allegheny consider the following:

**For Good Opportunities for Visibility with Elected and Government Officials:**

***First priority opportunities to consider –***

- **PolicyMaker Series** – For the PM Series, I recommend Allegheny consider the advocate sponsorship level (cost -- \$3,000, only five are available), which provides seats and recognition at all the PolicyMaker events throughout the year (includes pre- and post-session General Assembly breakfasts, a Board of Supervisors breakfast in January, State of the County, State of Education, State of the Economy, state and local candidates forums prior to the elections, and the like). With this sponsorship, Allegheny can have year-long visibility with policymakers at the local and state level, as well as with business leaders. As Dan knows, these events are very well attended and attract a high-level business crowd. If you do proceed with this, I recommend using the "Allegheny" name rather than PATH or PEAT.
- **Virtual Realty Tour** – This is generally economic development-focused, which I believe, makes it a really good fit for our energy infrastructure need messages. The sponsorships range from \$600-\$3,000 and this typically takes place in the fall, although that may change this year.
- **Loudoun Green Gala** – For obvious reasons, I think this would be good to support – the Chamber does this in partnership with County government. The cost ranges from \$500-\$2,000.

***Secondary opportunities to consider:***

- **Technology Forum** – Given the need to have affordable, reliable energy to make technology work, this may be another good opportunity to consider. The cost looks like \$1,000 and it appears it would be tied to a specific event – I can get more information if this is of interest.
- **Annual Meeting Luncheon** – Sponsorships range from \$750 for a table, to \$2,500 for the gold sponsor. This event is generally well attended by business, community and local government leaders, but not members of the General Assembly since the event takes place during the session.
- **Leadership Luncheons** – Sponsorships for this range from \$1,000 - \$3,000. Depending on the speakers they have secured, these events can be very well attended.

**For Good Opportunities for Visibility with Loudoun County Citizens:**

- **The Marketplace** – I believe PEAT did this in 2010 – sponsorships range from \$500-\$2,500 and provide a chance for exhibits and to share information about the PATH project. The event typically takes place in the fall. For this, I recommend we have PEAT participate.

I didn't know what the budget or communications plan was for Loudoun, so I thought I would pass along some recommendations for you to consider. Given the year ahead, I think these are some real opportunities for visibility and communications opportunities I think we should seriously consider. In many ways, I see these types of opportunities as a better use of resources than traditional advertising given the third party credibility that comes with being associated with the chamber of commerce and local business community.

Let me know what you think. Hope this is helpful!

Mindy

Mindy M. Williams  
Partner and Co-Owner  
Access Point Public Affairs, LLC  
13028 Dunhill Drive, Suite 100  
Fairfax, VA 22030  
703-222-7607  
[www.accesspointpublicaffairs.com](http://www.accesspointpublicaffairs.com)

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**From:** Hosier, Michael J.  
**Sent:** Tuesday, July 28, 2009 2:58 PM  
**To:** Estel, C. Vernon, Jr.  
**Subject:** FW: Feedback from Mindy Williams from Access Point

Vern – Do we have any funds available for this? I assume that it would be expense.

Thanks,  
Michael J. Hosier  
General Manager, Transmission Projects  
724-838-6807  
724-787-6666 (Cell)

**Safety is first and foremost.**

This email and any attached document are being sent by a Transmission Provider Employee as defined under FERC Standards of conduct rules and may contain confidential transmission information. You are prohibited from providing or otherwise making available confidential transmission information to employees that perform Marketing functions as defined under FERC Standards of Conduct rules. It is intended only for the use of the individual named. If you have received this message in error, please notify the sender; to the extent you have not already done so, please do not read this e-mail or any attachments.

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**From:** Blankenship, George B.  
**Sent:** Monday, July 27, 2009 3:17 PM  
**To:** Hosier, Michael J.  
**Cc:** Warnock, L. Aldie; Tompkins, Daniel P.  
**Subject:** FW: Feedback from Mindy Williams from Access Point

Mike,

For these meetings, it is typically standard practice to make a contribution to each candidate's campaign. This is something that was not budgeted for as we have typically not contributed to this race in VA. However, in light of the involvement expected each of these candidates to have as a result of the Loudoun County folks reaching out to them, we feel it is needed. I am hoping that PATH can come up with contributions for each. I am investigating the appropriate amount to contribute to each, but my preliminary impression is that we likely need to contribute \$5,000 to \$10,000 each to get their attention. Let me know if you think that is possible.

Thanks,

**George B. Blankenship**  
*Director, External Affairs*  
Office 724-838-6362  
Fax 724-853-3699

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**From:** Blankenship, George B.  
**Sent:** Monday, July 27, 2009 12:50 PM  
**To:** Haney, James R.; Estel, C. Vernon, Jr.; Hosier, Michael J.; Ruberto, Jay A.  
**Cc:** Tompkins, Daniel P.; Warnock, L. Aldie  
**Subject:** Feedback from Mindy Williams from Access Point



As each of you know, a month or so ago we contracted with Mindy Williams of Access Point in Loudoun County Virginia to assist us with our PATH efforts there and her first assignment was to gather intelligence from key stakeholders in the county. Mindy has been out on vacation, but had a few meetings before she left and has several meetings this week and plans to get me a status report by the end of the week. I will route that around as soon as I get it.

In addition, Mindy mentioned that in the interviews she has completed to date that the stakeholders in the County indicated to her that they are already reaching out to the two candidates for Governor for assistance since they do not see Governor Kaine as being able to do much since he won't be in office when the SCC rules. The Loudoun County Chamber is sponsoring a debate between the two Governor candidates, tentatively on August 20, and Mindy will likely moderate the debate. Mindy thinks we should definitely schedule a briefing with each candidate, similar to what we are doing with Kaine, to make sure they know our side of the story. Aldie and I have discussed this and feel we need to attempt to get in front of these two candidates, if at all possible, before this debate. I am going to start looking into available dates for each candidate and will route those dates to each of you when I have them so we can determine who from our side can be there. Aldie will definitely attend both meetings as he has established relationships with both.

Thanks,

**George B. Blankenship**  
*Director, External Affairs*  
*Office 724-838-6362*  
*Fax 724-853-3699*

# **Exhibit No. NH-54**

**Loudoun County, Virginia, Board of Supervisors Action Item,  
April 7, 2009**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

Date of Meeting: April 7, 2009

**BOARD OF SUPERVISORS**  
**ACTION ITEM**  
**Board Member Initiative (Supervisor Kurtz)**

#8

**SUBJECT:** Board Member Initiative: Response to PATH

**ELECTION DISTRICTS:** Catocin and Blue Ridge

**CRITICAL ACTION DATE:** At the pleasure of the Board of Supervisors

**BACKGROUND:**

PATH Allegheny Transmission Company LLC (PATH) has proposed a new 765kV powerline adjacent to the existing 500kV line through the northwestern portion of Loudoun County. The existing right-of-way would need to be expanded to accommodate such a line. In two locations, the land along the existing right-of-way is protected by open space easements held by the County. Supervisors Kurtz and Burton met with PATH representatives on February 24, 2009, at which time PATH asked for cooperation in releasing these open space easements for the additional right-of-way. Supervisors Kurtz and Burton asked that PATH put its proposal in writing, and they received the attached letter dated March 13, 2009.

One open space easement was dedicated to the County as part of the River's Edge rural hamlet located northeast of Lovettsville. The company has proposed an alternative route to avoid the easement along this section of the proposed line. This alternative loops south of the existing line in the Lovettsville vicinity.

The other open space easement protects the 893 acre Blue Ridge Center for Environmental Stewardship located between Harpers Ferry Road (Route 671) and the Blue Ridge Mountain. The easement was originally acquired as a PDR purchase by the County, and later was modified to further restrict development. The U.S Department of Agriculture made a conservation grant to the County for a portion of the purchase price, and there are certain restrictions attached to that grant. The easement is held jointly by the County and the Potomac Conservancy, a private land trust. Again, PATH has a alternative route that loops to the south of the easement area.

Supervisor Kurtz has prepared the attached response and brings it forward for Board approval. Also attached is a copy of the Board's February 17, 2009, resolution on the PATH line and a map showing the proposed route.

**DRAFT MOTION:**

I move that the Board approve the response to PATH's March 13, 2009, correspondence, as presented at the April 7, 2009 business meeting.

- Attachments:
1. Letter to M: Hosier, PATH Allegany Transmission Company
  2. March 12, 2009 Letter to Supervisor Kurtz
  3. Board of Supervisors' February 17, 2009 Resolution
  4. Map

April \_\_, 2009

Michael J. Hosier  
GM, Transmission Projects  
PATH Allegheny Transmission Company LLC  
800 Cabin Hill Drive  
Greensburg, PA 15601

Dear Mr. Hosier,

Thank you for your March 13, 2009, letter requesting assistance from the County with regard to two properties under permanent open space easement within the County that adjoin the right-of-way for two existing power lines and fall within the proposed right-of-way for a new power line. We understand your interest in resolving the conflict between your proposal to build a new transmission corridor through a portion of the County and the existing conservation easements on properties along the proposed right-of-way. However, we are unable at this time to consider any abrogation of the conservation easements on the properties of Rivers Edge and the Blue Ridge Center for Environmental Stewardship.

Loudoun County takes its responsibilities with respect to permanent conservation easements very seriously. As you know, they were granted in perpetuity, which means, in practical terms, that they should be vacated or modified only in the most compelling circumstance when required by public necessity following adequate public notice and input and, of course, full involvement of the owners of the properties concerned. We are especially mindful of the danger of setting a poor precedent that could compromise not only the properties in question, but other lands protected under conservation easements.

When easements are jointly held by the County and other public or private conservation land trusts, any decision to modify or vacate the easements must, of course, be granted by those organizations as well as the County. That circumstance applies specifically to the easement on the Blue Ridge Center for Environmental Stewardship, which is co-held by the County and the Potomac conservancy and is subject to restrictions associated with the U.S. Department of Agriculture grant. Both the County and the Department of Agriculture made substantial investments of public funds under the County's Purchase of Development Rights Program to compensate the property owner, a private foundation, for relinquishing its development rights on the property. These compelling factors make any consideration of compromising the protection of that property extremely problematic for the County.

As you are probably aware, the Loudoun County Board of Supervisors recently passed a resolution regarding the proposed PATH transmission line through our county. Among other findings, the resolution noted that the PATH line would "directly affect our communities, agricultural districts, forests and conserved open space land." The resolution concluded as follows:

**ATTACHMENT 1**

April \_\_, 2009  
M. Hosier  
Page 2

NOW, THEREFORE, BE IT RESOLVED, that the Loudoun County Board of Supervisors hereby opposes the construction of PATH anywhere inside the boundaries of Loudoun County until the completion of a federal programmatic Environmental Impact Statement, with full public review under the National Environmental Policy Act of 1970, addressing the need for power, alternatives to the PATH proposal, and all significant impacts on the human environment of the PATH proposal and its reasonable alternatives.”

A copy of the resolution is attached for your information.

In meeting with you earlier, members of the Board of Supervisors requested that the companies proposing the PATH transmission line agree to hold an open public forum or “town hall meeting” at which members of the concerned public could pose questions to the companies’ representatives and experts and their responses. To date, PATH’s proponents have not held such a meeting. Doing so would be a good start to a robust public participation process related to this proposal, which would drastically affect many members of our community.

We understand that PATH intends to pursue approval of the line through the application process at the State Corporation Commission. Any approval of the PATH line by the SCC, as well as the completion of an Environmental Impact Statement as called for in the Board of Supervisors’ resolution, must be a prerequisite to any further consideration of modification to the conservation easements in question. Further, we think your request for vacating open space easements is premature and strongly suggest that your application to the SCC include an underground solution.

Sincerely,

Scott K. York  
Chairman, Board of Supervisors

Sally Kurtz  
Catocin District Supervisor

James G. Burton  
Blue Ridge District Supervisor



PATH Allegheny Transmission Company, LLC

800 Cabin Hill Drive  
Greensburg, PA 15601

March 12, 2009

Supervisor Sally Kurtz  
P.O. Box 7000  
Mailstop #01  
Leesburg, Virginia 20177-7000



Dear Supervisor Kurtz,

Thank you for meeting with Jon Sisler, Jay Mason and me on February 24, 2009. During our meeting Supervisor Burton asked if we need anything from Loudoun County at this point. We certainly appreciate the offer and I would like to accept your offer and request your assistance in a very important matter. As previously discussed, the PATH Proposed Route through Loudoun County is currently sited adjacent to the existing 500 kV Mt. Storm to Doubs line that traverses the northern portion of the county (see enclosed map). This route crosses several parcels protected by open space easements. This includes five parcels in the northwestern end of the County near the Appalachian Trail that comprise parts of the Blue Ridge Center. The Proposed Route also crosses six parcels with open space easements in a subdivision known as River's Edge near the north central area of the County. Specifically, PATH-Allegheny would like to secure the agreement of Loudoun County to release acreage that is needed for construction, operation, and maintenance of PATH from the terms of open space easements along the Proposed Route.

Under Va. Code 10.1-1704(A), open space land may be converted or diverted from open space land use if "(i) the conversion or diversion is determined by the public body to be (a) essential to the orderly development and growth of the locality and (b) in accordance with the official comprehensive plan for the locality in effect at the time of the conversion or diversion and (ii) there is substituted other real property which is (a) of at least equal fair market value, (b) of greater value as permanent open-space land than the land converted or diverted and (c) of as nearly as feasible equivalent usefulness and location for use as permanent open-space land as is the land converted or diverted." At a meeting on December 9, 2008, Paul Brown, Assistant to the County Administrator indicated that he had previous experience releasing parcels of land from open space easements for local utilities and would be willing to work with us to do the same if given approval by the County. Supervisor Kurtz directed Mr. Brown to make plans to take on this assignment.

We request your assistance in facilitating a meeting between PATH-Allegheny representatives and parties in the County familiar with the easements to discuss the current situation and formulate plans to modify the easements that would be beneficial to both Loudoun County and PATH-Allegheny. PATH-Allegheny remains committed to working with Loudoun County in this endeavor and will make its representatives available at your convenience. Without Loudoun County's assistance in modifying these open space easements, PATH-Allegheny will be forced to

ATTACHMENT 2

PATH10015724



pursue the alternate routes that include loops around the open space easements. These loops are noted as segments 116 and 119 on the attached map. Our routing team investigated all potential adjustments to avoid the open space easements. For environmental and economical reasons, our team desired to propose an adjustment or adjustments that would avoid the easements but remain as close to the existing transmission corridor as possible. This proved to be a challenging assignment, particularly in the River's Edge area, due to the location of existing residences and a subdivision. As alternatives were considered and evaluated, existing residences along Wenner Road and Quarter Branch Road, among others, forced the alternative to be located further south. While attempting to steer the alternative route north to the existing transmission corridor, the Quarter Branch stream valley and two additional open space easement areas forced the route further east. As a result, the alternative route is 3.8 miles long and is nearly 2 miles longer than the proposal along the existing transmission corridor.

Similarly, due to the proximity of the Blue Ridge Center to the Appalachian National Scenic Trail, an alternative that would avoid the Blue Ridge Center and the easements located thereon, would require the routing team to select a new crossing over the Appalachian Trail. The National Park Service provided a directive to the routing team that any proposed crossing of the Appalachian Trail would need to be at an existing crossing. The nearest existing crossing is the one located at WV/VA Route 9 so the routing team selected it for the alternative. Once the alternative route crosses the Appalachian Trail at WV/VA Route 9, it is routed back to the existing transmission corridor as directly as possible while avoiding existing residences, which requires crossing the Loudoun Valley on new rights-of-way.

I look forward to working with you.

Sincerely,

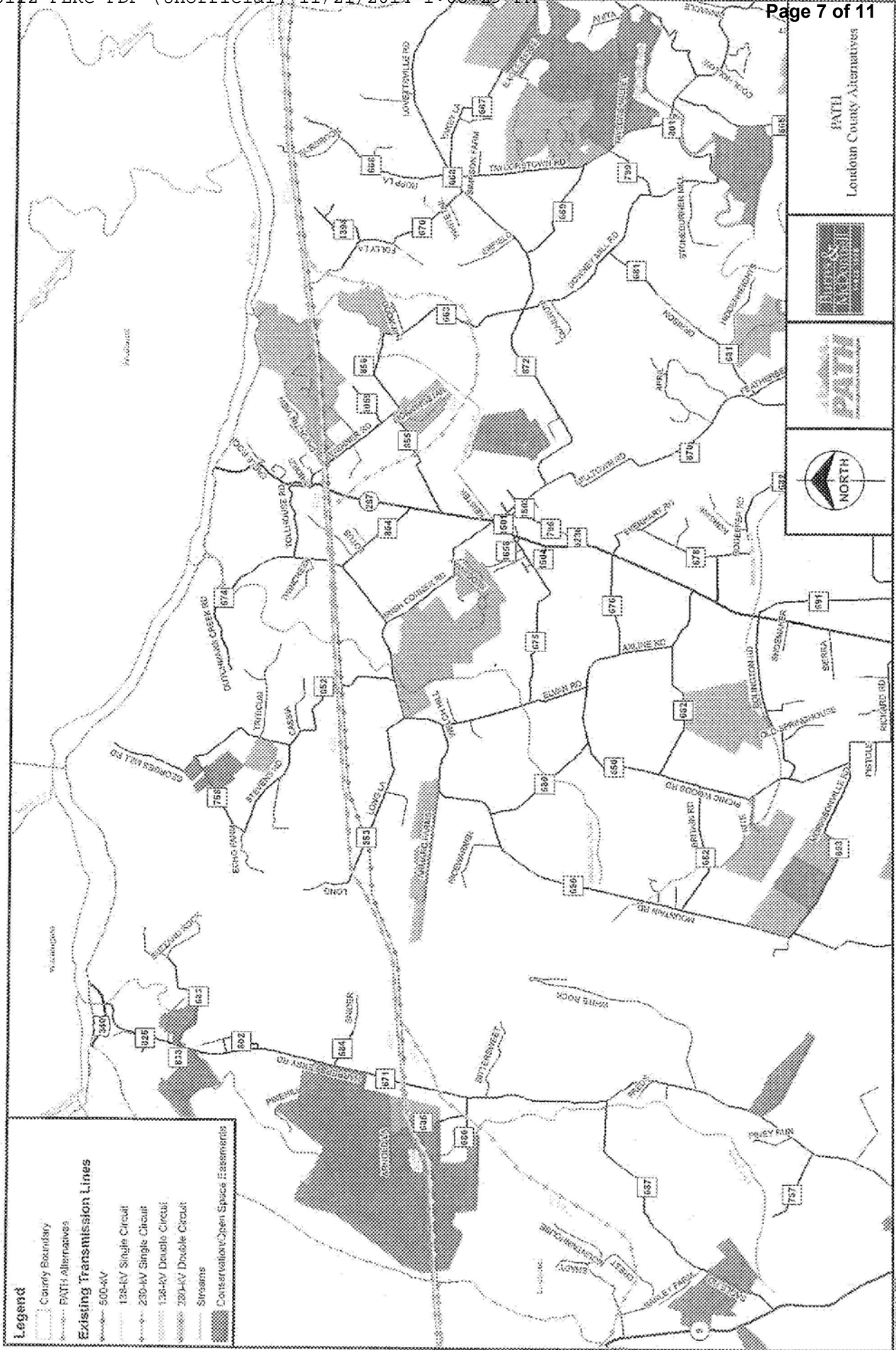
A handwritten signature in cursive script, appearing to read "Michael J. Hosier".

Michael J. Hosier  
GM, Transmission Projects

Enclosure

Cc: Supervisor Jim Burton, Loudoun County, VA  
Jeff Edwards, Hunton & Williams, LLP  
Mike Gogol, Allegheny Power  
Randy Palmer, Allegheny Power





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Loudoun County, Virginia

[www.loudoun.gov](http://www.loudoun.gov)

Office of the County Administrator

1 Harrison Street, S.E., 5th Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0200 • Fax (703) 777-0325

At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Tuesday, February 17, 2009 at 9:00 a.m.

IN RE: BOARD MEMBER INITIATIVE: A RESOLUTION OF THE LOUDOUN COUNTY BOARD OF SUPERVISORS OPPOSING ALLEGHENY ENERGY, INC. AND AMERICAN ELECTRIC POWER'S POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE (PATH)

Mrs. Kurtz moved that the Board of Supervisors approve the attached Resolution Opposing Allegheny Power and AEP's PATH project within the boundaries of Loudoun County.

Seconded by Ms. McGimsey.

Voting on the Motion: Supervisors Buckley, Burk, Burton, Delgaudio, Kurtz, Miller, McGimsey, Waters and York – Yes; None – No.

A COPY TESTE:

  
DEPUTY CLERK FOR THE LOUDOUN  
COUNTY BOARD OF SUPERVISORS

(12-Resolution Opposing PATH).doc

ATTACHMENT 3

PATH10015727

COMMONWEALTH OF VIRGINIA  
**COUNTY OF LOUDOUN**  
BOARD OF SUPERVISORS**A RESOLUTION OF THE LOUDOUN COUNTY BOARD OF SUPERVISORS  
OPPOSING ALLEGHENY ENERGY, INC. AND AMERICAN ELECTRIC POWER'S  
POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE (PATH)**

**WHEREAS**, Allegheny Energy (Allegheny) and American Electric Power (AEP) have proposed to build a 765-kV transmission line (PATH) through the States of West Virginia, Virginia and Maryland, beginning at a substation adjacent to the John E. Amos coal-fired power plant in Putnam County, West Virginia; and

**WHEREAS**, Loudoun County, in the Metropolitan Washington, DC area is located in a non-attainment area according to federal health standards for ground-level ozone and particulate matter (PM 2.5); and

**WHEREAS**, this proposal will result in increased emissions of greenhouse gases; and

**WHEREAS**, the need for the PATH proposal remains unexamined and unanalyzed by credible independent experts, as does a review of alternatives, including enhancing energy efficiency and savings, fostering demand-side management and renewable energy penetration in Virginia; and

**WHEREAS**, reliance on distant generation sources can reduce overall grid reliability, making Loudoun more vulnerable to cascading blackouts; and

**WHEREAS**, the alternatives of building energy efficiency, renewable technologies and local sources of electricity generation, i.e. backup generation at data centers offer significant reductions in peak power demands and improvements in security, reliability and efficiency in the power transmission grid; and

**WHEREAS**, a sensible national energy policy must foster an optimal mix of deliverable power from diverse and increasingly renewable sources so as to promote economical energy efficiency and sustainable economic and environmental practices that will benefit Loudoun County, Virginia, and the United States; and

**WHEREAS**, the members of the Loudoun County Board of Supervisors have been elected to serve and protect the welfare and interests of the citizens of Loudoun County, Virginia; and

**WHEREAS**, the PATH proposal would do great harm to the citizens of Loudoun County, particularly those who reside at the gateway to Loudoun County and the Town of Lovettsville, settled in 1732, because they highly value its historic and environmental resources, agriculture, rural economy, rural character, scenic view sheds, open space, tourism industry; and

**WHEREAS**, Loudoun has historically invested public fiscal resources in its agricultural lands through the implementation of Virginia's Use Value Taxation Program and local tax dollars in a Purchase Development Rights Program; and

**WHEREAS**, the routes proposed for PATH cross through and/or directly affect our communities, agricultural districts, forests and conserved open space land, inflicting economic damage on a wider group of citizens through adverse impact on the value of their properties, businesses and historic homes in the northern part of Loudoun County; and

**WHEREAS**, this proposal would impose water quality degradation for residents and livestock resulting from runoff of herbicides for cleared land needed to maintain the easements for the 765-kV transmission line and because of highly sensitive ground water aquifers and springs; and

**WHEREAS**, this proposal for a 765-kV transmission line raises public fears about health risks for residents from electromagnetic fields; and

**WHEREAS**, Loudoun County has earnestly invested fiscal resources for energy conservation in its personnel structure, operations, and capital facilities buildings, establishing a Leadership in Energy and Environmental Design (LEED) Silver Certification standard developed by the U.S. Green Building Council (USGBC) as its capital facilities standard and in 2008 winning first-place in the Virginia Municipal League's Green Government challenge; and

**WHEREAS**, this proposal ignores High Voltage Direct Current (HVDC) underground transmission technology alternatives, does not examine the future economic, and technological improvements in such technology possible with a delayed transmission timetable; and

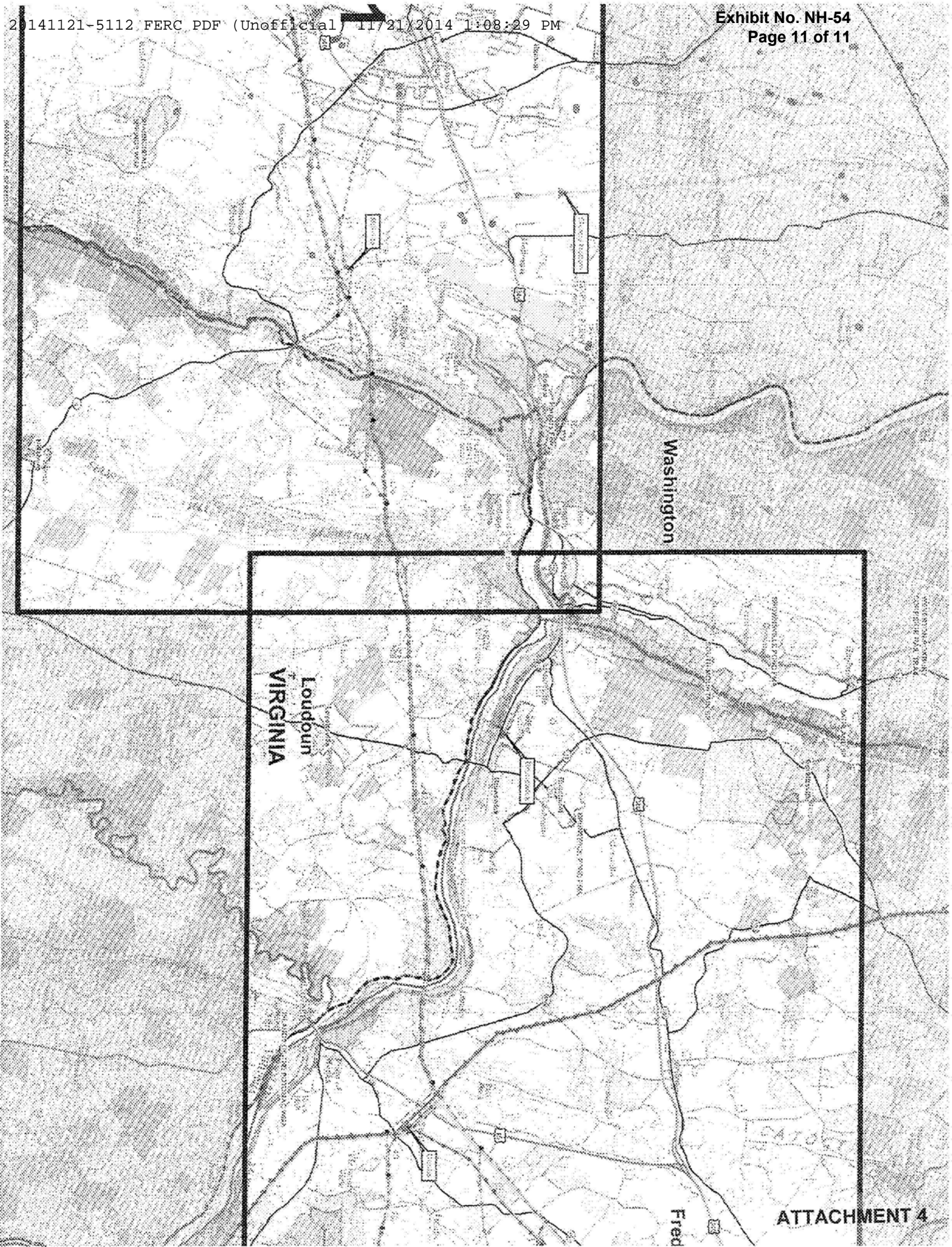
**WHEREAS**, no Environmental Impact Statement was required by the Federal Energy Regulatory Commission (FERC) prior to granting Allegheny and AEP a 14.3 percent annual rate of return on its investment in the construction of the PATH project, to be paid by electric customers in 13 states, including Virginia; and

**WHEREAS**, the procedures followed and information provided regarding the PATH proposal have not allowed sufficient public engagement or impartial analysis of impacts and alternatives to warrant Loudoun County's support for the proposal; and

**WHEREAS**, Loudoun County wishes to join Frederick County, Virginia and counties in West Virginia who have passed similar resolutions opposing the PATH: and

**NOW THEREFORE, BE IT RESOLVED**, that the Loudoun County Board of Supervisors hereby opposes the construction of PATH anywhere inside the boundaries of Loudoun County until the completion of a federal programmatic Environmental Impact Statement, with full public review under the National Environmental Policy Act of 1970, addressing the need for power, alternatives to the PATH proposal, and all significant impacts on the human environment of the PATH proposal and its reasonable alternatives.

**BE IT FURTHER RESOLVED**, that on today's date of February 17, 2009, a copy of this resolution will be permanently included in the official records of Loudoun County.



ATTACHMENT 4

# **Exhibit No. NH-56**

**PATH Response to Data Request STAFF-PATH-I-1.2q,  
Services of Larry Puccio**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Potomac-Appalachian Transmission Highline, LLC, )     Docket Nos. ER09-2156-002  
and PJM Interconnection, L.L.C.                     )     ER12-2708-003**

**POTOMAC-APPALACHIAN TRANSMISSION HIGHLINE, LLC  
RESPONSE TO  
COMMISSION TRIAL STAFF'S FIRST SET OF DATA REQUESTS**

**STAFF-PATH-I-1.2q**

The following Data Requests relate to PATH's 2010 ATRR under the PATH Formula Rate submitted on June 3, 2011 (2011 Update):

- q.** In reference to expenditures related to Larry Puccio, L.C. (Mr. Puccio), a consultant of Charles Ryan Associates:
- i. Please describe the services that Mr. Puccio provided and the benefits provided to ratepayers.
  - ii. Please explain if any of the work that Mr. Puccio performed consisted of lobbying activities.
  - iii. Please provide any records related to the types of work that Mr. Puccio performed on behalf of Charles Ryan Associates, PATH-WV and PATH-Allegheny related to the 2011 Update.
  - iv. Please provide all contracts, invoices, purchase orders and agreements related to payments to Mr. Puccio included in the 2011 Update.
  - v. Please provide an Excel spreadsheet itemizing each of PATH-WV's expenditures related to Mr. Puccio for to the 2011 Update. Please include the amount of the expenditure, how PATH-WV accounted for the expenditure (i.e. expensed, capitalized, or deferred) including the USofA account number, and the related invoice number.
  - vi. Please provide an Excel spreadsheet itemizing each of PATH-Allegheny's expenditures related to Mr. Puccio for the 2011 Update. Please include the amount of the expenditure, how PATH-Allegheny accounted for the expenditure (i.e. expensed, capitalized, or deferred) including the USofA account number, and the related invoice number.

**RESPONSE:**

- i. For a description of services provided by Mr. Puccio, see descriptions attached to Mr. Puccio's invoices provided in response to IND-PATH-II-53. Regarding the benefits to ratepayers, Mr. Puccio provided public education and outreach services in West Virginia, including education of public officials, related to the PATH Project. As explained in the direct testimony of Mr. Jay Ruberto, Exhibit No. PTH-7, given the nature and the magnitude of the Project that PJM determined was necessary for reliability purposes, the PATH Companies believed that public outreach and education were necessary to "enhance the prospects for the timely siting and completion of the PATH Project." See Prepared Direct Testimony of Jay A. Ruberto, Exhibit No. PTH-7, pp. 6-13, filed May 12, 2014.
- ii. While Mr. Puccio is a registered lobbyist, the work he performed for the PATH Companies did not consist of any lobbying activities.
- iii. See the PATH Companies' response to IND-PATH-II-53.
- iv. Mr. Puccio entered into an agreement with Charles Ryan Associates to provide services related to the PATH Project. The PATH Companies are not in possession of the agreement executed between Charles Ryan Associates and Mr. Puccio.
- v. See STAFF-PATH-I-1.2q Attachment A. All charges for Larry Puccio were recorded to FERC account 9230001.
- vi. None of Mr. Puccio's expenses related to the PATH Project were charged to PATH-Allegheny.

Prepared by or under the supervision of:

Jason Cash (v), Cheryl Gonder (vi) and Tom Holliday (i-iv)





MSC 376 00000885

## AP Feeder System Cover Sheet

**DO NOT PAY**

Use this cover sheet to send documents to Accounts Payable that are related to vendor payments initiated via an electronic interface. Account Payable will process this cover sheet and related documents, and reference the vendor payment generated from the electronic interface.

The following invoice was submitted electronically to Accounts Payable.

---

Business Unit:	376
Voucher Number:	00000885
Invoice Number:	59220
Invoice Amount:	\$10,417.00
Vendor Number:	5103949001
Vendor Name:	CHARLES RYAN ASSOCIATES LLC
Contract/PO:	1112860046
Pay Authorization:	00475381
Submitted by:	WEISBERG,SHARI
Date Received:	11/18/2010

---

Notes:



Charles Ryan Associates • PO Box 2464 • Charleston WV 25329-2464 • 304-342-0161 • 304-347-9815 Fax • info@charlesryan.com

## INVOICE

PATH  
PO Box 2021  
Roanoke, VA 24022-2021  
Attn: Ronald L. Poff

Invoice No. : 5922-0  
Date : 10/19/2010  
Page : 1

NOV 2 2010

Payment due upon receipt. If payment is made by check, please remit to the following address:

Charles Ryan Associates  
PO Box 11207  
Charleston, WV 25339-1207

	Current
Job: 001162 - Additional Services	
Component: 01 - Additional Services	
Consulting	10,417.00
<b>Total for Job</b>	<b>10,417.00</b>

<b>Invoice Total</b>	<b>\$10,417.00</b>
----------------------	--------------------



Larry Puccio LLC

*L Puccio*

*Oct/2010*

P.O. Box 327 Fairmont, West Virginia 26555  
(304) 288-0522  
larrypuccio@yahoo.com

BILL TO

*Charles Ryan + Associates*

COMMENTS

DATE	DESCRIPTION	BALANCE	AMOUNT
<i>10/1/10</i>	<i>Oct Service</i>		<i>10,417.00</i>

*PAID 11/6/2-1*

Task *CONST*

CL *ENTERED OCT 01 2010*

Net *10,417.00*

Gross *10,417.00*

*11/6/2*  
*(Signature)*

*OCT - 4 2010*

AMOUNT DUE

*10,417.00*

REMITTANCE

Date

Amount Due

Amount Enclosed

Make all checks payable to Larry Puccio LLC  
THANK YOU FOR YOUR BUSINESS!

**Larry Puccio's Contract Services**

- Spoke with local stakeholders
- Participated on conference calls
- Attended team meeting
- Reviewed testimony
- Reviewed online materials
- Attended association functions
- Met with project leaders

## **Exhibit No. NH-57**

**PATH emails regarding the services of Larry Puccio and  
Contract for West Virginia Lobbying Services**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Blankenship, George B. <gblanke@allegHENyenergy.com>  
**Sent:** Tuesday, December 15, 2009 11:27 AM  
**To:** Estel, C. Vernon, Jr. <cestel@allegHENypower.com>; rlpoff@aep.com  
**Cc:** medempsey@aep.com  
**Subject:** Re: Larry Puccio

---

I will send out an update later.

George Blankenship  
Director, External Affairs

----- Original Message -----

From: Estel, C. Vernon, Jr.  
To: 'rlpoff@aep.com' <rlpoff@aep.com>; Blankenship, George B.  
Cc: medempsey@aep.com <medempsey@aep.com>  
Sent: Tue Dec 15 12:25:23 2009  
Subject: RE: Larry Puccio

Before 10 is good here for a thursday call.

---

From: rlpoff@aep.com [mailto:rlpoff@aep.com]  
Sent: Tuesday, December 15, 2009 11:48 AM  
To: Blankenship, George B.  
Cc: Estel, C. Vernon, Jr.; medempsey@aep.com  
Subject: Re: Larry Puccio

As early on Thursday morning as possible works best for me.

Thanks - Ron

"Blankenship, George B." <gblanke@allegHENyenergy.com>

12/15/2009 11:37 AM

To  
<medempsey@aep.com>

cc  
"Estel, C. Vernon, Jr." <CESTEL@allegHENypower.com>, <rlpoff@aep.com>

Subject  
Re: Larry Puccio

If that works for Vern and Ron I will send out an update.

George Blankenship  
Director, External Affairs

----- Original Message -----

From: medempsey@aep.com <medempsey@aep.com>  
To: Blankenship, George B.  
Cc: Estel, C. Vernon, Jr.; rlpoff@aep.com <rlpoff@aep.com>  
Sent: Tue Dec 15 11:33:33 2009  
Subject: Re: Larry Puccio

Let's try for 8:30 or 9:00 on Thursday.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

"Blankenship, George B." <gblanke@allegHENyenergy.com>

12/15/2009 11:28 AM  
To

<medempsey@aep.com>, "Estel, C. Vernon, Jr."  
<CESTEL@allegHENypower.com>  
cc

<rlpoff@aep.com>  
Subject

Re: Larry Puccio

Ok I will cancel the call today. I can be available on Thursday almost anytime, but am tied up on Friday.

George Blankenship  
Director, External Affairs

----- Original Message -----

From: medempsey@aep.com <medempsey@aep.com>  
To: Estel, C. Vernon, Jr.  
Cc: Blankenship, George B.; rlpoff@aep.com <rlpoff@aep.com>  
Sent: Tue Dec 15 11:24:10 2009  
Subject: RE: Larry Puccio

Sorry, I'm not available this afternoon. I just sent another email suggesting we talk Thursday or Friday. Just let me know which is best.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

"Estel, C. Vernon, Jr." <CESTEL@allegHENypower.com>

12/15/2009 09:22 AM  
To

"Blankenship, George B." <gblanke@allegHENyenergy.com>,  
<rlpoff@aep.com>, <medempsey@aep.com>  
cc

Subject  
RE: Larry Puccio

Ron and I have another call from 230 to 330. Could we do a 330?

---

From: Blankenship, George B.  
Sent: Tuesday, December 15, 2009 8:54 AM  
To: 'rlpoff@aep.com'; medempsey@aep.com  
Cc: Estel, C. Vernon, Jr.  
Subject: RE: Larry Puccio

Mark,

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

The best time for me for a call today would be late morning or late afternoon. I am booked until about 11:00 and then again in the afternoon until about 2:30.

Thanks,

George B. Blankenship  
Director, External Affairs  
Office 724-838-6362  
Fax 724-853-3699

---

From: rlpoff@aep.com [mailto:rlpoff@aep.com]  
Sent: Monday, December 14, 2009 10:42 PM  
To: medempsey@aep.com  
Cc: Estel, C. Vernon, Jr.; Blankenship, George B.  
Subject: Re: Larry Puccio

Mark,

Sorry for the untimely response; I was on the road all morning and in a PATH line design meeting all afternoon, just now catching up.  
I'll be in the line design meeting all day tomorrow but will endeavor to watch e-mail and will try to step out if you guys want to discuss tomorrow.  
Thanks - Ron Poff

Mark E Dempsey/AS1/AEPIN

12/14/2009 10:41 AM

To  
"Blankenship, George B." <gblanke@allegHENyenergy.com>

cc  
"Estel, C. Vernon, Jr." <CESTEL@allegHENypower.com>, rlpoff@aep.com

Subject  
Re: Larry PuccioLink  
<Notes:///852562670058134A/5E502A1BAAAF40CA85256197006C1A32/225534D8A4B269D58525768C00521679>

George - I haven't heard back from either Ron or Vern. Ron is out of the office on Company travel and I left a message on both his office and cell phone. Doubt that we'll be able to talk prior to 11:30 today. I'll shoot for tomorrow.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

"Blankenship, George B." <gblanke@allegHENyenergy.com>

12/14/2009 09:56 AM

To  
<medempsey@aep.com>, "Estel, C. Vernon, Jr." <CESTEL@allegHENypower.com>, <rlpoff@aep.com>

cc

Subject  
Re: Larry Puccio

Guys,



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Make it before 11:30, if possible, as I just received notice of another call at that time.

Thanks,

George Blankenship  
Director, External Affairs

----- Original Message -----

From: medempsey@aep.com <medempsey@aep.com>  
To: Estel, C. Vernon, Jr.; rlpoff@aep.com <rlpoff@aep.com>  
Cc: Blankenship, George B.  
Sent: Mon Dec 14 09:51:38 2009  
Subject: Larry Puccio

Vern / Ron - Would you have a few minutes this morning (prior to noon) that we could discuss how Larry Puccio could be utilized in the PATH project? George is on the road but can join by cell phone. Let me know and I'll set up a conference line.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Blankenship, George B. <gblanke@alleghenyenergy.com>  
**Sent:** Tuesday, December 15, 2009 10:26 AM  
**To:** medempsey@aep.com; rlpoff@aep.com  
**Cc:** Estel, C. Vernon, Jr. <cestel@alleghenypower.com>  
**Subject:** Re: Larry Puccio

---

Mark,

I scheduled a call for us for this afternoon at 3:30. If you prefer to wait until Thursday of Friday just let us know and we can reschedule. THX

George Blankenship  
Director, External Affairs

----- Original Message -----

From: medempsey@aep.com <medempsey@aep.com>  
To: rlpoff@aep.com <rlpoff@aep.com>  
Cc: Estel, C. Vernon, Jr.; Blankenship, George B.  
Sent: Tue Dec 15 11:20:56 2009  
Subject: Re: Larry Puccio

I talked to Larry yesterday and told him that both Allegheny and AEP think there may be some opportunity for him to become involved with the PATH project. He is very interested. I told him I could not get into details until after George and I have had a chance to talk it through with you and Vern. We need to decide exactly what we'll ask him to do, i.e real estate (R/W) work, lobby or both. We'll need to know who will be contracting his services and probably some other details.

Larry told me he has filed a request with the WV Ethics Commission asking for a waiver from the required one year prohibition on lobbying by former state employees. He expects the waiver will be granted but not until January 1. That means he will not be able to sign a contract to lobby until then. He would not need a waiver to do real estate or R/W work.

Vern, George and Ron - Please let me know if you're available for a conference call Thursday or Friday this week.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

Ronald L Poff/RO1/AEPIN

12/14/2009 10:42 PM  
To

Mark E Dempsey/AS1/AEPIN@AEPIN

cc

"Estel, C. Vernon, Jr." <CESTEL@alleghenypower.com>, "Blankenship, George B."  
<gblanke@alleghenyenergy.com>  
Subject

Re: Larry PuccioLink  
<Notes:///852561E0006D7411/5E502A1BAAAF40CA85256197006C1A32/2F5E29A847C507AD8525768C00560333>

Mark,

Sorry for the untimely response; I was on the road all morning and in a PATH line design meeting all afternoon, just now catching up.

PATH00022728

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

I'll be in the line design meeting all day tomorrow but will endeavor to watch e-mail and will try to step out if you guys want to discuss tomorrow.  
Thanks - Ron Poff

Mark E Dempsey/AS1/AEPIN

12/14/2009 10:41 AM  
To

cc "Blankenship, George B." <gblanke@allegHENyenergy.com>

"Estel, C. Vernon, Jr." <CESTEL@allegHENypower.com>, rlpoff@aep.com

Subject

Re: Larry PuccioLink

<Notes:///852562670058134A/5E502A1BAAAF40CA85256197006C1A32/225534D8A4B269D58525768C00521679>

George - I haven't heard back from either Ron or Vern. Ron is out of the office on Company travel and I left a message on both his office and cell phone. Doubt that we'll be able to talk prior to 11:30 today. I'll shoot for tomorrow.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

"Blankenship, George B." <gblanke@allegHENyenergy.com>

12/14/2009 09:56 AM

To  
<medempsey@aep.com>, "Estel, C. Vernon, Jr." <CESTEL@allegHENypower.com>, <rlpoff@aep.com>

cc

Subject  
Re: Larry Puccio

Guys,

Make it before 11:30, if possible, as I just received notice of another call at that time.

Thanks,

George Blankenship  
Director, External Affairs

----- Original Message -----

From: medempsey@aep.com <medempsey@aep.com>  
To: Estel, C. Vernon, Jr.; rlpoff@aep.com <rlpoff@aep.com>  
Cc: Blankenship, George B.  
Sent: Mon Dec 14 09:51:38 2009  
Subject: Larry Puccio

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Mark Dempsey  
Vice President  
External Affairs

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20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Warnock, L. Aldie <awarnoc@alleghenyenergy.com>  
**Sent:** Monday, January 11, 2010 4:16 PM  
**To:** medempsey@aep.com  
**Subject:** Re: Larry Puccio

---

Great  
Aldie Warnock  
Vice President, External Affairs  
Allegheny Energy  
800 Cabin Hill Drive  
Greensburg, Pennsylvania. 15601  
(W) 724-838-6971  
(C) 724-331-9545  
(F) 724-838-6764

----- Original Message -----  
From: medempsey@aep.com <medempsey@aep.com>  
To: Warnock, L. Aldie  
Cc: Blankenship, George B.; Gray, Sammy  
Sent: Mon Jan 11 16:41:56 2010  
Subject: Re: Larry Puccio

I agree, plus he could be a big help to us in other areas. He told George and I that if we signed him he'd be available on any issue we needed.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

"Warnock, L. Aldie" <awarnoc@alleghenyenergy.com>

01/11/2010 04:02 PM  
To

<medempsey@aep.com>

cc

"Blankenship, George B." <gblanke@alleghenyenergy.com>,  
"Gray, Sammy" <sgray2@alleghenyenergy.com>  
Subject

Re: Larry Puccio

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

My team thinks he is the one we should keep if anyone  
Aldie Warnock  
Vice President, External Affairs  
Allegheny Energy  
800 Cabin Hill Drive  
Greensburg, Pennsylvania. 15601  
(W) 724-838-6971  
(C) 724-331-9545  
(F) 724-838-6764

----- Original Message -----

From: medempsey@aep.com <medempsey@aep.com>  
To: Warnock, L. Aldie  
Cc: Blankenship, George B.; Gray, Sammy  
Sent: Mon Jan 11 15:32:56 2010  
Subject: Re: Larry Puccio

Aldie - I encourage you to do so.....the only thing I wonder is if the delayed schedule for PATH will change anyone's mind about engaging Larry in the project. I hope we can still move forward.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

"Warnock, L. Aldie" <awarnoc@alleghenyenergy.com>

01/11/2010 12:35 PM  
To

<medempsey@aep.com>

cc

"Gray, Sammy" <sgray2@alleghenyenergy.com>,  
"Blankenship, George B." <gblanke@alleghenyenergy.com>  
Subject

Larry puggio

Mark  
Happy new year. While I am in charleston this week, I want to reach out to larry since I missed him when you and george met. I will ask sammy to set something up with him unless you see a problem. Thanks and hope we cross paths.

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Aldie  
Aldie Warnock  
Vice President, External Affairs  
Allegheny Energy  
800 Cabin Hill Drive  
Greensburg, Pennsylvania. 15601  
(W) 724-838-6971  
(C) 724-331-9545  
(F) 724-838-6764

**To:** Blankenship\, George B.; Mark E Dempsey/AS1/AEPIN  
**Subject:** Larry Puccio

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

George - I can not join the call but if both Vern and Ron can please go ahead. We'll need to know who Larry will be working for.... PATH, CRA or one or both of our Companies. We'll also need to be able to tell him exactly what we expect from him. You and I can then get together with him to discuss.



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Susan Lavenski <slavenski@charlesryan.com>  
**Sent:** Wednesday, January 13, 2010 10:19 AM  
**To:** medempsey@aep.com  
**Subject:** RE: Puccio

---


Will do!! It is not too late – we are still making changes. Finals should go out tomorrow!!



Susan Lavenski | Senior Vice President

main: 877-342-0161 • direct: 304-556-9129 •

[slavenski@charlesryan.com](mailto:slavenski@charlesryan.com) • [ww](#)

 [Download V-Card](#)

This communication is a confidential and proprietary business communication intended solely for the use of the designated recipient(s). If you have received this communication in error, please delete it and contact the sender.

---

**From:** medempsey@aep.com [mailto:medempsey@aep.com]

**Sent:** Wednesday, January 13, 2010 11:16 AM

**To:** Susan Lavenski

**Subject:** Puccio

Susan - We have just received Larry Puccio's draft agreement re: the PATH project. It will probably be a few days before we're prepared to discuss it with you. One thing I forgot when we discussed a budget "place holder" is that he will have some expense reimbursements not included in his retainer. If it is not too late could we include another \$8 - 10,000 annually. I actually don't expect his expenses to be that much but it is possible.

Mark Dempsey

Vice President

External Affairs

AEP Appalachian Power

PO Box 1986

Charleston, WV 25327-1986

1-304-348-4120

audinet 308-4120

PATH00049523

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** mheyeck@aep.com  
**Sent:** Wednesday, January 13, 2010 3:08 PM  
**To:** medempsey@aep.com  
**Cc:** Ronald L Poff <cn=ronald l poff/ou=ro1/o=aepin@aepin>; makuhn@aep.com  
**Subject:** Re: Fw: LARRY PUCCIO  
**Attach:** LARRY PUCCIO.pdf

---

Mark,

Madeline can set a 30 minute call. Does Ron need to get someone from legal to review?

Thanks, Mike .....

"No aspect of operations is more important than the health and safety of people. Our customers' needs are met in harmony with environmental protection."

Mark E Dempsey/AS1/AEPIN

Mark E Dempsey/AS1/AEPIN

01/13/2010 11:11 AM

To: Michael Heyeck/OR2/AEPIN/AEPIN, Ronald L Poff/RO1/AEPIN/AEPIN  
cc: Dana Waldo  
Subject: Fw: LARRY PUCCIO

Attached below is an agreement prepared by former Manchin Chief of Staff Larry Puccio and provided to George Blankenship of Allegheny re: representing the PATH project. I have informed George that the document needs to be revised to reflect Charles Ryan and Associates as the client and signatory. I would welcome the opportunity to discuss the agreement and other aspects of Larry's possible engagement in person or over the phone. Mike if you could ask your admin to set up a conference call that meets your schedule we'll make ourselves available. The Allegheny folks tell me they are still committed to upholding their end of this engagement.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

----- Forwarded by Mark E Dempsey/AS1/AEPIN on 01/13/2010 11:03 AM -----

"Blankenship, George B." <gblanke@alleghenyenergy.com>

01/12/2010 11:31 AM

To: <medempsey@aep.com>, "Wamock, L. Aldie" <awamoc@alleghenyenergy.com>, <sammy.gray.ii@gmail.com>  
cc:  
Subject: Fw: LARRY PUCCIO

Please see the attached contract Larry Puccio sent me. I have not had a chance to look at it.

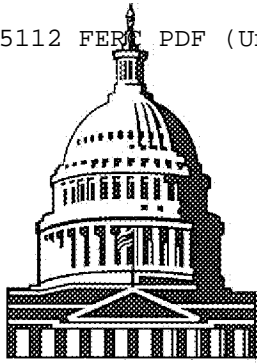
Aldie, I left a VM for Larry on a possible meeting while you are in Charleston either tomorrow afternoon or early Thursday morning. I will let you know when I hear back from him.

George Blankenship  
Director, External Affairs

----- Original Message -----  
From: DeCario, Lynn M.  
To: Blankenship, George B.  
Sent: Tue Jan 12 10:45:03 2010  
Subject: LARRY PUCCIO

Per your request, here are the documents.





# LARRY PUCCIO, LLC

Post Office Box 327  
Fairmont, West Virginia 26555

January 4, 2010

Attn: George Blankenship  
800 Cabin Hill Drive  
Greensburg, Pennsylvania 15601

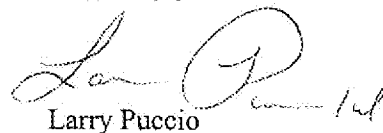
Re: West Virginia Lobbying Services

Dear George:

Enclosed for your review is the engagement letter we discussed as well as a lobbyist registration form for the West Virginia Ethics Commission. If the enclosed documents are acceptable, please have the appropriate person fill in the blank spaces, sign both originals and the registration form, and return them to me in the enclosed envelope.

Should you have any questions regarding the enclosed documents or would like to discuss the matter further, feel free to contact me.

Very truly yours,

  
Larry Puccio



# LARRY PUCCIO, LLC

Post Office Box 327  
Fairmont, West Virginia 26555

January 4, 2010

Attn: George Blankenship  
800 Cabin Hill Drive  
Greensburg, Pennsylvania 15601

Re: West Virginia Lobbying Services

Dear \_\_\_\_\_:

I am pleased you have engaged Larry Puccio LLC (the "Company") to provide government relations services to \_\_\_\_\_ (the "Recipient"). The following outlines the scope of the work and related procedures concerning government relations services that the Company provides to the Recipient:

**A. Scope of Work:** The Company will engage in various government relations services for the Recipient regarding State of West Virginia regulatory matters and legislative matters involving the business operations of Recipient and its related activities.

The provision of government relations services will require registration as a lobbyist with the West Virginia Ethics Commission. Larry Puccio will serve as the registered lobbyist on Recipient's matters before the West Virginia Legislature. A Lobbyist Registration form is enclosed for signature by the appropriate person. Once fully executed, return the form to me in the enclosed envelope.

**B. Engagement; Disclaimer:** The Recipient acknowledges it has been advised that the Company is not licensed to practice law and is unable to provide representation of the Recipient in any legal matter. The signing of this agreement by an authorized representative of Recipient will confirm Recipient's understanding that the Company is not a law firm and cannot and does not render legal services to those persons that engage the services of the Company.

**C. Fee and Term:** This engagement is effective January 1, 2010 and shall continue for a period of twelve months, ending on December 31, 2010. Recipient agrees to pay the Company the base sum of \$125,000.00, payable in monthly installments of \$10,416.67 plus expenses. Such services and expenses are subject to West Virginia sales tax, which is currently 6% and are due the first of each month.

**D. Billing:** The parties shall comply with the following requirements as to fees and expenses:

1. Fees: Fees shall be payable as set out in Paragraph C above.

Allegheny Engagement  
Page 2

2. Expenses: Recipient will pay the cost of the following expense items, if incurred, in accordance with this Agreement and itemized in Company's invoice:

*a. Reimbursable expenses*: Actual cost for reasonable, necessary and lawful entertainment expenses, including meals and refreshments for government officials or employee as allowed by the West Virginia Ethics Commission rules and regulations, long distance telephone calls, telecopying, document scanning, overnight or expedited delivery, couriers, photocopying, postage, fees, West Virginia Ethics Commission Lobbyist Registration fee, and other expenses approved in advance by the Recipient.

*b. Travel*: Actual cost for necessary travel shall be reimbursed for the cost of transportation by the least expensive practicable means (e.g., coach class air travel), the cost of reasonable hotel accommodations, and the cost of transportation while out of town (e.g., by cab or rental car, whichever seems reasonable, at the lowest available rate).

*c. Expedited or emergency services*: The Company will avoid using expedited or emergency services, such as express delivery services, couriers, telecopying, and so on, unless necessary because of unexpected developments or extremely short deadlines.

*d. Non-reimbursable expenses*: The following expenses will in no event be reimbursable, unless specifically agreed to in advance in a writing signed by the Recipient: personal expenses, expenses that benefited other clients, expenses for Company, temporary employees, periodicals or other library materials, filing or other document handling charges, clerical expenses, stationery and other supply expenses, utilities, and any other expense that is either unreasonable or unnecessary.

*e. Advance approval of expenses*: In addition to the items noted above, the Company shall obtain advance approval from Recipient before incurring any expense in excess of \$1,000.00 if Company expects to be reimbursed for that expense.

3. Invoice and expense documentation: The Company understands it must have documentation to support all aspects of each invoice, including fees and expenses. The Company shall make this documentation promptly available to the Recipient (or the Recipient's designated representative, including an accountant or other auditor) upon written request. The Company agrees to cooperate with any examination of this documentation and Company's' fees and expenses, e.g., by responding promptly and completely to any questions the Recipient or its designated representative may have. This documentation shall include, for example, expense receipts and documentation supporting the amount charged by the Company for expense items generated by the Company.

**E. Payment terms**: Invoices are due and payable upon receipt. If an invoice materially fails to comply with the requirements of these Guidelines, then it is not due and payable until the Company remedies its deficiencies.

Allegheny Engagement  
Page 3

**F. Information:** The Company will treat information provided to it by Recipient as confidential and the Company will use reasonable practices to maintain confidentiality as a contractual provision of this letter agreement. Upon termination of this engagement, and upon Recipient's prompt written request, the Company agrees to promptly return all information obtained from or on behalf of Recipient to Recipient.

**G. Dispute resolution:** The Company and Recipient agree that all disputes regarding Company's fees or expenses are to be resolved by binding arbitration, pursuant to the American Arbitration Association Rules.

**H. Filings:** The Company and Recipient will mutually cooperate to timely file any disclosures, required by the West Virginia Ethics Commission or otherwise required by law.

**I. Governing law, modification of this Agreement, entire agreement:** This agreement is to be interpreted in accordance with the laws of the State of West Virginia. This Agreement may not be modified in any way without the express, written agreement of the Recipient and the Company. This agreement represents the entire agreement of the parties with regard to the subject matter set forth herein, and supersedes all prior agreements regarding such subject matter, regardless of form.

If the terms of this letter are agreeable to you and consistent with our prior discussion, then please sign both originals as marked below and return one to me, as well as the signed lobbyist registration form, in the enclosed self addressed stamped envelope.

I look forward to working with you.

Larry Puccio LLC

Allegheny Energy

By: \_\_\_\_\_

By: \_\_\_\_\_



WV Ethics Commission  
210 Brooks St., Suite 300  
Charleston WV 25301  
304-558-0664

# Lobbyist REPRESENTATION

## West Virginia 2009-2010

(LREP-2)

**Important: This Representation Statement is valid through 2010 unless cancelled, changed or amended in writing before that time.**

Note: All questions must be completed or the form will be returned.

<b>Important Information</b>	
<input checked="" type="checkbox"/>	A fee of \$100.00 and this completed Representation form is required for each entity that you represent as a lobbyist.
<input checked="" type="checkbox"/>	Paid by check <input checked="" type="checkbox"/> credit card <input type="checkbox"/> (This is in addition to the base lobbyist registration fee of \$100.00)
<input checked="" type="checkbox"/>	Is this your initial registration? A completed Lobbyist Registration (LRS-1) must accompany this form.
<input type="checkbox"/>	Is this an additional representation? An <b>Amended</b> Lobbyist Registration Statement must accompany this form.

### 1. Lobbyist name as listed on Lobbyist Registration form (form LRS-1)

Lobbyist name Larry Puccio Registration number (if known) \_\_\_\_\_  
 Email: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

### 2. Represented Employer, Organization or Association

▶ Name \_\_\_\_\_  
 Complete name of represented Employer, Organization or Association

▶ Mailing address: \_\_\_\_\_ phone: \_\_\_\_\_  
 \_\_\_\_\_ fax: \_\_\_\_\_

▶ Occupation or type of business: Energy

▶ Provide a general description of the subjects, topics or issues which will be the focus of lobbying efforts  
Energy, Environment & Utilities

### 3. Lobbyist information

▶ Check only one:  Retained solely as lobbyist  
 Unpaid volunteer  
 Regular employee, services include but are not limited to lobbying

▶ Is the lobbyist employed or retained under any agreement, arrangement or understanding by which any compensation paid to the lobbyist is contingent upon the success of his or her lobbying activity?  
 Yes  No  Not applicable

### 4. Employer certification

I certify that the lobbyist named above is authorized to lobby on our behalf, and that to the best of my knowledge, this Statement of Representation is true, correct and complete. I have read the additional information on page 2 of this form.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Type or print name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Email address: \_\_\_\_\_



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Ronald L Poff <cn=ronald l poff/ou=ro1/o=aepin>  
**Sent:** Thursday, January 14, 2010 9:28 PM  
**To:** Mark E Dempsey <cn=mark e dempsey/ou=as1/o=aepin@aepin>  
**Subject:** Re: Fw: LARRY PUCCIO

---

Mark - I may not be able to join in the teleconference with Mike Heyeck Friday morning due to travel to Charleston, WV to meet with WV PSC staff (Earl Melton).

You might give Andrea Kirsh a call to see if AEP legal is OK with the deal. I sent the package to her the other day.

Any question, give me a call on my cell phone.

Thanks - Ron

Mark E Dempsey

----- Original Message -----

**From:** Mark E Dempsey  
**Sent:** 01/14/2010 08:41 AM EST  
**To:** Michael Heyeck  
**Cc:** Madeline Kuhn; Ronald Poff  
**Subject:** Re: Fw: LARRY PUCCIO

Mike - A review by our legal folks is probably in order. I suspect Charles Ryan will simply take any agreement we approve. I'm available anytime today after 1:30 or so. I can also do tomorrow before 10:30 or after 1:00.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

Michael Heyeck/OR2/AEPIN

Michael Heyeck/OR2/AEPIN

01/13/2010 04:07 PM

Mark,

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Thanks, Mike .....

"No aspect of operations is more important than the health and safety of people.  
Our customers' needs are met in harmony with environmental protection."

Mark E Dempsey/AS1/AEPIN

Mark E Dempsey/AS1/AEPIN

01/13/2010 11:11 AM

To: Mark E Dempsey/AS1/AEPIN@AEPIN  
cc: Ronald L Poff/RO1/AEPIN@AEPIN, makuhn@aep.com  
Re: Fw: LARRY PUCCIO  
Subject: {doclink : document = '880DBED6A1AEFCE9852576AA00583A8I  
database = '852561E0006D7411' }

To: Michael Heyeck/OR2/AEPIN@AEPIN, Ronald L Poff/RO1/AEPIN@AEPIN  
cc: Dana Waldo  
Subject: Fw: LARRY PUCCIO

PATH00022377

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

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Mark Dempsey  
Vice President  
External Affairs  
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----- Forwarded by Mark E Dempsey/AS1/AEPIN on 01/13/2010 11:03 AM -----

"Blankenship, George B." <gblanke@alleghenyenergy.com>  
01/12/2010 11:31 AM

To: <medempsey@aep.com>, "Warnock, L. Aldie" <awarnoc@alleghenyenergy.com>, <s  
cc: <gblanke@alleghenyenergy.com>  
Subject: Fw: LARRY PUCCIO

Please see the attached contract Larry Puccio sent me. I have not had a chance to look at it.

Aldie, I left a VM for Larry on a possible meeting while you are in Charleston either tomorrow afternoon or early Thursday morning. I will let you know when I hear back from him.

George Blankenship  
Director, External Affairs

----- Original Message -----  
From: DeCario, Lynn M.  
To: Blankenship, George B.  
Sent: Tue Jan 12 10:45:03 2010  
Subject: LARRY PUCCIO

Per your request, here are the documents.

[attachment "LARRY PUCCIO.pdf" deleted by Mark E Dempsey/AS1/AEPIN]

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Blankenship, George B. <gblanke@allegHENYenergy.com>  
**Sent:** Thursday, January 14, 2010 9:23 AM  
**To:** medempsey@aep.com  
**Cc:** Warnock, L. Aldie <awarnoc@allegHENYenergy.com>; sammy.gray.ii@gmail.com  
**Subject:** RE: Fw: LARRY PUCCIO

---

Mark,

This looks okay to me, as well. I will go ahead and route this to the appropriate Allegheny folks for review and will let you know as soon as I get any feedback from them. Once we have our respective internal approvals, we can send this to CRA to execute.

Aldie, Sammy and I had breakfast with Larry this morning and I mentioned to him that we were reviewing this agreement and would put it in the name of CRA and he is still ok with that. Let me know if you get any feedback requiring changes from Ron or Mike and I will do the same on our end.

Thanks,

**George B. Blankenship**

*Director, External Affairs*

*Office 724-838-6362*

*Fax 724-853-3699*

---

**From:** medempsey@aep.com [mailto:medempsey@aep.com]

**Sent:** Tuesday, January 12, 2010 5:04 PM

**To:** Blankenship, George B.

**Cc:** Warnock, L. Aldie; sammy.gray.ii@gmail.com

**Subject:** Re: Fw: LARRY PUCCIO

The only change I see is on the signatory page where it should read "For Charles Ryan & Associates", otherwise it fairly represents the terms Larry outlined when we met in Fairmont. I will wait to see if you agree before forwarding on to Ron Poff and Mike Heyeck for our side. Let me know.

Mark Dempsey

Vice President

External Affairs

AEP Appalachian Power

PO Box 1986

Charleston, WV 25327-1986

PATH00049518

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

1-304-348-4120

audinet 308-4120

To <medempsey@aep.com

cc

Subject Fw: LARRY PUCCIO

"Blankenship, George B." <gblanke@alleghenyenergy.com>

01/12/2010 11:31 AM

Please see the attached contract Larry Puccio sent me. I have not had a chance to look at it.

Aldie, I left a VM for Larry on a possible meeting while you are in Charleston either tomorrow afternoon or early Thursday morning. I will let you know when I hear back from him.

George Blankenship  
Director, External Affairs

----- Original Message -----

From: DeCario, Lynn M.

To: Blankenship, George B.

Sent: Tue Jan 12 10:45:03 2010

Subject: LARRY PUCCIO

Per your request, here are the documents.

PATH00049519



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** medempsey@aep.com  
**Sent:** Friday, January 15, 2010 1:54 PM  
**To:** rlpoff@aep.com  
**Subject:** Re: Fw: Larry Puccio

---

The legislature is in but I'm around all next week. Heyeck gave the okay to go ahead with Puccio this morning, I'll be interested to hear what the Allegheny folks are thinking.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

Ronald L Poff/RO1/AEPIN

Ronald L Poff/RO1/AEPIN

01/15/2010 01:23 PM

To: "Mark Dempsey" <medempsey@aep.com>  
cc:   
Subject: Fw: Larry Puccio

Mark - I had an opportunity to talk with George B and Vern after our meeting with PSC Staff about subject issue and came away with the feeling that we need to discuss some more with our Allegheny partners!  
Are you avail next week?  
Thanks - Ron

---

**From:** Michael Heyeck  
**Sent:** 01/15/2010 09:49 AM EST  
**To:** Mark Dempsey  
**Cc:** Ronald Poff  
**Subject:** Re: Larry Puccio

OK as long as legal and Allegheny are OK.....

Thanks, Mike .....

"No aspect of operations is more important than the health and safety of people.  
Our customers' needs are met in harmony with environmental protection."

Mark E Dempsey/AS1/AEPIN

01/15/2010 09:39 AM

To: Michael Heyeck/RO2/AEPIN@AEPIN  
cc: rlpoff@aep.com  
Subject: Re: Larry Puccio [Link](#)

Yes, flat monthly contingency fee plus limited expenses.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

To Mark E Dempsey/AS1/AEPIN@AEPIN, rlpoff@aep.com  
cc  
Subject Larry Puccio

Michael Heyeck/OR2/AEPIN

01/15/2010 09:37 AM

As we discussed, let's move forward, but we need an out if PATH gets delayed significantly. Is his work time and expense only?

Thanks, Mike .....

"No aspect of operations is more important than the health and safety of people.  
Our customers' needs are met in harmony with environmental protection."

PATH00022362

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Blankenship, George B. <gblanke@alleghenyenergy.com>  
**Sent:** Friday, January 29, 2010 1:10 PM  
**To:** medempsey@aep.com  
**Cc:** Warnock, L. Aldie <awarnoc@alleghenyenergy.com>;  
sammy.gray.ii@gmail.com  
**Subject:** Re: LARRY PUCCIO

---

Mark,

I just spoke with Larry and explained our need to delay until May or June when we get a clearer picture from PJM of when PATH is needed. He was ok with that and also inquired about the Puccio legislation and that he was already wondering if that might cause us to want to I told while we did discuss that issue, our reason for the delay was based on when we expect to know more about the project and not our concerns about our relationship with him as a result of that bill. I think he is ok and suggest we just monitor the events at PJM and when we have a clearer picture of when the project is needed, possibly in advance of May/June, we at least keep him posted.

George Blankenship  
Director, External Affairs

----- Original Message -----

From: medempsey@aep.com <medempsey@aep.com>  
To: Blankenship, George B.  
Cc: Warnock, L. Aldie; sammy.gray.ii@gmail.com  
<sammy.gray.ii@gmail.com>  
Sent: Fri Jan 29 08:20:28 2010  
Subject: Re: LARRY PUCCIO

George - I saw Larry Monday at the WV Coal Association after our call but I did not discuss the contract. I told him that we (AEP & Allegheny) still had to meet to discuss it. If you are willing just tell Larry that PATH is on hold and that the PATH board does not want to move on the contract (or other expenses) until they have a clear indication the project will be a go, probably sometime in May or June. I think we all agreed that he could be given an indication that the contract is approved if and when things get moving again. Does that sound okay?

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120

PATH00049511



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM  
audinet 308-4120

"Blankenship, George B." <gblanke@alleghenyenergy.com>

01/28/2010 02:52 PM

To

<medempsey@aep.com>

cc

"Warnock, L. Aldie" <awarnoc@alleghenyenergy.com>,  
<sammy.gray.ii@gmail.com>  
Subject

LARRY PUCCIO

Mark,

I spoke with Larry Puccio this afternoon on a service issue to his son's new home in Fairmont and the subject of our contract never came up. I wasn't sure if you had made contact with him or not so I wanted to find out if there have been any further discussions with him. I will likely be speaking with him again tonight or tomorrow on this other issue and wanted to be up to speed on our conversations with him. If nothing has occurred, I can let him know when I speak with him that we are still having internal discussions and will be back in touch with him ASAP. Let me know.

Thanks,

George B. Blankenship  
Director, External Affairs  
Office 724-838-6362  
Fax 724-853-3699

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Susan Lavenski <slavenski@charlesryan.com>  
**Sent:** Wednesday, July 7, 2010 12:03 PM  
**To:** taholliday@aep.com; Colafella, Douglas G. <dcolafe@alleghenypower.com>  
**Subject:** FYI

---

Hi guys!

We had an external affairs call this morning with Larry Puccio. Mark D. and George B. asked that we coordinate a meeting next week with external affairs, Larry, Ron and Vern to give Larry and his team a full PATH briefing. Just wanted to make sure you were in the loop there!

Have a great day!



Susan Lavenski | Managing Director

main: 877-342-0161 • direct: 304-556-9129 •

[slavenski@charlesryan.com](mailto:slavenski@charlesryan.com) • [www](#)

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PATH00009886

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** medempsey@aep.com  
**Sent:** Wednesday, July 7, 2010 11:15 AM  
**To:** rlpoiff@aep.com  
**Subject:** Re: Fw: meeting at CRA for External Affairs

---

I'm not sure. Larry is still very much interested in working on the project. He is now chairman of the WV democratic party and will have a significant role in whatever the Governor does but apparently he believes can continue to work for PATH and his other clients.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

Ronald L Poff/RO1/AEPIN

Ronald L Poff/RO1/AEPIN

07/07/2010 11:38 AM

To: Mark E Dempsey/AS1/AEPIN@AEPIN  
cc:  
Subject: Fw: meeting at CRA for External Affairs

Mark,

I must admit that I'm a little surprised to see this issue moving forward with the recent passing of Robert Byrd?

Have long range plans changed for Larry?

Thanks - Ron

----- Forwarded by Ronald L Poff/RO1/AEPIN on 07/07/2010 11:34 AM -----

"Susan Lavenski" <SLavenski@CharlesRyan.com>

07/07/2010 11:07 AM

To: <CESTEL@allegHENypower.com>, <rlpoiff@aep.com>  
cc: "Matt Sutton" <msutton@CharlesRyan.com>  
Subject: meeting at CRA for External Affairs

Good morning!!

We just got off a call with Larry Puccio and the external affairs teams for AE and AEP. We are scheduling a meeting for next week – Wednesday – in our office in Charleston to bring Larry up to speed on the project. Mark and George thought it would be helpful if one or both of you could be at the meeting. We are looking to schedule it from 9-12:30. Would you all be available?

Hope you are doing well!!!



**Susan Lavenski | Managing Director**  
main: 877-342-0161 • direct: 304-556-9129 • cell: 304-545-8006  
slavenski@charlesryan.com • www.charlesryan.com

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20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Susan Lavenski <slavenski@charlesryan.com>  
**Sent:** Thursday, July 8, 2010 6:25 PM  
**To:** Estel, C. Vernon, Jr. <cestel@allegHENypower.com>; rlpoff@aep.com  
**Cc:** Matt Sutton <msutton@charlesryan.com>  
**Subject:** RE: meeting at CRA for External Affairs

---

He knows some of the details about the project but really wants a good overview. I will suggest he read the testimony and review information on the website. We will also give an overview of our activities, and an update on the latest research.

Looking forward to seeing you both!!



Susan Lavenski | Managing Director

main: 877-342-0161 • direct: 304-556-9129 •

[slavenski@charlesryan.com](mailto:slavenski@charlesryan.com) •

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---

**From:** Estel, C. Vernon, Jr. [mailto:CESTEL@allegHENypower.com]

**Sent:** Thursday, July 08, 2010 7:02 AM

**To:** Susan Lavenski; rlpoff@aep.com

**Cc:** Matt Sutton

**Subject:** RE: meeting at CRA for External Affairs

I will also plan to be in Charleston at 10 am on the 14th. What has been done to 'bring him up to date' on the project to this point? If he would spend some time reviewing the filed testimony, that may be a good start. Vern

---

PATH00021772

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Susan Lavenski[mailto:SLavenski@CharlesRyan.com]

**Sent:** Wednesday, July 07, 2010 9:10 PM

**To:** rlpoiff@aep.com

**Cc:** Estel, C. Vernon, Jr.; Matt Sutton

**Subject:** Re: meeting at CRA for External Affairs

Sure!! Not a problem!! We will do 10 am!

Sent from my iPhone

On Jul 7, 2010, at 5:54 PM, "[rlpoiff@aep.com](mailto:rlpoiff@aep.com)" <[rlpoiff@aep.com](mailto:rlpoiff@aep.com)> wrote:

Susan,

I can re-arrange schedule and make the subject meeting.

However the meeting would be a little less demanding if you can push the start time to 9:30 or 10:00 to facilitate a 6:30 or 7:00 am departure from home.

A later completion time shouldn't be a problem, however if you can't make it work I'll manage accordingly.

Thanks - Ron

To <[CESTEL@allegheny.com](mailto:CESTEL@allegheny.com)>

cc "Matt Sutton" <[msutton@allegheny.com](mailto:msutton@allegheny.com)>

Subject meeting at CRA for Ex

"Susan Lavenski" <[SLavenski@CharlesRyan.com](mailto:SLavenski@CharlesRyan.com)>

07/07/2010 11:07 AM

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Good morning!!

We just got off a call with Larry Puccio and the external affairs teams for AE and AEP. We are scheduling a meeting for next week – Wednesday – in our office in Charleston to bring Larry up to speed on the project. Mark and George thought it would be helpful if one or both of you could be at the meeting. We are looking to schedule it from 9-12:30. Would you all be available?

Hope you are doing well!!

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PATH00021774

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Gray, Sammy <sgray2@allegHENyenergy.com>  
**Sent:** Friday, July 9, 2010 7:38 AM  
**To:** Blankenship, George B. <gblanke@allegHENyenergy.com>; slavenski@charlesryan.com; Estel, C. Vernon, Jr. <cestel@allegHENypower.com>; larrypuccio@yahoo.com; rlpoff@aep.com; mdempsey@aep.com; jhmatheney@aep.com; msutton@charlesryan.com; scott@charlesryan.com  
**Cc:** dhernandez@charlesryan.com  
**Subject:** RE: PATH update meeting Wednesday 10-1

---

I will be there. Also, I think it is a good idea to have Charlie Friddle there to help discuss the issues with local governments, too.

---

**From:** Blankenship, George B.

**Sent:** Friday, July 09, 2010 8:35 AM

**To:** 'SLavenski@CharlesRyan.com'; Estel, C. Vernon, Jr.; 'larrypuccio@yahoo.com'; 'rlpoff@aep.com'; Gray, Sammy; 'mdempsey@aep.com'; 'jhmatheney@aep.com'; 'msutton@CharlesRyan.com'; 'scott@CharlesRyan.com'

**Cc:** 'DHernandez@CharlesRyan.com'

**Subject:** Re: PATH update meeting Wednesday 10-1

Susan,

As I mentioned on our call, I have to be in Akron this week, but will try to make it down for this meeting. Hopefully Sammy can make it either way.

Thanks

George Blankenship

Director, External Affairs

---

**From:** Susan Lavenski <SLavenski@CharlesRyan.com>

**To:** Estel, C. Vernon, Jr.; Larry Puccio <larrypuccio@yahoo.com>; rlpoff@aep.com <rlpoff@aep.com>; Blankenship, George B.; Gray, Sammy; mdempsey@aep.com <mdempsey@aep.com>; jhmatheney@aep.com <jhmatheney@aep.com>; Matt Sutton <msutton@CharlesRyan.com>; Scott Castleman <scott@CharlesRyan.com>

**Cc:** Doris Hernandez <DHernandez@CharlesRyan.com>

**Sent:** Thu Jul 08 20:18:58 2010

**Subject:** PATH update meeting Wednesday 10-1

Good evening!

I have confirmed that Ron and Vern will both attend the meeting next week. However, we are going to start at 10 am instead of 9 am in order to accommodate travel schedules.

PATH00021763

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We will meet from 10 am-1 pm in our office – BBT Square 300 Summers Street 11<sup>th</sup> Floor. We will have lunch brought in. I will send a calendar entry as well.

Here is the agenda so far:

Ron and Vern - Project Overview

Mark, Sammy and George – Elected Officials Overview and Challenges

CRA – Communications Outreach, PEAT, Coalitions and Research Overview

Larry and Team – Questions

Please let me know if there are any other items we need to cover.

Thanks!



Susan Lavenski | Managing Director

main: 877-342-0161 • direct: 304-556-9129 •

[slavenski@charlesrvalley.com](mailto:slavenski@charlesrvalley.com) • [www.charlesrvalley.com](http://www.charlesrvalley.com)

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**From:** Susan Lavenski <slavenski@charlesryan.com>  
**Sent:** Thursday, July 15, 2010 6:22 AM  
**To:** Colafella, Douglas G. <dcolafe@alleghenypower.com>  
**Cc:** taholliday@aep.com; Matt Sutton <msutton@charlesryan.com>  
**Subject:** Re: PEAT

---

Sure! We actually have an internal path mtg scheduled for 9 to discuss how to get it all done:) Can we do it then?

Sent from my iPhone

On Jul 15, 2010, at 7:14 AM, "Colafella, Douglas G." <dcolafe@alleghenypower.com> wrote:

Hey Susan,

Met with Max yesterday re: plan. Are you (or Matt/Scott?) free anytime before 10 to discuss his suggestions, ideas, concerns, etc.

He likes it but his primary concern is whether we can realistically get everything done. I'll be in the car this a.m. on the way to Berkeley Springs.

Doug Colafella

---

**From:** Susan Lavenski <SLavenski@CharlesRyan.com>

**To:** Warnock, L. Aldie; deheydlauff@aep.com <deheydlauff@aep.com>; taholliday@aep.com <taholliday@aep.com>; Colafella, Douglas G.

**Cc:** Matt Sutton <msutton@CharlesRyan.com>

**Sent:** Wed Jul 14 23:36:49 2010

**Subject:** PEAT

Good evening!

We had a very good meeting today with Larry Puccio, the external affairs team, Jeri, Vern and Ron.

I presented the idea of having Larry under the PEAT team. Aldie, we had this discussion last week in Columbus and thought it might be something to consider. The group really liked the idea today...he wouldn't give speaking engagements but would educate elected officials and community leaders about the benefits of PATH.

Is everyone still ok to proceed in this manner?

<image001.gif>

Susan Lavenski | Managing Director

main: 877-342-0161 • direct: 304-556-91:

[slavenski@charlesryan.com](mailto:slavenski@charlesryan.com) • y

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[<image002.gif> Download V-Card](#)

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**From:** Estel, C. Vernon, Jr.  
**Sent:** Thursday, July 15, 2010 12:29 PM  
**To:** Warnock, L. Aldie  
**Cc:** Susan Lavenski; Blankenship, George B.  
**Subject:** RE: PEAT

It went well. I like the idea of plugging Larry and Carol into the organization somewhere, and the PEAT team seems to be the best fit. I believe that Larry had one takeaway from yesterdays session and that was to touch base with the area Bishop of the Catholic Church. Poff mentioned that during the JFW project the opposition got a grant from the Catholic Church to fund opposition activities. I believe that Puccio was to make that contact.

Otherwise, it was educational and pointing them in the right direction. Vern

---

**From:** Warnock, L. Aldie  
**Sent:** Thursday, July 15, 2010 7:24 AM  
**To:** Estel, C. Vernon, Jr.  
**Subject:** Fw: PEAT

Fyi and thanks for handling the briefing. Sorry I missed you in charleston

Aldie Warnock  
 Vice President, External Affairs  
 Allegheny Energy  
 800 Cabin Hill Drive  
 Greensburg, Pennsylvania. 15601  
 (W) 724-838-6971  
 (C) 724-331-9545  
 (F) 724-838-6764

---

**From:** Warnock, L. Aldie  
**To:** 'SLavenski@CharlesRyan.com' <SLavenski@CharlesRyan.com>  
**Cc:** 'deheydlauff@aep.com' <deheydlauff@aep.com>; 'taholliday@aep.com' <taholliday@aep.com>; Colafella, Douglas G.; 'msutton@CharlesRyan.com' <msutton@CharlesRyan.com>; Blankenship, George B.; Friddle, Charles H., III; Gray, Sammy  
**Sent:** Thu Jul 15 07:23:10 2010  
**Subject:** Re: PEAT

That works for me as long as we get the previews first. Thx

Aldie Warnock  
 Vice President, External Affairs  
 Allegheny Energy  
 800 Cabin Hill Drive  
 Greensburg, Pennsylvania. 15601  
 (W) 724-838-6971  
 (C) 724-331-9545  
 (F) 724-838-6764

---

**From:** Susan Lavenski <SLavenski@CharlesRyan.com>  
**To:** Warnock, L. Aldie  
**Cc:** deheydlauff@aep.com <deheydlauff@aep.com>; taholliday@aep.com <taholliday@aep.com>; Colafella, Douglas G.; msutton@CharlesRyan.com <msutton@CharlesRyan.com>; Blankenship, George B.; Friddle, Charles H., III; Gray,

Sammy

**Sent:** Thu Jul 15 07:20:11 2010**Subject:** Re: PEAT

We were asked yesterday to set up weekly call with he and a few external affairs folks - and CRA to do just that:)

Sent from my iPhone

On Jul 15, 2010, at 7:00 AM, "Warnock, L. Aldie" <[awarnoc@alleghenyenergy.com](mailto:awarnoc@alleghenyenergy.com)> wrote:

I am with one caveat which is that we know in advance who he plans to visit or better yet agree in advance on the list. We may be aware of conflicts that he may not be as sensitive too.

Aldie Warnock

Vice President, External Affairs

Allegheny Energy

800 Cabin Hill Drive

Greensburg, Pennsylvania. 15601

(W) 724-838-6971

(C) 724-331-9545

(F) 724-838-6764

---

**From:** Susan Lavenski <[SLavenski@CharlesRyan.com](mailto:SLavenski@CharlesRyan.com)>

**To:** Warnock, L. Aldie; [deheydlauff@aep.com](mailto:deheydlauff@aep.com) <[deheydlauff@aep.com](mailto:deheydlauff@aep.com)>; [taholliday@aep.com](mailto:taholliday@aep.com) <[taholliday@aep.com](mailto:taholliday@aep.com)>; Colafella, Douglas G.

**Cc:** Matt Sutton <[msutton@CharlesRyan.com](mailto:msutton@CharlesRyan.com)>

**Sent:** Wed Jul 14 23:36:49 2010

**Subject:** PEAT

Good evening!

We had a very good meeting today with Larry Puccio, the external affairs team, Jeri, Vern and Ron. I presented the idea of having Larry under the PEAT team. Aldie, we had this discussion last week in Columbus and thought it might be something to consider. The group really liked the idea today...he wouldn't give speaking engagements but would educate elected officials and community leaders about the benefits of PATH.

Is everyone still ok to proceed in this manner?

<image001.gif>

**Susan Lavenski** | Managing Director  
main: 877-342-0161 • direct: 304-556-9129 • cell: 304-545-8006  
[slavenski@charlesryan.com](mailto:slavenski@charlesryan.com) • [www.charlesryan.com](http://www.charlesryan.com)

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20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** rlpoff@aep.com  
**Sent:** Friday, July 23, 2010 9:20 AM  
**To:** medempsey@aep.com  
**Cc:** adpugh@aep.com  
**Subject:** Re: WV Political Scene

---

Thanks Mark.

Sorry that Joe May didn't show up at Purcellville the other night.

I'm sure we'll cross paths with him in the reasonably near future.

Ron

Mark E Dempsey/AS1/AEPIN

Mark E Dempsey/AS1/AEPIN

07/23/2010 09:42 AM

To: Ronald L Poff/RO1/AEPIN@AEPIN  
cc: Archie D Pugh/RO1/AEPIN@AEPIN  
Re: WV Political Scene  
Subject: {doclink : document = 'B2487AB64143BC1E85257768006B0417' view = '5E502A1BAAAF40CA85256197006C1A32' database = '852562670058134A' }

Larry has another person or 2 working for him. This campaign will be relatively brief, now through November. I think we should stick with Larry representing PATH unless he tells us he can no longer do it. It never hurts for our labor friends to weigh in during a campaign. I don't think it very likely for Governor Manchin to take an adverse position against PATH, his whole idea was revenue not opposition. There is **no one** who will beat Joe Manchin in this election. I think there is very little risk to the project from this election.

Mark Dempsey  
Vice President  
External Affairs  
AEP Appalachian Power  
PO Box 1986  
Charleston, WV 25327-1986  
1-304-348-4120  
audinet 308-4120

Ronald L Poff/RO1/AEPIN

Ronald L Poff/RO1/AEPIN

07/22/2010 03:44 PM

To: Mark E Dempsey/AS1/AEPIN@AEPIN  
cc: Archie D Pugh/RO1/AEPIN@AEPIN  
Subject: WV Political Scene

Mark,

In reading the attached article my perception is that the PATH Project may very well "stay below the radar" relative to the becoming an issue in the subject

PATH00031230

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

campaign; that is assuming that Bob Adams doesn't surface as the Republican candidate???

Do you share my confidence?

Also can you provide some insight into Larry Puccio's availability to PATH going forward? Since Joe Manchin has now announced will Larry move back-in to head up the campaign?

Also should we move to mobilize our Labor folks to pro-actively campaign on behalf of the PATH project before the WV opposition groups get to him?

Your thoughts/recommendations !

Thanks - Ron

July 21, 2010

## With Capito out, GOP looks for Senate candidate

By Phil Kabler CHARLESTON GAZETTE

CHARLESTON, W.Va. -- With Rep. Shelley Moore Capito, R-W.Va., making it official that she will not run for Sen. Robert C. Byrd's unexpired term in the U.S. Senate, Republicans were scrambling Wednesday to find a viable challenger to face Gov. Joe Manchin in the special election this fall.

"We were pinning our hopes on Shelley, and while we respect her decision, we are very disappointed," state Republican Party Chairman Doug McKinney said. "I thought that would have been a great race."

With Capito's announcement, Morgantown businessman and past U.S. Senate candidate John Raese becomes the most prominent Republican considering a run in the special election.

Raese's office said he will have an announcement Thursday. Republican political insiders said that Raese, who last ran against Byrd for the Senate seat in 2006, is "very likely" to file to run.

McKinney said he has no discussions with Raese, but said, "If John Raese decides to do it, there is not any question about his ability to finance his own race."

McKinney said the only other prominent Republican he was aware of considering running was Charles Town businessman Bob Adams, a former congressional aide and Republican commentator.

However, McKinney said Adams had advised him as of Wednesday that he would not file.

"He said this is not the time to do it," McKinney said.

Many Republicans had discounted prospects that Capito, a five-term congresswoman, would challenge Manchin in the special election, even after legislation passed Monday to regulate the special election included an amendment clarifying that the special election is separate and distinct from the Nov. 2 general election.

Sen. Mike Hall, R-Putnam, who offered the amendment, said at the time it would probably only increase the odds Capito would run from a 10 percent chance to a 30 percent chance.

Capito campaign spokesman Kent Gates told the Gazette Tuesday that Capito's advisers had serious doubts about whether that provision would outweigh state election law that prohibits candidates for filing for two offices -- and mandates that violators have their names removed from the ballot entirely.

In her statement Wednesday, Capito said, "My candidacy would create more uncertainty, invite a legal challenge, and misrepresent my priorities as a public servant. The outcome could ultimately place my re-election to the House of Representatives in jeopardy, and would leave the final decision in the hands of state officials rather than the voters."

Capito added, "West Virginians are fair minded people who understand the importance of fulfilling their obligations. I intend to stick to my commitments to the people of the 2nd District because it is in the best interest of our state. For these reasons, I will not be a candidate for U.S. Senate this year, and with the voters support, I intend to serve my full term in the House of Representatives and not run for any other office until 2012."

At the end of the workday Wednesday, no Republicans had filed with the secretary of state's office as candidates for the special election.

The filing deadline is 5 p.m. Friday, although certificates of candidacy postmarked prior to the deadline and received by the secretary of state's office by 5 p.m. Saturday will be accepted.

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** taholiday@aep.com  
**Sent:** Friday, August 13, 2010 11:10 AM  
**To:** ecaldwell@aep.com  
**Cc:** dcolafe@allegheenergy.com  
**Subject:** Re: Fw: CRAPATHWV-NR-2010-08-00008 - August PATH-WV Invoice

---

Ed - It's probably more a matter of Susan wanting to discuss how we want characterize the nature of Mr. Puccio's services. The BOM is definitely aware of, and approved the notion that Puccio has been engaged to provide additional consulting support. And the BOM only meets on a monthly basis, so she might have been caught in a time bind.

Tom

Edwin O Caldwell/RO1/AEPIN

To: Thomas A Holliday/OR3/AEPIN/AEPIN, dcolafe@  
cc  
Subject: Fw: CRAPATHWV-NR-2010-08-00008 - August P

08/13/2010 10:53 AM

Tom/Doug, Just an FYI and a question regarding the attached invoice and communication we are having with Charles Ryan.

We received the invoice for "Additional Services" billed by Ryan from a Larry Puccio, LLC for \$10,417 a month, July and August. When we requested backup in order to complete our review and account for the services Dustin replied that Susan would be discussing the invoice with the BOM next week.

If we've already incurred the cost why shouldn't the backup be available? What could be so significant that a \$10k per month service be run through the BOM after the fact.

Just a bit puzzling???

See attached invoice.

Thanks

Thanks, Ed

AEP Transmission Project Cost Control

Audinet 300-7026

Direct 540-562-7026

----- Forwarded by Edwin O Caldwell/RO1/AEPIN on 08/13/2010 10:45 AM -----

Edwin O Caldwell/RO1/AEPIN

To: "Dustin Lanning" <dlanning@CharlesRyan.com>  
cc: sweisberg@aep.com  
Subject: RE: CRAPATHWV-NR-2010-08-00008 - August F

08/13/2010 10:44 AM

PATH00008900

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

Dustin, Thanks for the update, however, we must hold the invoice until we receive backup per contract terms and audit requirements. Since you are our contact for the Charles Ryan invoicing I would ask you keep us apprised when you can provide backup so we may release payment.

Thanks, Ed

AEP Transmission Project Cost Control

Audinet 300-7026

Direct 540-562-7026

"Dustin Lanning" <dlanning@CharlesRyan.com>

To <sweisberg@aep.com>  
cc <ecaldwell@aep.com>  
Subject RE: CRAPATHWW-NR-2010-08-00008 - August

08/13/2010 10:29 AM

Susan Lavenski is going to discuss the invoice next week during a Board of Advisors meeting. The BOA includes Susan and members of AEP and AYE.

---

**From:** sweisberg@aep.com [mailto:sweisberg@aep.com]

**Sent:** Thursday, August 12, 2010 3:15 PM

**To:** Dustin Lanning

**Cc:** ecaldwell@aep.com

**Subject:** Re: CRAPATHWW-NR-2010-08-00008 - August PATH-WV Invoice

Dustin:

I just received this invoice # 4580-0... I spoke to Ed Caldwell and we are going to need more detail with supporting documentation. We need to be able to define what Additional Service / Consulting Services we are paying for and this invoice does not show any detail or explain that.

Thanks

Shari Weisberg

PATH00008901



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

To <ecaldwell@aep.com>, <sweisberg@aep.com>, <pathprojecttransmittals@aep.com>  
<PATH-WVTransmittal@allegHENyenergy.com>, "Colafella, Douglas G." <dcolafe@allegHENypower.com>, <cestel@allegHENy  
cc Lavenski" <SLavenski@CharlesRyan.com>  
Subject CRAPATHWW-NR-2010-08-00008 - August PATH-WV Invoice

"Dustin Lanning" <dlanning@CharlesRyan.com>

08/12/2010 01:41 PM

See attached invoice.

Thanks

[attachment "PATH WV Invoice 5480-0.pdf" deleted by Shari Weisberg/AEPIN]

[attachment "PATH WV Invoice 5480-0.pdf" deleted by Thomas A Holliday/OR3/AEPIN]

PATH00008902

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** Matt Sutton <[msutton@charlesryan.com](mailto:msutton@charlesryan.com)>  
**Sent:** Wednesday, August 18, 2010 1:57 PM  
**To:** Tom Holliday <[taholliday@aep.com](mailto:taholliday@aep.com)>  
**Subject:** Re: Quick Call

---

Tom,

Aldie is out today and Dale said his only other time would be Friday, which I know you can't do. Would you like me to go ahead with Friday or would you rather me go with tomorrow? I didn't know if you and Dale were comfortable with just one of you being on there, so I wanted to check.

Thanks...Matt

On 8/18/10 11:07 AM, "Tom Holliday" <[taholliday@aep.com](mailto:taholliday@aep.com)> wrote:

I'm good today or tomorrow. Out on Friday.

TH

Matt Sutton <[msutton@charlesryan.com](mailto:msutton@charlesryan.com)> 08/18/2010 09:55 AM

To

Aldie Warnock <[awarnoc@alleghenyenergy.com](mailto:awarnoc@alleghenyenergy.com)>, Tom Holliday <[taholliday@aep.com](mailto:taholliday@aep.com)>, Doug Colafella <[dcolafe@alleghenypower.com](mailto:dcolafe@alleghenypower.com)>, "[deheydlauff@aep.com](mailto:deheydlauff@aep.com)" <[deheydlauff@aep.com](mailto:deheydlauff@aep.com)>

PATH00008806

Lavenski Susan <[slavenski@charlesryan.com](mailto:slavenski@charlesryan.com)>

Subject

Quick Call

Good morning,

We wanted to see if we could get a quick BOA call together this week. We want to have a quick discussion about Larry Puccio. Let me know which of the following times work best. If none work, please let me know what would:

Wednesday (today), August 18th at 3:30

Thursday, August 19th at 10:30 or 3:30

Friday, August 20th at 11:00 or 2:00

Thanks...Matt



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** adpugh@aep.com  
**Sent:** Thursday, September 2, 2010 4:05 PM  
**To:** Colafella, Douglas G. <dcolafe@alleghepower.com>  
**Subject:** Re: FW: Contract

---

Thanks Doug. This is what we need.

archie

"Colafella, Douglas G." <dcolafe@alleghepower.com>

"Colafella, Douglas G." <dcolafe@alleghepower.com>  
09/02/2010 04:16 PM

To: <adpugh@aep.com>, <ecaldwell@aep.com>  
cc:  
Subject: FW: Contract

---

**From:** Matt Sutton [mailto:msutton@CharlesRyan.com]  
**Sent:** Wednesday, September 01, 2010 3:40 PM  
**To:** Colafella, Douglas G.  
**Subject:** Contract

Doug,

Here is the stuff for Larry. Let me know if you need anything else...thanks...Matt [attachment "PATH-WV Amendment #4 page w Ed Kennedy initials.pdf" deleted by Archie D Pugh/ROI/AEPIN] [attachment " Larry Puccio's Contract Services.docx" deleted by Archie D Pugh/ROI/AEPIN] [attachment "Larry Puccio Contract.pdf" deleted by Archie D Pugh/ROI/AEPIN]

**Board of Advisors Conference Call**  
**October 1, 2010**  
**2:30 p.m. – 3:15 p.m.**

**AGENDA**

– Frederick County (VA) Update

Aldie -- Had hour meeting with County chairman. Good meeting. Concerned about some property

– PEAT Schedule for Fall

Trying to get Russell out more, even smaller groups. One on ones with key business leaders, etc. Still have some rotary and chamber appearances in the queue. Loudoun county chamber marketplace, VR gov's conference on energy, MD bus. Policy event. Haven't used Puccio at this point. Nothing for him to do yet.

– Coalition Update for WV, MD and VA

All 3 moving outside box..working on members. Looking for people to do LTEs. VA – closer to Richmond TD town hall meeting. Hope to make it happen sometime this fall. Heather got PJM guy at Lynchburg CofC, scheduled now for January. Gov's conference on Energy... VRE is big sponsor. Had tickets to Gov's luncheon and had contest for lunch tickets. Conference is on Oct. 12-14. Loudoun county mixer.

MD – Doing lot of different things. Sent out article to 10 weeklies, need for reliable power. Expect to get them published. Met with Gov's chief energy advisor and talked about coalition. Oct. 7 big news conference by Gov on wind energy...MDRP might be involved. At Maryland Clean Energy Summit on Oct. 4.

WV – main focus getting energy forum together in Clarksburg on Oct. 26. Steering committee meeting for Oct. 11. Renewing the name with the Secy of state. Attended WV econ dev council and wv oil & nat gas association. Pat Esposito will get on board in fourth quarter. Will serve as MC for Clarksburg event.

– Open Discussion

Aldie – issues with Dominion may get resolved. Within next month of so. All MD evidentiary hearings will be in Frederick County, so things will be hostile. Have to overcome local opposition for the greater good of Maryland. Trying to have

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

coalition of customers out of Baltimore, that would press for infrastructure. BRAC expansion – 12,000 military families coming in.

20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

**From:** medempsey@aep.com  
**Sent:** Wednesday, October 20, 2010 3:46 PM  
**To:** taholiday@aep.com  
**Cc:** btaberner@aep.com  
**Subject:** Re: Fw: PATH Lobbying Expenditures  
**Attach:** PATH Lobbying Expend.xlsx

Tom / Bart - The 2010 number looks about right; Larry Puccio's firm (outside services) was contracted by CRA I think about June 1. The outside services number (\$311K) for 2009 seems pretty high unless we had some work being done in DC that I'm not aware of. The internal labor numbers are pretty minimal especially if they include folks from both AEP and Allegheny.

Mark Dempsey  
Vice President  
Appalachian Power Co.  
PO Box 2021  
Franklin Road  
Roanoke, VA 24022  
1-540-985-2900  
audinet 300-2900

Thomas A Holliday/OR3/AEPIN

Thomas A Holliday/OR3/AEPIN

10/20/2010 04:34 PM

To: Mark E Dempsey/AS1/AEPIN@AEPIN  
cc: Bartley C Taberner/CA1/AEPIN@AEPIN  
Subject: Fw: PATH Lobbying Expenditures

Mark -- take a look at the email string and see if you can shed any light on Susan Boggs' question about PATH-WV lobbying expenses. I'll be here tomorrow, but out on Friday, so feel free to respond directly to Bart.

Thomas A. Holliday, APR  
Director - Communications Services  
American Electric Power  
1 Riverside Plaza - 19th Fl.  
Columbus, OH 43215-2373  
PH: (614) 716-1403 aud. 222  
Email: taholiday@aep.com

----- Forwarded by Thomas A Holliday/OR3/AEPIN on 10/20/2010 04:33 PM -----

Bartley C Taberner/CA1/AEPIN

10/20/2010 04:03 PM

To: Thomas A Holliday/OR3/AEPIN@AEPIN  
cc:   
Subject: Fw: PATH Lobbying Expenditures

Tom,

Could you help me look into this? Or more correctly, can I do anything to help you look into this? They are looking for an end of week answer.

"Take me home, country roads..."

Bart Taberner, PE  
Transmission Strategy & Business Development  
American Electric Power  
700 Morrison Road  
Gahanna, OH 43230

Phone: 614-552-1706  
Cellular: 740-973-1935  
E-mail: btaberner@aep.com



20141121-5112 FERC PDF (Unofficial) 11/21/2014 1:08:29 PM

----- Forwarded by Bartley C Taberner/CA1/AEPIN on 10/20/2010 03:37 PM -----

"Boggs, Susan V." <sboggs@allegheypower.com>

10/20/2010 12:18 PM

To: <btaberner@aep.com>  
cc:  
Subject: FW: PATH Lobbying Expenditures

Bart – I see you are a member of the Communications / External Affairs Committee. Please see my message to Vernon below. Can you circulate this to the right people at AEP to see if this looks reasonable? I would like to wrap this up by end of this week if possible. Thanks.

**Susan V. Boggs**

GM, EHV Project Administration & Control

Allegheny Energy, Inc.

Internal: 8-400-6453

External: 724-838-6453

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**From:** Boggs, Susan V.  
**Sent:** Wednesday, October 20, 2010 12:14 PM  
**To:** Estel, C. Vernon, Jr.  
**Subject:** PATH Lobbying Expenditures

Vern – The attached file summarizes lobbying charges to date for PATH-AYE and PATH-WV, broken down by AE vs. AEP employees. As you will see, very little has been charged to the PATH-WV side of the project. This looks odd to me, and I would like to ask the key committee members at both companies to review to see if they think it looks reasonable or if perhaps the correct accounting has not been charged. I will let you know what I find.

<<PATH Lobbying Expend.xlsx>>

**Susan V. Boggs**

GM, EHV Project Administration & Control

Allegheny Energy, Inc.

Internal: 8-400-6453

External: 724-838-6453

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PATH Lobbying Expend.xlsx

## **Exhibit No. NH-58**

**West Virginia Lobbyist Listing showing Larry Puccio  
registered to lobby for FirstEnergy**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

## **EMPLOYERS REPRESENTED BY LOBBYISTS**

(Alphabetical by Employer Name)

This comprehensive list includes all represented employers and registered lobbyists as of 12-31-2012

### **3-M Corp**

Stevens, Thom

### **AARP WV**

Manahan, George

Vance, Angela

### **Academy Family Physicians/WV**

Stevens, Thom

### **Academy Management LLC**

Starcher, Cody

### **Accenture**

Ailes, John

Bailey, Ben

### **ACLU of WV**

Clements, Alyson

Hartman, Frank

### **Advantage Valley, Inc.**

Bugher, Mark

### **AFLAC American Family Life**

Southworth, Louis

Turner, Wendel

Webb, Jason

### **AFL-CIO, WV**

Matheney, Larry

Moore, Randy

Perdue, Kenneth

### **AFSCME Retiree Chapter 77**

Terry, Ernie

### **AFT - WV (American Feder. Teachers)**

Hale, Judy

Sword, Joshua

Wood, Jennifer

### **AIA /WV [Architecture]**

Tonkin, Nancy

### **Alcohol & Drug Abuse Cnslrs/WV**

Hall, Chris

### **Allegheny Wood Products, Inc.**

Reckart, Donna

### **Alliance Coal, LLC**

Hardesty, Paul

### **Alliance for American Manufacturing**

Delatore, Lou

### **Alliance for Children Inc**

Boileau, Scott

### **Alliance of Automobile Manuf.**

Harrison, Jack

### **Alpha Natural Resources Services**

Hardesty, Paul

Smith, Sarah

**Altria Client Services, Inc.**

Bowen, Jim

Johns, Robert

Rainey, John

Starcher, Cody

Turner, Wendel

**Alzheimer's Association**

Hamsher, Chuck

**Amer Petroleum Institute**

Harrison, Jack

**American Assoc. of Prof. Landmen**

Basile, Mike

**American Cancer Society**

Arnold-Brown, Hersha

Frederick, Juliana

Stevens, Jeff

Walker, Matthew

**American Cncl of Engineering Companies ACEC/WV**

Casto, Rob

Marr, Chris

**American Council of Life Insur.**

Cline, Jane

Pickens, Maryjane

**American Diabetes Association**

Stevens, Thom

**American Electric Power**

Hardesty, Paul

**American Express Co.**

Turner, Wendel

**American Heart Assn.**

Hamsher, Chuck

**American International Companies**

Cline, Jane

Pickens, Maryjane

**American Lung Assoc. of WV**

Hamsher, Chuck

**American Promotional Events/Multistate Assoc**

Fealy, Jim

Reale, Phil

**American Public University System**

Carenbauer, George

Hough, John

Kitchner, Russell

**American Publisher Association**

Macia, Alex

**America's Health Insurance Plan**

Cline, Jane

Pickens, Maryjane

**America's Natural Gas Alliance**

Bloodworth, Michelle

**AMFM- American Medical Facilities Mgmt**

Kinneberg, Raymona

**AMGEN**

Hyde, Steven

**Amusement & Limited Video Lottery**

Carenbauer, George

**Anheuser-Busch Inc**

Cavacini, John

**Antero Resources**

Flanery, Sharon

**Appalachian Power**

Dempsey, Mark

Hotmer, Tania

Langford, David

Stewart, Steven

**Appalachian Regional Healthcare**

Hall, Chris

Susman, Tom

**Appalachian Wood Pellets, Inc**

Reckart, Donna

**Apple Inc.**

Hughes, Scott

Lane, Jeffrey

Susman, Tom

**APS Healthcare**

Casey, Nick

Hoyer, Gregory

**Arrow WV, Inc.**

McGowan, Steven

**Assoc. Builders & Contractors Inc / WV**

McCuskey, Wendy

**Assoc. of Counties - WV**

Hamilton, Patti

Swann, Larry

Waltz Swann, Danielle

**Assoc. of Professional Recyclers**

Sayre, Greg

**Associated Wine & Spirits**

Casto, Rob

Marr, Chris

**Association for Justice / WV**

White, Beth

**AstraZeneca, Pharmaceuticals LP**

Swann, Larry

**Asurion Insurance Services Inc**

Cline, Jane

Pickens, Maryjane

**AT & T**

Feeney, Andrew

Johns, Robert

Turner, Wendel

White, Gil

**Athletic Trainers Assoc./WV**

Casto, Rob

Marr, Chris

**Auto & Truck Dealers / WV**

Lemmon, Ruth

**B.J. Alan Company**

Basile, Mike

**Bank of America Corp.**

McCune, Pat

Whitley, Kelly

**Bankers Assn. WV**

Ellison, Joe

Francis, Kit

Heywood, Tom

**Bayer Corporation**

Ingram, Edwin

Southworth, Louis

**Bayer HealthCare LLC**

Haase, Jim

Ingram, Edwin

**Beckley-Raleigh Chamber/Commerce**

Taylor, Ellen

**Beech Ridge Energy LLC**

Phillips, Deborah

Polen, Mark

**Beer Wholesalers' Assn /WV**

Wilson, Jim

**Behavioral Health Association/WV**

Drennan, Mark

Hall, Chris

Susman, Tom

**Berkeley Co. Solid Waste Authority**

Christensen, John

**Beverage Association, /WV**

Swann, Larry

Waltz Swann, Danielle

**Biotechnology Industry Organization**

Brown, Bryan

Brown, John

**Black Wolf Mining Company**

Preservati, Nick

**Bluefield Chamber of Commerce**

Meachum, Marc

**Bluestone Energy Partners**

White, Gil

**Bowles Rice McDavid Graff & Love**

Clark, Pat

Heywood, Tom

**Boy Scouts of America/Arrow WV**

White, Gil

**Boys & Girls Clubs of America Inc.**

Stevens, Thom

**Breeders Classics, WV**

Fulks, Carol

**Brickstreet Mutual Insurance Co.**

Hardesty, Paul

Huffman, Timothy

Southworth, Louis

Tarasuk, Hilary

**Bright Enterprises**

Southworth, Louis

**Bristol-Myers Squibb**

Webb, Jason

**Broadcasters Assn., WV**

Crist, Michele

**Brohd of Locomotive Engineers**

Adams, Roger'Quincy'

Franklin, Bobby

Lanham, Dewayne

**Builders Supply Assn. of WV**

Hill, Dale

**Business & Industry Council / WV**

Vineyard, Janet

**Cabell Huntington Hospital**

Stevens, Thom

**Caiman Energy LLC**

Flanery, Sharon

Krieger, Kurt

White, Gil

**Cambridge LLC**

Susman, Tom

**Capitol Concepts**

Lewis, Virginia

**CarFax, Inc.**

Gollehon, Joe

Susman, Tom

**Catholic Conference of WV**

Garland, Rev. Todd

O'Donnell, Brian

**Cemetery Assn. Inc. / WV**

Robinson, Chad

Robinson, Nelson

**Cen. for Organ Recovery & Education**

Stevens, Thom

**Centene Corp**

Hardesty, Paul

**Center for Rural Health Development**

Lansdale, Sharon

**Century Aluminum**

Gollehon, Joe

Heywood, Tom

**CGI Technologies & Solutions Inc**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**Chamber of Commerce / WV**

Boggs, Tom

Flannery, David

Harper, Brenda

Minardi, Sam

Roberts, Steve

**Charles Town HBPA, Inc**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**Charles Town Races and Slots**

Puccio, Larry

**Charleston Area Medical Ctr.**

Stevens, Thom

**Charleston Regional Chamber Comrc**

Ballard, Mathew

Basile, Mike

Dunlap, Andrew

**CherryRoad Technologies Inc**

Minardi, Sam

**Chesapeake Appalachia, LLC**

Anderson, Maribeth

Basile, Mike

Pfister, Phil

Rotruck, Scott

**Chico Enterprises, Inc**

Turner, Wendel

**Chiefs of Police Assoc. /WV**

Miller, Terry

**Child Advocacy Network / WV**

Chittenden-Laird, Emily

**Chiropractic Society, Inc. /WV**

Robinson, Chad

Robinson, Nelson

**Christian Home Educators of WV**

Carey, John

**Christian Science Churches**

Christ, Coralee

Moorhead, John

**Citigroup Global Markets Inc.**

Creedon, Paul

Donnelly, Jessica

**Citigroup Management Corp.**

Sweeney, Robert

**Citizen Action Grp. /WV**

Archer, Julie

Zuckett, Gary

**Citizens Conservation Corps of WV**

Webb, Jason

**CITYNET LLC**

Hardesty, Paul



Susman, Tom

**Clay Center**

Reale, Phil

Roskovensky, Megan

**Clean Water Association LLC**

Stranko, Tim

**Cliffs Natural Resources**

Terry, Juliet

**CNP, LLC**

Preservati, Nick

**CNX Gas Corp.**

Benincasa, Armando

Flanery, Sharon

**Coal Association, WV**

Bostic, Jason

Hamilton, Chris

Huffman, Timothy

McLusky, Robert

Raney, Bill

Southworth, Louis

**Coal River Energy LLC**

Hardesty, Paul

**Coalition for a Tobacco Free WV**

Hamsher, Chuck

**Coalition for Clean Coal Electricity**

McCune, Pat

**Coalition of Retired Public Employees**

Milam, Bill

Terry, Ernie

**COCA-COLA Consolidated**

Patient, Alison

**Communic. Workers of Amer. Lcl 2055**

Sparks, Dennis

**Communic. Workers of America AFLCIO**

Harris, Elaine

**Community Action Partnership Inc WV**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**Community Bankers Assn, WV, Inc**

Francis, Kit

Heywood, Tom

Tanner, Donna

**Community Pharmacy Council/WV**

Stevens, Richard

**Computerized Vehicle Registration**

Gollehon, Joe

**Concept Mining, Inc.**

Preservati, Nick

**Conservation Officers Assoc./WV**

Huffman, Cam

**CONSOL Energy Inc.**

Benincasa, Armando

Flanery, Sharon

McCune, Pat

Slagel, Gary

White, Gil

**Constructor's Labor Council of WV Inc.**

Prim, Mary k

Swann, Larry

**Consumer Attorneys of WV**

Robinson, Chad

Robinson, Nelson

**Consumer Healthcare Products Assoc.**

Minardi, Sam

**Contractors Assoc. of WV**

Clowser, Mike

Hardesty, Paul

**Convention and Visitor Bureaus Assoc. / WV**

Wellman, Beverly

**Cornerstone Family Interventions, Inc.**

McClure, Colleen

**Corotoman, Inc.**

Damron, K.O.

**Corrections Corp. of America**

Webb, Jason

**Corridor G Regional Devel.Authority**

Adkins, Tommy

Hardesty, Paul

**Country Vintner, Inc.**

George, Edward

**County Commissioner's Assn WV**

Parsons, Vivian

**Coventry Health Care**

Cline, Jane

Pickens, Maryjane

Robinson, Nelson

**Crane Institute Certification CIC**

Huffman, Timothy

Southworth, Louis

**CRC Health Corp**

Kinneberg, Raymona

**Credit Union League / WV**

Sayre, Floyd

Schaffer, Richard

Watts, Ken

**CSX Corporation**

Cheetham, Randy

**CVS/Caremark**

Hardesty, Paul

**CWA, WV State Council**

Fox, David

**Dave Rees**

Starcher, Cody

**Davis Health System Inc**

Phillips, Bill

**Deer Farmers Assn.**

Fortin, Marcel

**Defence Trial Counsel of WV**

Carenbauer, George

**Deloitte Consulting LLP**

Susman, Tom

**Delta Dental of WV**

Macia, Alex

**Dental Assn., WV**

Stevens, Richard

**Dental Hygienists' Association /WV**

Sparks, Dennis

**Dey Pharm, L.P.**

Rice, Jill

**DIRECTV, Inc.**

Basile, Mike

**Dish Network LLC**

Basile, Mike

**Distilled Spirits Council of U. S.**

George, Edward

**Dominion Resources**

Orndorff, Bob

**Dow Chemical Co.**

Gollehon, Joe

**E.L. Robinson Engineering**

Hardesty, Paul

**Edgewood Summit**

Heywood, Tom

**Edison Mission Energy**

Gollehon, Joe

**EI DuPont DeNemours & Co**

Basile, Mike

Bradley, Ann

Fritz, Jeff

**EI Paso Corp**

Marr, Chris

**Elemen. Sch. Principals Assn., WV**

Collier, Frank

**Elevator Industry Work Preser.Fund**

White, Ryan

**Elevator Industry Work Preservation Fund**

White, Steven

**Eli Lilly & Co.**

Huffman, Cam

**EMS Coalition**

Hall, Chris

**Energy Efficient West Virginia**

Kunkel, Cathy

**Enerplus Resources (USA) Corp**

Casey, Nick

**Enterprise Holdings LLC**

Phillips, Deborah

Polen, Mark

**Entertainment Software Association**

Gollehon, Joe

**Environmental Council/WV**

Christensen, John

Garvin, Don

**EPIC Pharmacies, /Multistate Assoc.**

Francis, Kit

**Epiphany Consulting**

Hartman, Frank

**EQT Corporation**

Casey, Nick

Dawley, Joe

Hoyer, Gregory

Manchin, Nathaniel

Perdue, Steve

**Erie Insurance Group**

Phillips, Deborah

Polen, Mark

**Express Scripts Holding Co.**

Blandford, Allyson

Swann, Larry

Waltz Swann, Danielle

**Extra Energy**

Preservati, Nick

**Exxon Mobil Corp**

Minardi, Sam

**Eye Physicians & Surgeons /WV Academy**

Stevens, Thom

Tonkin, Nancy

**F & WS Ltd.**

Sayre, Floyd

**Fairness West Virginia**

Hartman, Frank

**Family Foundation Inc./WV**

McCoy, Kevin

**Family Policy Council of WV Inc**

Dys, Jeremy

**Farm Bureau Inc., WV**

Butler, Steve

Michael, Don

Wilfong, Charles

**Fifth Third Bank**

Minardi, Sam

**Fireworks World, Inc.**

George, Edward

Reale, Phil

**First Choice Health systems**

Coffman, Rachel

Susman, Tom

**First Energy Service Company**

Puccio, Larry

**FirstEnergy (formerly Allegheny Energy)**

Blankenship, George  
Dowling, Michael  
Gray, Sammy  
Minardi, Sam  
Southworth, Louis

**Forest Pharmaceuticals**

Richardson, Jason M.

**Forestry Association, WV**

Waybright, Dick

**Free Clinics, WV Association**

West, Linda

**Fresenius Health Partner/Medical Care**

Harrison, Jack  
Spiker, Mike

**Frontier Communications Corp**

Cosco, Scott  
Fulks, Carol  
Gregg, Billy jack  
Puccio, Larry

**Funeral Dir Assn, WV**

Kimes, Rob  
Price, Roger

**Glaxo Smith Kline Inc.**

Stevens, Thom

**Goff Public/Polaris Industries**

Macia, Alex

**Go-Mart, Inc.**

Gollehon, Joe  
Southworth, Louis

**Gordy Oil Company**

Tawney, Kenneth

**Greenbrier Resort Hotel**

Hardesty, Paul  
Puccio, Larry

**GTECH**

Reale, Phil

**Halliburton**

Harrison, Jack  
Martin, Heather  
Ward, Joseph

**Harrison Co. Chamber of Commerce**

Wagner, Katherine

**Hatfield McCoy Regnl. Recreation Au**

Hardesty, Paul

**Health Care Assn., WV**

Huffman, Cam  
Kelly, Pat  
Mullins, John  
Southworth, Louis

**Health Management Systems, Inc.**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**Health Plan of Upper OH Valley Inc**

Kota, Bob

**HealthPort / MultiState Associates**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**HealthSpring Life & Health Insurance Co.**

Susman, Tom

**Hewlett Packard Company**

Francis, Kit

Heywood, Tom

**Highland Hospital Association**

Hartman, Frank

**Highmark BlueCross BlueShield WV**

Earley, Fred

Huffman, Cam

Phillips, Deborah

Polen, Mark

**HMO Association, Inc., WV**

Cline, Jane

Pickens, Maryjane

**Home Base Incorporated**

Hartman, Frank

**Home Builders Assn of WV**

Thomasson, Beth

**Home Inspectors/ WV Association**

Walker, Matthew

**Hospice Council, Inc. /WV**

Stevens, Thom

**Hospital Assn., WV**

Gregory, Tony

Heywood, Tom

Letnaunchyn, Joseph

Swann, Larry

Thomas, James

**Hospitality & Travel, WV**

Fulks, Carol

Puccio, Larry

**HRB Management, Inc**

McCune, Pat

**HSLDA**

Donnelly, Michael

**Humana, Inc.**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**Humane Society of United States**

Casto, Rob

Marr, Chris

Wyatt, Summer

**Hundred Resources, Inc.**

Bowen, Jim

Robinson, Chad

Swann, Larry

Waltz Swann, Danielle

**Huntington Bancshares Inc.**

Bailey, Todd

**Huntington Chamber/Commerce**

Bugher, Mark

**Imperial Resources, LLC**

Preservati, Nick

**Indep. Oil & Gas Assoc. of WV**

Bradley, Ann

Burd, Charlie

Fealy, Jim

Harman, Marc

Reale, Phil

Roskovensky, Megan

**Independ Colleges & Schls Assn. WV**

Starcher, Cody

**Independent Insurance Agents WV Inc**

Marion, Gray

**ING North American Insur. Corp**

Swann, Larry

**Institute for Legal Reform**

Brown, Bryan

Brown, John

Carenbauer, George

**Insurance & Financial Advisors Asn.**

Stevens, Thom

**Insurance Federation, WV**

Rice, Jill

**International Resource Partners LP**

Earles, John

White, Gary

**International Union of Oper. Engineers 132**

Parker, Charles

**Investment Mgmt. Board**

Heywood, Tom

**Jefferson County Public Serv. Dist.**

Kelsh, James

**Johnson & Johnson**

Kinneberg, Raymona

**JRH Associates, Inc.**

Heywood, Tom

**Kanawha County Metro 911**

Robinson, Chad

Robinson, Nelson

**Kanawha Valley Community & Tech College**

Vineyard, Janet

**KoKosing Construction Col**

Hardesty, Paul

**Koppers Inc.**

Bowen, Jim

Komoroski, Kenneth

**KVC**

Webb, Jason

**LAMAR Advertising Co.**

Fealy, Jim

Reale, Phil

**Lancaster Bingo Company Inc.**

George, Edward

**Lawson Heirs, Inc.**

George, Larry

Kessler, Rebecca

**Leadership WV**

Boggs, Tom

**LGI Land WV , LLC**

Casey, Nick

**Library Association /WV**

Love, Sam

**LifePoint Hospitals, Inc**

Kinneberg, Raymona

**Lilly USA LLC**

Fitzgerald, Francis

**Literacy West Virginia**

Tazewell, Shalom

**Little Kanawha River Parkway Auth.**

Fealy, Jim

Reale, Phil

**Local Health Depts. Assn/WV**

Hamsher, Chuck

**Lorillard Tobacco Co.**

Casto, Rob

Marr, Chris

**Manahan Group**

Puccio, Larry

**Manufacturer's Assn., WV**

Blankenship, Anne

George, Edward

Pitner, John

Price, Karen

Yaussy, David

**March of Dimes Birth Defects Found.**

Stevens, Jeff

**Marion County Chamber of Commerce**

Shaw, Tina

**Markwest Energy Partners**

Hardesty, Paul

**MAXIMUS, Inc.**

Macia, Alex

**MeadWestvaco Corporation**



Sherman, Roger

**Medical Assn., WV**

Tolliver, Amy

**Medical Eqpmt Suppliers, WV**

Stevens, Richard

**Medimmune, Inc.**

Garner, Julie

**MEPCO, LLC**

Southworth, Louis

**Merck & Co.**

Densmore, Heather

Swann, Larry

Waltz Swann, Danielle

**Mermaid LLC**

Hardesty, Paul

**Met Resources, LLC**

Preservati, Nick

**Mid Vol Coal Sales, Inc.**

Preservati, Nick

**Mid-Atlantic Reg. Joint Board Workers United**

Bostic, Peter

**Mid-Ohio Valley Chamber of Commerce**

Watts, Ken

**Minardi Public Affairs, LLC**

Sobonya, Abby

**Mine Safety Appliances Co.**

Harrison, Jack

Ward, Joseph

**Mineral Co. Chamber of Commerce/CVB**

Palmer, Anne

**Mineral County Development Auth.**

Palmer, Anne

**MIR, LLC**

Cameron, Christina

**Molina Healthcare**

Cline, Jane

Huffman, Timothy

Macia, Alex

Pickens, Maryjane

Southworth, Louis

Willis Miller, Taunja

**Monongalia General Hospital**

Hennessey, Bill

**Motion Picture Assn**

Gollehon, Joe

**Mountain State Carbon**

Komoroski, Kenneth

**Mountain State University**

Wessels, Andrew

**Mountain View Solar and Wind LLC**

Christensen, John

**Mountaineer Park HBPA**

Bish, Walter

Hendricks, Troy

**Mountaineer RaceTrack & Gaming Rsrt**

Robinson, Chad

Robinson, Nelson

**MRO / Multistate Associates Inc.**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**Mtn. State Justice Inc.**

McMahon, David

**Municipal League, WV**

Dooley, Lisa

Price, Debora

Robinson, Chad

Robinson, Nelson

**Mutual Insurance Co. / WV**

Carenbauer, George

Cline, Jane

Heywood, Tom

Pickens, Maryjane

Susman, Tom

**Mylan Inc.**

Harrison, Jack

Rice, Jill

Spiker, Mike

Summers, Leah

Ward, Joseph

**NATCOR**

Fortin, Marcel

**National Football League (NFL)**

Casto, Rob

Marr, Chris

**National Popular Vote**

Marr, Chris

Swann, Larry

**National Rifle Assn. of America**

Carey, Daniel

**Nationwide Insurance Companies**

Davidson, Mark

**Nat'l Assoc. of Public Insurance Adjusters**

Francis, Kit

Heywood, Tom

**Natural Resourc Partners LP**

Hardesty, Paul

**NBS, Inc. dba Smoker Friendly**

Martin, Joe

**Nestle Holdings Inc**

Caryl, Mike

Francis, Kit

Heywood, Tom

**Net Choice**

Delbianco, Steve

**NFIB Nat. Fed. of Ind. Business**

White, Gil

**NiSource**

Phillips, Deborah

Polen, Mark

**Northwood Health Systems**

Hardesty, Paul

Susman, Tom

**Not affiliated with any employer**

Baek, Susan

Beckett, Kathy

Bower, Robert

Hall, Michael

Hayhurst, Ronald

Martin, Bruce

Mathis, George

Moyers, Pat

Nixon, Angelita

Rouse Pope, Patricia

Snider, John

**Novartis**

McGeehan, Catharine

**Ntelos Networks Inc.**

Minardi, Sam

**Nurse Anesthetists Assn. of WV**

Kinneberg, Raymona

Swann, Larry

Waltz Swann, Danielle

**Nurses Assn., WV**

Ball, Teresa

McComasChaffins, Lori

**Oil & Natural Gas Assoc., WV**

Blankenship, Anne

Demarco, Corky

George, Edward

Hoback, Charlene

Yaussy, David

**Oil Marketers & Grocers Assn. OMEGA**

Vineyard, Janet

**Old Standard LLC**

Winner, Tom

**ONYX Energy, LLC**

Preservati, Nick

**Optometric Assn, WV**

Robinson, Chad

Robinson, Nelson

White, Ryan

**Optum, Inc.**

Folks, Jeffrey

**Oracle America, Inc.**

Swann, Larry

**Oral & Maxillofacial Surgeons, WV**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**Organization for International Investment**

Francis, Kit

Heywood, Tom

**Pallotine Health Service**

Puccio, Larry

**Patriot Coal Corp**

Hardesty, Paul

Hartsog, Kent

Huffman, Timothy

Southworth, Louis

**Peerless Block Co.**

Hardesty, Paul

**Penn Virginia Oil & Gas Corporation**

Hardesty, Paul

**Penn Virginia Resource Partners LP**

Hardesty, Paul

**Pepsico**

Hardesty, Paul

**Pet Food Institute**

Gallagher, Kurt

Harman, Marc

**PetroEdge Energy LLC**

Tawney, Kenneth

**Petroplus & Associates**

Hardesty, Paul

**Pfizer Inc**

Gill, Craig

Phillips, Deborah

Polen, Mark

**Pharmaceutical Research & Manf Assn**

Corsig, Andrew

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**Pharmacists Assn., WV**

Stevens, Richard

**Physical Therapists Assn /WV**

Tonkin, Nancy

**Physicians Assist. Assoc.**

Stevens, Thom

**Planned Parenthood Health Systems**

Miskimmin, Kira

**Podiatric Medical Society, WV**

Robinson, Chad

Robinson, Nelson

**Polaris Project**

Dold, James

**Pomeroy IT**

Swann, Larry

**Poultry Assoc., WV**

Harman, Marc

**PPG Industries, Inc.**

Gilmore, Frank

**Press Assn Inc., WV**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

Smith, Don

**Primary Care Assn. /WV [WVPCA]**

Stevens, Jeff

Walker, Matthew

**Prime Processing, Inc.**

Preservati, Nick

**Princeton Community Hospital Assn**

Heywood, Tom

**Private Investigator/Security Prof.**

Casto, Rob

Marr, Chris

**Professional Bail Bond Agents/WV**

Love, Sam

**Professional Educators / WV**

Bowyer, Garnett

**Professional Psychologists / WV Association**

Kinneberg, Raymona

**Propane Gas Assoc/ WV**

Seacrist, Rudy

**Property Casualty Insur. Assn (PCI)**

Huffman, Timothy

Southworth, Louis

**Psychiatric Solution, Inc.**

Kinneberg, Raymona

**Psychological Assn., WV**

Hartman, Frank

**Public Accountants Assn.**

Sayre, Floyd

**Public Health Association, WV**

Hamsher, Chuck

**Public Workers Union/ WV**

Simmons, Gordon

**Purdue Pharma**

Stevens, Thom

**Putnam Co. Chamber of Comm.**

Chapman, Marty

**Racing Association / WV**

Bowen, Jim

Cavacini, John

Southworth, Louis

**RAI Services Company**

Francis, Kit

Marr, Chris

**Realtors Assn., WV**

Joseph, Raymond

**Reckitt Benckiser Pharmaceuticals**

Williams, Annmarie

**Reed Elsevier Inc.**

Rice, Jill

**Reinsurance Association of America**

Wulf, Matthew

**Rels Valuation**

Gollehon, Joe

Winner, Tom

**REM Community Options Inc**

Casey, Nick

**Republic Services, Inc.**

Hanna, Sam

**RES-CARE Inc**

Tonkin, Nancy

**Respiratory Care Society of WV**

Walker, Matthew

**Retailers Assn., WV**

Hardesty, Paul

Lambert, Bridget

**Retired School Employees Assn. WV**

Milam, Bill

**Ridge Land Company**

Preservati, Nick

**Rite Aid Corporation**

Casey, Nick

Hoyer, Gregory

**Roman Catholic Diocese/Whg.-Chas.**

Casey, Nick

Hoyer, Gregory

**Route 2 & Interstate 68 Authority**

Clements, Charles

**Rural Water Assn, WV**

Britt, Deborah

**RYO Machine Rental LLC**

Hardesty, Paul

**Safelite Group, Inc.**

Webb, Jason

**Salem International University**

Gollehon, Joe

**Satellite Broadcasting & Communication Assn.**

Basile, Mike

**Save the Children Federation, Inc**

Stevens, Jeff

Walker, Matthew

**School Administrators Assn. of WV**

Hicks, Richard

**School Boards Assn., WV**

O'Cull, Howard

**School Nurses/WV**

Gallagher, A.V.

**School Service Personnel Assn., WV**

Brown, Bob

Long, Jackee

**Scientific Games International, Inc.**

Swann, Larry

**Self-Insurers Assn., WV**

Bowen, Henry

**Senior Programs, WV Assn of Dir..**

Harman, Marc

**Service Employees Internat'l Union SEIU 1199**

Gibson, Joyce

McCormick, Kathy

**Severstal Wheeling Inc.**

Bowen, Jim

**Sheriffs' Association/WV**

Raynes-Kidder, Rudi

**SHRM (Society/ Human Resource Mgmt)**

Shafer, Bradley

**Sierra Club/WV Chapter**

Wyrostok, Chuck

**Small Public Utilities Assn./WV**

Harrison, Jack

**Soc. of Certified Public Accts./ WV**

Proctor, Judy

Southworth, Louis

**Social Workers/WV, Natl Assn**

Hartman, Frank

Hickman, Sam

Jarrett, Scott

**Southern WV CVB**

Maddy, Doug

**Speech-Language Pathology & Audiology Bd. Of Examiners**

Webb, Jason

**St. Mary's Medical Center**

Stevens, Thom

**Standard Distributing**

Fulks, Carol

Johns, Robert

Turner, Wendel

**State Building Trades/WV**

Sparks, Dennis

White, Steve

**State Farm Insurance**

Canfield, John

Rose, Herschel

**State Fireman's Assn, WV**

Love, Sam

**State Police Civilian Employees/WV**

Robinson, Chad

**Steptoe & Johnson, PLLC**

White, Gil

**Stericycle**

Fealy, Jim

Reale, Phil

Roskovensky, Megan

**Sterling Communications of WV LLC**

Wessels, Andrew

**Stonerise Health Care**

Kinneberg, Raymona

White, Steven

**STS International, Inc.**

Casey, Nick

Martin, Joe

**Sunovion Pharmaceuticals Inc.**

McKee, Nancy

**Support Our Troups, Inc**

Swann, Larry

**Surveyors, Professional Society, WV**

Swann, Larry

Waltz Swann, Danielle

**Taggart Global LLC**

Hardesty, Paul

**Tamarack Foundation, Inc**

Bradley, Ann

**Targe Energy**

Hardesty, Paul

**Team for WV Children**

Tonkin, Nancy

**Technology Assn. Inc./WV**

Price, Jonathan

**Thoroughbred Breeders Assoc, WV**

Fulks, Carol

**Toyota Motor N. America, Inc.**

Gollehon, Joe

**Trinity Coal Corp**

Hardesty, Paul

**Troopers Assn., WV**

Harris, Elaine

**TSG Consulting**

Gollehon, Joe

Hall, Chris

Hardesty, Paul

**Tuesday Morning Group**

Sparks, Dennis

**Turner & Johns, PLLC**

Turner, Jane

**Twin States Mining, Inc.**

Preservati, Nick

**Tyler Mountain Water Co.**

Hardesty, Paul

**U.S. Cellular**

Phillips, Deborah



Polen, Mark

**U.S. Fireworks Safety Commission Inc.**

Fealy, Jim

Roskovensky, Megan

**UE Local 170 WVPWU**

Thompson, John

**UFCW Local 400**

Ball, Sterling

Carpenter, Melissa

Southall, Gary

**United Health System, Inc., WV**

Hardesty, Paul

Puccio, Larry

**United Healthcare Services, Inc.**

Hall, Chris

**United Mine Workers of America**

Hapney, Ted

**United Steelworkers**

Carte, Jack

Moore, Randy

Wedge, Brian

**United Transportation Union**

Mewshaw, Mark

**UnitedHealthcare, Inc.**

Folks, Jeffrey

**UTEC Utilities, Telecommun. & Energy**

Harrison, Jack

**VERIZON Communications**

Ruddick, John

Swann, Larry

**Verizon Wireless**

Harrison, Jack

Spiker, Mike

**Veterinary Medical Assoc./WV**

Price, Roger

**Viaquest**

Johns, Robert

Starcher, Cody

Turner, Wendel

**Visa USA, Inc**

Fealy, Jim

Reale, Phil

**Vision Shared, Inc.**

Randolph, Rebecca

**W V Recyclers Association**

Webb, Jason

**W V University Hospital**

Stevens, Thom

**Wal-Mart Stores, Inc.**

Klipa, Jason

**Waste Haulers & Recycler Assn. WV**

Sayre, Greg

**Waste Management, WV Inc.**

Archibald, Judy

George, Edward

McCune, Pat

**Webb Law Firm PLLC**

Webb, Jason

**Wells Fargo Disability Mgmt**

Keener, Michael

**Wells Fargo Insurance Services**

Fealy, Jim

Reale, Phil

Richardson, Andy

Roskovensky, Megan

**West Virginia Baseball, LLC**

Turner, Wendel

**West Virginia Family Health Plan**

Walker, Matthew

**West Virginia Housing Institute Inc**

Gallagher, A.V.

**West Virginia Interactive**

Fealy, Jim

Reale, Phil

**West Virginia Medical Institute**

Swann, Larry

**West Virginia University Research Corporation**

Cavacini, John

Hardesty, Paul

**West Virginians for Life, Inc.**

Armstrong, Camille

Cross, Karen

**Westfield Companies**

Sondles, Dan

**Wheeling & Lake Erie Railway Co.**

McCune, Pat

**Wheeling Hospital**

Casey, Nick

Martin, Joe

**Wheeling Island Racetrack & Gaming**

White, Steven

**Wheeling-Nisshin, Inc**

Bradley, Ann

**Williams Companies**

Casto, Rob

Marr, Chris

**Wine Institute**

Casey, Nick

Hoyer, Gregory

**Wolters Kluwer Health/MultiState**

Huffman, Timothy

Southworth, Louis

**WV American Water**

Jordan, Laura

McIntyre, Jeff

Southworth, Louis

**WV Association for Justice**

Cadle, Patrick

**WV Cable Telecommunications Assoc.**

Phillips, Deborah

Polen, Mark

**WV Campaign for a Healthy Future**

Manahan, George

**WV Center on Budget and Policy**

Boettner, Ted

Miller, Paul

**WV Child Care Centers United /WVAYC**

Perry, Bill

**WV Energy Users**

Macia, Alex

**WV for Affordable Health Care**

Bryant, Perry

**WV FREE**

Chapman, Margaret

Huff, Rachel

**WV Greyhound Breeders**

Hendricks, Troy

**WV Interactive**

Roskovensky, Megan

**WV Land & Mineral Owners Association**

George, Larry

Kessler, Rebecca

Webb, Jason

**WV Professional River Outfitters**

George, Larry

Kessler, Rebecca

**WV Public Broadcasting Foundation**

File, William

**WV Railroad Association**

McCune, Pat

**WV State Building Trades**

Efaw, David

**WV Surface Owners Rights Organiz.**

Archer, Julie

McMahon, David

**WV Towing and Recovery Assoc.**

Harman, Marc

**WV Trucking Association**

Vineyard, Janet

**WVEA / WV Education Assoc.**

Bryant, Perry

Haney, David

Lee, Dale

Peal, Misty

**Xerox Business Services LLC & Affiliates**

Swann, Larry

**XMV, Inc.**

Preservati, Nick

**Yeager Airport**

Robinson, Chad

Robinson, Nelson

**YMCA State Alliance**

Igo, Jennifer

**YWCA**

Kinneberg, Raymona

Tonkin, Nancy

**Zuffa, LLC**

Minardi, Sam

# **Exhibit No. NH-59**

**Direct Testimony of  
Douglas S. Kaplan**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC )	Docket No. ER09-1256-002
and PJM Interconnection, L.L.C. )	Docket No. ER12-2708-003
	CONSOLIDATED

**SUMMARY OF THE DIRECT TESTIMONY OF DOUGLAS S. KAPLAN**

Mr. Kaplan’s testimony describes the refusal of PATH’s “PATH Education Awareness Team” (PEAT) to provide public education when requested to do so by the Sugarloaf Conservancy group in 2009.

Mr. Kaplan states that PEAT representative Mr. Russell Frisby declined his invitation to make a presentation about PATH at a public meeting, claiming that it would be inappropriate since Sugarloaf Conservancy had petitioned to intervene in the PATH proceeding at the Maryland Public Service Commission.

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC )  
and PJM Interconnection, L.L.C. )

Docket No. ER09-1256-002  
Docket No. ER12-2708-003  
CONSOLIDATED

**DIRECT TESTIMONY AND EXHIBITS OF DOUGLAS S. KAPLAN**

**ON BEHALF OF  
KERYN NEWMAN AND ALISON HAVERTY**

**NOVEMBER 21, 2014**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION<sup>3</sup>**

Potomac-Appalachian Transmission Highline, LLC ) Docket No. ER09-1256-002  
and PJM Interconnection, L.L.C. ) Docket No. ER12-2708-003  
CONSOLIDATED

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**II. REQUEST FOR “PEAT” SPEAKER..... 3**

**EXHIBITS TO DIRECT TESTIMONY**

<b><u>EXHIBIT NO.</u></b>	<b><u>DESCRIPTION</u></b>
NH-60	Sugarloaf Conservancy request for PEAT educational speaker
NH-61	Russell Frisby letter to Sugarloaf Conservancy declining invitation
NH-62	Sugarloaf Conservancy letter to Russell Frisby asking for reconsideration



1 **UNITED STATES OF AMERICA**  
2 **BEFORE THE**  
3 **FEDERAL ENERGY REGULATORY COMMISSION**  
4

5 Potomac-Appalachian Transmission Highline, LLC ) Docket No. ER09-1256-002  
6 and PJM Interconnection, L.L.C. ) Docket No. ER12-2708-003  
7 **CONSOLIDATED**

8 **DIRECT TESTIMONY OF DOUGLAS S. KAPLAN**

9 **I. INTRODUCTION**

10 **Q. PLEASE STATE YOUR NAME AND ADDRESS.**

11 A. My name is Douglas S. Kaplan, and my address is 8424 Peters Road,  
12 Frederick, MD 21704

13 **Q. PLEASE STATE YOUR EDUCATIONAL BACKGROUND AND WORK**  
14 **EXPERIENCE.**

15 A. I initially attended Bradley University in the Electronic Technology  
16 curriculum. I transferred to George Washington University into the  
17 Electrical Engineering curriculum. I spent over thirty years in electronic  
18 sales with the exception of three years when I owned and operated a retail  
19 establishment. Subsequently, I spent nine years as a government  
20 contractor servicing the intelligence community, and retired in January  
21 2014.

22 **Q. PLEASE DESCRIBE THE SUGARLOAF CONSERVANCY AND YOUR ROLE**  
23 **IN ITS CREATION AND ACTIVITIES?**

24 A. Sugarloaf Conservancy (Sugarloaf) was founded in the summer/fall of 2008.  
25 Sugarloaf was formed to oppose the Allegheny Energy (now FirstEnergy)  
26 and American Electric Power proposal to build a transmission line (the

1 Potomac-Appalachian Transmission Highline, or "PATH") from West  
2 Virginia, through Virginia, into Maryland. I was a founding member of  
3 Sugarloaf and became President when elections were held in October 2008.  
4 I continued to serve as its President until Sugarloaf Conservancy was  
5 disbanded in December 2012.

6 Our activities can best be described by quoting an editorial that appeared in  
7 the Frederick News Post on December 19, 2012.

8 "The group was formed in 2008 specifically to contest the proposed  
9 Potomac Appalachian Transmission Highline, a massive electric power  
10 infrastructure project that would have come with a big price tag, including a  
11 significant impact on the environment. SC's initial efforts sought to have the  
12 large, high-voltage transmission lines installed underground, but it also  
13 doggedly pursued whether the project was truly needed in the first place --  
14 at least at this time. Proponents of the new lines had issued dire warnings  
15 of power shortages and disruptions in the next few years.

16 When all was said and done, PATH was declared unnecessary at this time  
17 and abandoned. We believe that Sugarloaf Conservancy's persistence in  
18 publicly challenging the design and necessity of this project, step by step,  
19 was instrumental in its demise.

20 The conservancy also joined forces with Citizens Against the Kemptown  
21 Electric Substation, a major local component of PATH, to oppose locating  
22 the mammoth substation in a residential area near Mount Airy. The

1           substation, opponents argued, involved safety and environmental concerns  
2           too great to ignore.

3           The Conservancy surprised us when, earlier this year, it hosted a panel  
4           discussion about the many and significant pros and cons of Frederick  
5           County switching from the commissioners form of government to charter  
6           home rule.

7           This well-attended forum featured a number of informed participants who  
8           educated those present and -- via The Frederick News-Post's coverage of it -  
9           - our readers on the strengths and weaknesses of each form of local  
10          government....”

11          Sugarloaf also hosted an educational forum on wind power in January 2011.

12          **II. REQUEST FOR PATH EDUCATION AWARENESS TEAM SPEAKER**

13          **Q.    HOW DID YOU FIRST LEARN OF PATH’S “PATH EDUCATION**  
14          **AWARENESS TEAM” (“PEAT”)?**

15          A.    I first became aware of PEAT, and its Maryland spokesman, Mr. Frisby,  
16          while reading a commentary on the PATH project that appeared in the  
17          Frederick News Post on May 31, 2009.

18          **Q.    DID THE SUGARLOAF CONSERVANCY ASK PEAT TO PROVIDE A**  
19          **SPEAKER TO EDUCATE THE PUBLIC AT ONE OF ITS MEETINGS?**

20          A.    Yes. On August 10, 2009, I emailed Mr. Frisby and invited him to speak at a  
21          public meeting of our membership scheduled for August 22<sup>nd</sup> at 10:00 a.m.  
22          in Urbana Maryland. I informed him that our meeting would be similar to a

1 town hall format, allowing time for questions and answers after a short  
2 presentation by him. A copy of my invitation is attached as Exhibit No. NH-  
3 60.

4 **Q. WHY DID SUGARLOAF CONSERVANCY REQUEST A PEAT SPEAKER FOR**  
5 **ITS PUBLIC TOWN HALL MEETING?**

6 A. We wanted to personally hear his point of view and hoped he would answer  
7 questions from our members.

8 **Q. HOW DID PEAT RESPOND TO YOUR INVITATION?**

9 A. Mr. Frisby refused our invitation because "Sugarloaf Conservancy has  
10 petitioned to intervene in the PATH Proceeding...". I have attached a copy  
11 of Mr. Frisby's response as Exhibit No. NH-61.

12 **Q. DID YOU RESPOND TO HIS LETTER?**

13 A. Yes. On August 16, 2009, I sent a letter to Mr. Frisby, asking him to  
14 reconsider his decision to decline our invitation, and extending the  
15 invitation to other members of the PEAT team. In an attempt answer his  
16 objection, I wrote: "Although Sugarloaf Conservancy has petitioned to  
17 intervene in the PATH proceedings, our members are open minded and  
18 would be interested in listening to your opinions and being 'educated' by  
19 the PEAT Team." My response is attached as Exhibit No. NH-62.

20 **Q. DID YOU RECEIVE A RESPONSE TO YOUR LETTER?**

21 A. No.

22 **Q. DID PEAT PROVIDE A SPEAKER TO EDUCATE THE PUBLIC AT YOUR**  
23 **AUGUST 22, 2009 PUBLIC MEETING?**

1 A. No.

2 **Q. DID PEAT’S WEBSITE OR THE NEWS ARTICLE THAT YOU READ STATE**  
3 **THAT OPPOSITION GROUPS COULD NOT PARTICIPATE IN PEAT’S**  
4 **PUBLIC EDUCATION PROGRAMS?**

5 A. No.

6 **Q. WHY DO YOU BELIEVE MR. FRISBY DECLINED SUGARLOAF**  
7 **CONSERVANCY’S INVITATION?**

8 A. Mr. Frisby, on behalf of PEAT, made presentations to a variety of Maryland  
9 groups attempting to build support and advocacy for the PATH project.  
10 Attending several of these events, I observed him becoming defensive when  
11 hard questions were asked. It appeared to me that he simply wanted to  
12 make a presentation designed to sell friendly audiences in order to build  
13 advocacy for the PATH project. He did not appear to want to be placed in a  
14 position of having to respond to facts that did not support PATH. Since the  
15 members of Sugarloaf Conservancy were knowledgeable and had facts to  
16 prove PATH was not necessary, Mr. Frisby may have known that his canned  
17 presentation would not build support and, I believe that is why he refused  
18 to attend Sugarloaf’s public meeting.

19 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

20 A. Yes, it does.

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC )  
and PJM Interconnection, L.L.C. )

Docket No. ER09-1256-002  
Docket No. ER12-2708-003  
CONSOLIDATED

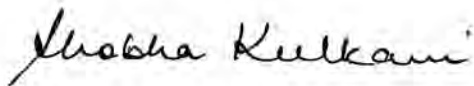
**AFFIDAVIT**

STATE OF NEW JERSEY )  
COUNTY OF MERCER )

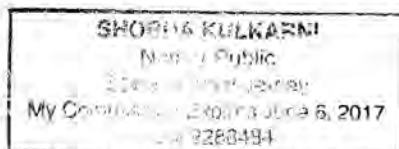
DOUGLAS S. KAPLAN, being duly sworn, deposes and states: that the attached is his sworn testimony and that the statements contained are true and correct to the best of his knowledge, information and belief.

  
\_\_\_\_\_  
Douglas S. Kaplan

Sworn to and subscribed before me on this  
16 day of September 2014.



\_\_\_\_\_  
Notary Public



**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC )  
and PJM Interconnection, L.L.C. )

Docket No. ER09-1256-002  
Docket No. ER12-2708-003  
CONSOLIDATED

**EXHIBITS OF DOUGLAS S. KAPLAN**

**ON BEHALF OF  
KERYN NEWMAN AND ALISON HAVERTY**

**NOVEMBER 21, 2014**

## **Exhibit No. NH-60**

**Sugarloaf Conservancy request for PEAT educational speaker,  
August 10, 2009**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



**From:** Doug Kaplan [<mailto:doug.kaplan@sugarloafconservancy.org>]  
**Sent:** Monday, August 10, 2009 5:39 PM  
**To:** Russell Fisby Jr (E-mail)  
**Cc:** 'Chad Baker (E-mail)'; 'Peggy Kaplan (E-mail)'  
**Subject:** Sugarloaf Conservancy

Mr. Frisby:

We understand from reading an article in the Frederick News Post you would like to speak to groups in Frederick, MD. We would like to invite you to speak at a meeting scheduled for August 22<sup>nd</sup> at 10:00 a.m. in Urbana Maryland. Our meeting would be similar to a Town Hall format allowing time for questions and answers after a short presentation by you.

Please respond at your earliest convenience.

**Douglas S. Kaplan**  
President  
Sugarloaf Conservancy  
<http://www.sgarloafconservancy.org/>  
<http://www.nomoretowers.org/>



## **Exhibit No. NH-61**

**Russell Frisby letter to Sugarloaf Conservancy declining invitation,  
August 17, 2009**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



STINSON  
MORRISON  
HECKER LLP

1150 18th Street N.W., Suite 800  
Washington, DC 20036-3845

Tel (202) 785-9100

Fax (202) 572-9945

August 17, 2009

VIA ELECTRONIC MAIL

Mr. Doug Kaplan  
President  
Sugarloaf Conservancy  
3409A Urbana Pike  
Frederick, Maryland 21709

Re: PATH Education and Awareness Team

Dear Mr. Kaplan:

Thank you for your email of August 8, 2009 inviting me to address the Sugarloaf Conservancy on August 22, 2009. Given that the Sugarloaf Conservancy has petitioned to intervene in the PATH Proceeding (Maryland PSC Case No. 9198) and the nature of the legal questions which you address in your Reply Brief in opposition to the PATH Application, I do not believe that it would be appropriate for me to address the group at this time. I must therefore decline the invitation.

Sincerely,

STINSON MORRISON HECKER LLP

A handwritten signature in black ink, appearing to read "H. Russell Frisby, Jr", written over a horizontal line.

H. Russell Frisby, Jr

HF:SMH

KANSAS CITY  
OVERLAND PARK  
WICHITA  
WASHINGTON, D.C.  
PHOENIX  
ST. LOUIS  
OMAHA  
JEFFERSON CITY

## **Exhibit No. NH-62**

**Sugarloaf Conservancy letter to Russell Frisby asking for  
reconsideration, August 16, 2009**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**



August 16, 2009

Mr. H. Russell Frisby, Jr  
Stinson Morrison Heckler  
1150 18<sup>th</sup> Street N.W.  
Washington, DC 20036

Dear Mr. Frisby:

I am in receipt of your August 17 letter informing me of your decision to decline the invitation to present to our organization. Although Sugarloaf Conservancy has petitioned to intervene in the PATH proceeding, our members are open minded and would be interested in listening to your opinions and being "educated" by the PEAT Team. The Reply Brief you mentioned in your letter only addressed procedural issues and thus, I cannot understand your reluctance to attend our meeting. Further your website states:

The PATH Education & Awareness Team (PEAT) comprises technical experts, former regulators and representatives from the business and labor communities in West Virginia, Maryland and Virginia to **help educate the public with the facts** about the Potomac-Appalachian Transmission Highline, or PATH, project. We recognize the importance of PATH, and **want to make sure the public has all of the information available to make informed decisions.**

Sugarloaf Conservancy extended the invitation to you personally. We hoped that as a former Chairman of the PSC, you would want to hear our opinions as well as educate our membership. Our request for you to speak was presented in an effort to reach out and hear other points of view. We respectfully request you reconsider your decision not to attend our meeting. Other members of the PEAT team are equally welcome.

I look forward to receiving your reply and am hopeful we will have an opportunity to meet this coming Saturday.

Sincerely,

A handwritten signature in black ink that reads "Douglas S. Kaplan".

Douglas S. Kaplan

President  
Sugarloaf Conservancy, Inc.

# **Exhibit No. NH-63**

**Direct and Answering Testimony of Alison Haverty**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC ) Docket No. ER09-1256-002  
and PJM Interconnection, L.L.C. ) Docket No. ER12-2708-003  
CONSOLIDATED

**SUMMARY OF THE DIRECT AND ANSWERING TESTIMONY**

**OF ALISON HAVERTY**

Ms. Haverty's testimony will demonstrate how advertising expenditures totaling \$2,618,740 were improperly recovered from ratepayers and why they deserve to be refunded. Her testimony also supplies copy of the advertising in question.

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC )  
and PJM Interconnection, L.L.C. )

Docket No. ER09-1256-002  
Docket No. ER12-2708-003  
CONSOLIDATED

**DIRECT AND ANSWERING TESTIMONY AND  
EXHIBITS OF ALISON HAVERTY**

**ON BEHALF OF  
KERYN NEWMAN AND ALISON HAVERTY**

**NOVEMBER 21, 2014**



**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Potomac-Appalachian Transmission Highline, LLC )  
and PJM Interconnection, L.L.C. )

Docket No. ER09-1256-002  
Docket No. ER12-2708-003  
CONSOLIDATED

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**DIRECT AND ANSWERING TESTIMONY OF ALISON HAVERTY**

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**EXHIBITS TO DIRECT TESTIMONY**

<b><u>EXHIBIT NO.</u></b>	<b><u>DESCRIPTION</u></b>
NH-64	Advertising invoices erroneously recovered from ratepayers
NH-65	PATH Formula Rate Pages
NH-66	Advertising copy
NH-67	Advertising invoices correctly not recovered from ratepayers

1 **UNITED STATES OF AMERICA**  
2 **BEFORE THE**  
3 **FEDERAL ENERGY REGULATORY COMMISSION**  
4

5 Potomac-Appalachian Transmission Highline, LLC) Docket No. ER09-1256-002  
6 and PJM Interconnection, L.L.C. ) Docket No. ER12-2708-003  
7 CONSOLIDATED  
8  
9

10 **DIRECT AND ANSWERING TESTIMONY OF ALISON HAVERTY**  
11

12 **I. INTRODUCTION**

13 **Q. PLEASE STATE YOUR NAME AND ADDRESS.**

14 A. My name is Alison Haverty and my address is 24984 S. Calhoun Hwy, Chloe, West  
15 Virginia.

16 **Q. HAVE YOU PREVIOUSLY FILED TESTIMONY BEFORE A REGULATORY**  
17 **BODY?**

18 A. No.

19 **Q. PLEASE DESCRIBE YOUR INTEREST IN THIS MATTER.**

20 A. As an electric customer in the PJM region who pays a portion of the rates at issue in this  
21 proceeding, I am an interested party as defined in PATH's Formula Rate protocols and  
22 have standing to examine and challenge PATH's rates that are passed through to the  
23 electric bill that I pay.

24 **II. PURPOSE OF TESTIMONY**

25 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

26 A. The purpose of my testimony is to demonstrate that advertising expenditures totaling  
27 \$2,618,740, detailed in Exhibit NH-64, were improperly recovered from the ratepayers  
28 through the Formula Rate and why they deserve to be refunded.

**III. PATH'S FORMULA RATE****Q. HOW DO THE FORMULA RATE TEMPLATES FOR EACH OF THE PATH COMPANIES ADDRESS ADVERTISING EXPENDITURES?**

A. On page 4 and page 8, for PATH-WV & PATH-AYE respectively (see Exhibit NH-65), the revenue requirement collected by PJM is calculated. Administrative and General (“A&G”) expenses are allocated to the revenue requirement on a dollar-for-dollar basis. On line 48, the balance from regulatory account 930.1, except safety, education, siting and out-reach related advertising, is subtracted from the A&G total. The Safety, Education, Siting and Outreach Related Advertising (“SESO”) total is found on Attachment 4, line 142, under this column heading. This figuring is a multi-step process to ensure no General Advertising monies are recovered from ratepayers, and it is imperative for oversight to account for these steps and the choices made by PATH at each of them.

**IV. GENERAL ADVERTISING****Q. WHAT WOULD GENERAL ADVERTISING MONIES INCLUDE?**

A. The Uniform System of Accounts (“USofA”), as Ms. Newman explained in her testimony (Exhibit No. NH-1), describes what correctly belongs in each regulatory account used to populate the Rate Formula Template. The USofA instructs that money spent to prepare and distribute advertising copy is considered General Advertising and it specifically states that this is to include the cost of advertising activities on a local or national basis of a goodwill or institutional nature, which are primarily designed to improve the image of the utility or the industry, including advertisements which inform the public concerning matters affecting the company's operations, such as the cost of providing service, the

1 company's efforts to improve the quality of service, the company's efforts to improve and  
2 protect the environment, etc.

3 **Q. DOES THE USofA INSTRUCT REGARDING PATH'S RECOVERABLE**  
4 **CATEGORIES OF SAFETY, EDUCATION, SITING, AND OUTREACH**  
5 **RELATED ADVERTISING?**

6 A. No. The Commission has not issued definitions or guidelines for what constitutes safety,  
7 education, siting or outreach related advertising.

8 **Q. DOES THE PJM TARIFF INSTRUCT REGARDING THE RECOVERABLE**  
9 **CATEGORIES OF SAFETY, EDUCATION, SITING, AND OUTREACH**  
10 **RELATED ADVERTISING?**

11 A. No. PJM has not issued definitions or guidelines for what constitutes safety, education,  
12 siting or outreach related advertising.

13 **Q. DO THE PATH ACCOUNTANTS HAVE IN-HOUSE GUIDELINES**  
14 **REGARDING THE RECOVERABLE CATEGORIES OF SAFETY,**  
15 **EDUCATION, SITING, AND OUTREACH RELATED ADVERTISING?**

16 A. No. PATH has no written definition or guidelines for what constitutes safety, education,  
17 siting or outreach advertising for their accountants to refer to at the time expenses are  
18 posted, nor in the preparation of the Annual True-Up ("ATRR") when the Formula Rates  
19 are populated with data from each company's FERC Form 1.

20 **Q. DOES PATH USE SUB-ACCOUNTS WITHIN 930.1 TO DIFFERENTIATE**  
21 **BETWEEN NON-RECOVERABLE GENERAL ADVERTISING**  
22 **EXPENDITURES AND EACH OF THE OTHER RECOVERABLE**  
23 **CATEGORIES?**

1 A. No.

2 **Q. WHAT CATEGORY OR CATEGORIES WERE PATH'S ADVERTISING**  
3 **EXPENDITURES PLACED IN TO BE RECOVERED?**

4 A. Education-related advertising only.

5 **Q. HOW WAS THIS DETERMINATION MADE?**

6 A. It was not made. Additionally, in the absence of guidelines, determination of advertising  
7 expenses as education-related is subjective and open to interpretation. PATH's  
8 determination of the nature of advertising is not based on impartial reasoning, and also  
9 this determination did not take place. Because neither company uses sub-accounts to  
10 designate the SESO expenses at the time of posting as distinct from General Advertising,  
11 and because a determination to classify advertising expenses as education-related did not  
12 occur during the ATRR preparation, it was never made. PATH just placed all advertising  
13 expenditures into the non-recoverable account of 930.1 and then placed the entire balance  
14 of a non-recoverable account into a recoverable column of the formula rate.

15 **Q. WHEN IS THE PROPER TIME TO MAKE THIS DETERMINATION?**

16 A. When the ATRR is prepared. An *objective* determination, as opposed to the current  
17 *subjective* determination, is properly made at this step in the process, when copy of the  
18 advertising and invoices recorded in 930.1 General Advertising would be examined by  
19 accountants. Then, based on a written set of guidelines, expenses would either be placed  
20 in the SESO column of the ATRR and thus recoverable, or placed in the Other  
21 Advertising column as not recoverable. This step must take place to ensure no General  
22 Advertising monies are recovered from ratepayers. This step, the current subjective  
23 determination, or a proper objective determination, did *not* take place.

1 **V. PATH ADVERTISEMENTS**

2 **Q. WHAT TYPE OF GUIDELINES WOULD YOU EXPECT TO SEE FOR THE**  
3 **EDUCATION-RELATED CATEGORY?**

4 A. I would expect an education-related advertisement to be first and foremost based on  
5 verifiable facts. The guidelines would also instruct that advertising which advocated for  
6 the project was not to be included due to Commission precedent.

7 **Q. PLEASE PROVIDE EXAMPLES OF WHAT WAS NOT FACT-BASED.**

8 A. The "PATH Benefits" 60-second TV spot included in Exhibit NH-66 presents alleged  
9 benefits of PATH. The voiceover begins by stating: "The new PATH transmission line is  
10 not just a bright idea for our region but for communities and neighborhoods along the  
11 way. From West Virginia to Virginia and Maryland...it's one PATH but it leads  
12 everywhere... bringing safe, reliable power to our communities... making sure industry  
13 has a dependable source of energy to count on... and giving our local schools, hospitals  
14 and offices the energy it takes to stay up and running."

15 **Q. IS THIS INDEED WHAT THE PATH LINE WOULD HAVE DONE FOR THE**  
16 **COMMUNITIES IT WAS ADVERTISED IN?**

17 A. No. The physical nature of the PATH Transmission Line was planned to consist of a  
18 765-kilovolt (kV) transmission line extending approximately 275 miles from the Amos  
19 Substation in Putnam County, W.Va., to the proposed Kemptown Substation, southeast of  
20 New Market, Md. The project also includes a new Welton Springs substation along the  
21 proposed route in northwest Hardy County, W.Va. It was a transmission line, unbroken  
22 and uninterrupted, save for the one substation, and it was not part of the distribution  
23 system for local schools, hospitals, and offices. Not one single watt of electricity

1 traveling the PATH Line would have made it to the homes of the people PATH was  
2 advertising to. Communities and neighborhoods along the PATH Line would not have  
3 been brought electricity via PATH. The ads neglected to educate about the differences  
4 between the transmission versus distribution systems, insinuating that the transmission  
5 and distribution systems are the same. Therefore, the presentation cannot be considered  
6 education-related.

7 **Q. WHY WOULD THESE ADVERTISEMENTS DISTORT THE TRUTH ABOUT**  
8 **PATH?**

9 A. Because the best way to get people to support your product is to scare them with what  
10 will happen if they don't. Fear of being without electric power for lights and heat and  
11 modern life has been an extremely effective way to get support from the general  
12 population for your product, especially in the state of West Virginia. Everyone is already  
13 familiar with the old standard – “Coal, it keeps the lights on”. The PATH advertisements  
14 are just the latest incarnation.

15 **Q. SO THE PURPOSE OF THIS ADVERTISEMENT WAS TO GAIN SUPPORT**  
16 **FOR THE PATH PROJECT?**

17 A. Yes. It was created to advocate for the PATH Line with the general public. It was simply  
18 General Advertising, and General Advertising is advocacy. Advocacy is non-recoverable  
19 and this is why the Commission excludes these expenses from what the ratepayers are  
20 charged.

21 **Q. DO YOU HAVE OTHER EXAMPLES OF PATH MISREPRESENTING THE**  
22 **FACTS OF WHAT ITS PROJECT WOULD HAVE DONE FOR THE**  
23 **COMMUNITIES WHERE THE ADVERTISING RAN, AND ADVOCATING FOR**

1           **ITS PROJECT?**

2    A.    Yes, remaining with this particular TV spot, the voiceover continues with the statement:  
3           “Best of all, the PATH transmission line will be there to ensure dependable energy for the  
4           future. Not only reinforcing our power grid...but ready and able to support new energy  
5           sources, including renewables.” This statement, regarding inclusion of renewables, plays  
6           while the video shows wind turbines.

7    **Q.    WHAT WAS WRONG WITH THAT?**

8    A.    PATH was first and foremost a part of “Project Mountaineer,” a plan announced in 2005  
9           by Western PJM Interconnection’s then-President Karl Pfirrmann. Pfirrmann described  
10           Project Mountaineer as a plan to move coal-fired electricity from the western part of the  
11           PJM region to load zones in the eastern section of PJM. On May 13, 2005, FERC held a  
12           conference in Charleston, WV, titled, “Promoting Regional Transmission Planning to  
13           Facilitate Fuel Diversity Including Expanded Uses of Coal-Fired Resources.” Speakers at  
14           this conference repeatedly expressed support for Pfirrmann’s Project Mountaineer. At the  
15           FERC conference, AEP CEO Mike Morris stated, “[W]hat do power plant owners think  
16           about regional planning and how can regional planning bodies help us out? Let me group  
17           those two bullets together and say that we think that regional planning is an excellent idea  
18           without question. I think ... the notion of taking a look at these things through an RTO  
19           lens, taking a look at these things through the regional state compacts that we’ve tried to  
20           put together makes a tremendous amount of sense because it lends credibility to what  
21           you’re trying to do.” AEP is one of the partners in the PATH project. Mr. Morris clearly  
22           stated his intention to use PJM’s reliability planning process, to provide credibility to the  
23           Project Mountaineer plan to expand markets for AEP’s coal-fired electricity. There was



1 little discussion of green energy at this 2005 conference. Speakers included officials from  
2 coal mining and trading companies. The assertions in the advertisement regarding PATH  
3 and wind power are misleading and not factual, therefore it cannot be considered  
4 education-related and should not be paid for by ratepayers.

5 **Q. WERE THERE OTHER ADVERTISEMENTS WHICH SHOULD NOT BE**  
6 **CONSIDERED EDUCATION-RELATED?**

7 A. Yes. The other two ad campaigns in 2009, and the ad campaigns of 2010/2011 (included  
8 in Exhibit NH-66), were equally loose with the facts of what the PATH line would do for  
9 the recipients. The 2009 “business leaders” radio spots and newspaper ads featured  
10 businessmen:

11 -Media broadcaster Nick Fantasia, Fairmont, WV

12 -West Virginia Business Roundtable President Paul Arbogast

13 -Charleston Area Medical Center CEO David Ramsey, Charleston, WV

14 -Grant County Commissioner Jim Wilson, Grant Co., WV

15 -Essroc Cement Plant Manager Paul Biel, Martinsburg, WV

16 The campaign consisted of these men making statements about reliable power, but they  
17 are not experts in the field of electric reliability, nor do they hold credentials or possess  
18 particular qualifications as the result of formal education to address the specific issues of  
19 electric reliability and the economy. They are not qualified to expound on this, attempting  
20 to educate the public via the airwaves and print media on the ever-evolving topic of  
21 transmission grid reliability.

22 **Q. WHAT WAS WRONG WITH THEIR STATEMENTS ON RELIABILITY?**

23 A. The term reliability itself is not even clearly defined in the electrical transmission

1 industry. While there are technical standards of various kinds, there is no consensus about  
2 the connection between system reliability and transmission capacity. In his study for the  
3 Congressional Research Service in April 2004, “Electric Power Transmission:  
4 Background and Policy Issues,” Stan Mark Kaplan described how little data exists in the  
5 U.S. to measure the connection between reliability and transmission. Kaplan concluded,  
6 “In summary, depending on the case, building new transmission lines is not the only or  
7 best approach to enhancing power system reliability.”

8 **Q. DOES ANY OTHER AUTHORITY AGREE WITH KAPLAN’S ASSESMENT?**

9 A. Judge Richard Posner appeared to agree with Kaplan’s conclusion in an opinion he  
10 entered on August 6, 2009 in the federal Seventh Circuit Court of Appeals remanding  
11 FERC’s cost recovery system for large-scale transmission projects back to FERC. In his  
12 opinion, Judge Posner stated that FERC itself had failed to show the impact of new  
13 transmission projects on grid reliability. Posner wrote, “No particulars are presented  
14 concerning the contribution that very high-voltage facilities are likely to make to the  
15 reliability of PJM’s network. Not even the roughest estimate of likely benefits... is  
16 presented.” If FERC can’t define reliability in a court of law, then the untrained  
17 spokesmen in question certainly can’t be relied upon to do so. Therefore, the  
18 advertisements should not be determined education-related.

19 **Q. WERE THE REST OF THE ADVERTISEMENTS THAT PATH RAN OVER THE**  
20 **YEARS IN THIS SAME VEIN?**

21 A. Yes, they were either targeted at the recipients’ fear of a power outage or an emotional  
22 connection to their land. They were simply general advertising, and while protected under  
23 the First Amendment, they should not have been charged to the ratepayers because they

1 are advocacy for the for-profit PATH project.

2 **Q. DID PATH EVER PLACE ADVERTISING EXPENDITURES IN A NON-**  
3 **RECOVERABLE ACCOUNT, OR PLACE ADVERTISING EXPENDITURES IN**  
4 **THE “OTHER ADVERTISING” COLUMN OF THE FORMULA RATE AND**  
5 **NOT RECOVER THE EXPENSES FROM RATEPAYERS?**

6 A. Yes. They did both.

7 **Q. PLEASE DESCRIBE THE INSTANCE(S) OF PATH PLACING ADVERTISING**  
8 **EXPENDITURES IN A NON-RECOVERABLE ACCOUNT.**

9 A. In 2009, PATH placed different invoices for identical expenses in both account 930.1 and  
10 non-recoverable account 426.4.

11 **Q. PLEASE EXPLAIN WHY THERE WERE MULTIPLE INVOICES FOR**  
12 **IDENTICAL EXPENSES.**

13 A. To simplify an explanation, let us consider as an example: Charles Ryan Associates, LLC  
14 (“CRA”) invoice 2546-2, received by PATH West Virginia (“PATH-WV”), and invoice  
15 2546-1, received by PATH Allegheny (“PATH-AYE”). CRA separately billed each  
16 company its share (76 percent and 24 percent, respectively) of the same expense, so these  
17 two invoices represent different percentages of the exact same service charges for one  
18 advertisement. The two companies, at the outset, agreed upon this 76/24 split. There are  
19 a number of instances where PATH-AYE recovered its share of the advertising expense  
20 by placing its invoices in account 930.1, and subsequently placing its 930.1 balance into  
21 the SESO column of their formula rate where it was recovered. However, PATH-WV did  
22 not recover its share of the same advertising expense because it placed its invoices in  
23 regulatory account 426.4, which is not recovered through the formula rate.

1 **Q. WHAT IS REGULATORY ACCOUNT 426.4, AND WHAT TYPE OF EXPENSE**  
2 **BELONGS IN IT?**

3 A. Regulatory account 426.4 is a non-recoverable “below the line” account. The USofA  
4 describes 426.4 as being for expenditures for certain civic, political, and related activities.  
5 Additionally, in Note B to the USofA guidelines for account 930.1 instructs the utility to  
6 exclude from account 930.1, and include in account 426.4, expenses for advertising  
7 activities which are designed to solicit public support.

8 **Q. WHICH COMPANY CORRECTLY DEALT WITH THE INVOICES IN**  
9 **QUESTION?**

10 A. The 2009 placement of invoices totaling \$175,189.89 (Exhibit NH-67), which billed for  
11 advertising activities designed to solicit public support, into account 426.4 by PATH-WV  
12 was correct.

13 **Q. HOW MUCH DID PATH-AYE RECOVER FROM THE RATEPAYERS FOR**  
14 **THIS SAME ADVERTISING?**

15 A. They recovered \$63,766.46 by placing it in account 930.1 and then placing the balance of  
16 account 930.1 into the SESO Column of their Formula Rate.

17 **Q. FOR THE EXACT SAME ADVERTISING PATH-WV DEEMED NON-**  
18 **RECOVERABLE?**

19 A. Yes.

20 **Q. WAS THERE ANOTHER INSTANCE WHEN PATH DID NOT RECOVER**  
21 **ADVERTISING EXPENSES FROM RATEPAYERS?**

22 A. Yes, in 2011 PATH placed \$102,560 (Exhibit NH-67) in the Other Advertising column of  
23 both company’s individual formula rates, thereby not recovering what they spent that year

1 on advocacy advertising.

2 **Q. WERE THE 2011 ADVERTISING CAMPAIGNS DIFFERENT THAN ONES**  
3 **THEY HAD RUN IN PREVIOUS YEARS?**

4 A. No. They simply continued running the ones they had created and run in 2010.

5 **Q. HOW MUCH DID THEY RECOVER FROM THE RATEPAYERS IN 2010 FOR**  
6 **THIS SAME ADVERTISING?**

7 A. They recovered \$613,815.

8 **Q. FOR THE EXACT SAME ADVERTISING THEY DEEMED NON-**  
9 **RECOVERABLE IN 2011?**

10 A. Yes.

11 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

12 A. Yes, it does.

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**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

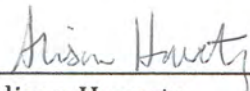
Potomac-Appalachian Transmission Highline, LLC )  
and PJM Interconnection, L.L.C. )

Docket No. ER09-1256-002  
Docket No. ER12-2708-003  
CONSOLIDATED

**AFFIDAVIT**

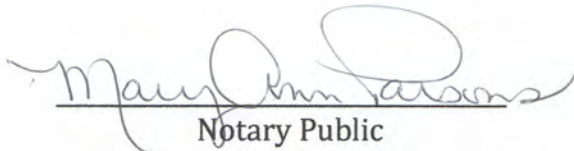
STATE OF WEST VIRGINIA )  
COUNTY OF CALHOUN )

ALISON HAVERTY, being duly sworn, deposes and states: that the attached is her sworn testimony and that the statements contained are true and correct to the best of her knowledge, information and belief.

  
\_\_\_\_\_  
Alison Haverty

Sworn to and subscribed before me on this  
19th day of November 2014.



  
\_\_\_\_\_  
Notary Public

# **Exhibit No. NH-65**

**PATH Formula Rate Pages**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

Formula Rate - Non-Levelized

Attachment A  
Rate Formula Template  
Utilizing FERC Form 1 Data

For the 12 months ended 12/31/2008

PATH West Virginia Transmission Company, LLC

(1)	(2)	(3)	(4)	(5)
	Form No. 1 Page, Line, Col.	Company Total	Allocator	Transmission (Col 3 times Col 4)
43	O&M			
44	Transmission	321.112.b	TE	1,381,904
45	Less Account 565	321.96.b	TE	-
46	Less Account 566 (Misc Trans Expense)	Line 56	DA	1,036,721
47	A&G	323.197.b	W/S	3,224,236
48	Less EPRI & Reg. Comm. Exp. & Other Ad. (Note D & Attach 4)	-	DA	-
49	Plus Transmission Related Reg. Comm. Ex (Note D & Attach 4)	-	TE	-
50	PBOP Expense adjustment (Attachment 4)	43,856		43,856
51	Common (Attachment 4)	-	CE	-
52	Transmission Lease Payments 200.4.c	-	DA	-
53	Account 566			
54	Amortization of Regulatory Asset Attachment 4	1,032,871	DA	1,032,871
55	Miscellaneous Transmission Expense Attachment 4	3,850	DA	3,850
56	Total Account 566	1,036,721		1,036,721
57	TOTAL O&M (sum lines 44, 47, 49, 50, 51, 52, 56 less lines 45, 46 & 48)	4,649,996		4,649,996
58	DEPRECIATION EXPENSE			
59	Transmission	336.7.b & c	TP	-
60	General and Intangible	336.1.d&e + 336.10.b&c	W/S	-
61	Common	336.11.b&c	CE	-
62	Amortization of Abandoned Plant (Attachment 4)	-	DA	-
63	TOTAL DEPRECIATION (Sum lines 59-62)	-		-
64	TAXES OTHER THAN INCOME TAXES (Note E)			
65	LABOR RELATED			
66	Payroll	263i	W/S	-
67	Highway and vehicle	263i	W/S	-
68	PLANT RELATED			
69	Property	263i	GP	-
70	Gross Receipts	263i	NA	-
71	Other	263i	GP	-
72	Payments in lieu of taxes	-	GP	-
73	TOTAL OTHER TAXES (sum lines 66-72)	-		-
74	INCOME TAXES (Note F)			
75	$T = 1 - \frac{((1 - SIT) * (1 - FIT))}{(1 - SIT * FIT * p)}$	40.69%		
76	$CIT = (T / (1 - T)) * (1 - (WCLTD / R))$	46.84%		
77	where WCLTD = (line 118) and R = (line 121)			
78	and FIT, SIT & p are as given in footnote F.			
79	$1 / (1 - T) = (T \text{ from line 75})$	1.6860		
80	Amortized Investment Tax Credit (266.8f) (enter negative)	0		
81	Income Tax Calculation = line 76 * line 85	509,683	NA	509,683
82	ITC adjustment (line 79 * line 80)	0	NP	-
83	Total Income Taxes (line 81 plus line 82)	509,683		509,683
84	RETURN			
85	[Rate Base (line 42) * Rate of Return (line 121)]	1,088,237	NA	1,088,237
86	REV. REQUIREMENT (sum lines 57, 63, 73, 83, 85)	6,247,916		6,247,916



## SUPPORTING CALCULATIONS AND NOTES

Attachment A

Formula Rate - Non-Levelized

Rate Formula Template  
Utilizing FERC Form 1 Data

PATH West Virginia Transmission Company, LLC

For the 12 months ended 12/31/2008

General Note: References to pages in this formulary rate are indicated as: (page#, line#, col.#)  
References to data from FERC Form 1 are indicated as: #.y.x (page, line, column)

Note  
Letter

- A The balances in Accounts 190, 281, 282 and 283, as adjusted by any amounts in contra accounts identified as regulatory assets or liabilities related to FASB 106 or 109. Balance of Account 255 is reduced by prior flow throughs and excluded if the utility chose to utilize amortization of tax credits against taxable income as discussed in Note F. Account 281 is not allocated.
- B Identified in Form 1 as being only transmission related.
- C Cash Working Capital assigned to transmission is one-eighth of O&M allocated to transmission  
Prepayments are the electric related prepayments booked to Account No. 165 and reported on Pages 110-111 line 57 in the Form 1.
- D EPRI Annual Membership Dues listed in Form 1 at 353.f, all Regulatory Commission Expenses itemized at 351.h, except safety, education and out-reach related advertising included in Account 930.1. Regulatory Commission Expenses directly related to transmission service, ISO filings, or transmission siting itemized at 351.h.**
- E Includes only FICA, unemployment, highway, property, gross receipts, and other assessments charged in the current year.  
Taxes related to income are excluded. Gross receipts taxes are not included in transmission revenue requirement in the Rate Formula Template, since they are recovered elsewhere.
- F The currently effective income tax rate, where FIT is the Federal income tax rate; SIT is the State income tax rate, and p = "the percentage of federal income tax deductible for state income taxes". If the utility is taxed in more than one state it must attach a work paper showing the name of each state and how the blended or composite SIT was developed. Furthermore, a utility that elected to utilize amortization of tax credits against taxable income, rather than book tax credits to Account No. 255 and reduce rate base, must reduce its income tax expense by the amount of the Amortized Investment Tax Credit (Form 1, 266.8.f) multiplied by (1/1-T) (page 4, line 79).
- |                  |       |        |   |
|------------------|-------|--------|---|
| Inputs Required: | FIT = | 35.00% |   |
|                  | SIT = | 8.75%  | (State Income Tax Rate or Composite SIT from Attachment 4)    |
|                  | p =   | 0.00%  | (percent of federal income tax deductible for state purposes) |
- G Removes dollar amount of transmission expenses included in the OATT ancillary services rates, if any.
- H Removes dollar amount of transmission plant included in the development of OATT ancillary services rates and generation step-up facilities, which are deemed to included in OATT ancillary services. For these purposes, generation step-up facilities are those facilities at a generator substation on which there is no through-flow when the generator is shut down.
- I Enter dollar amounts
- J ROE will be supported in the original filing and no change in ROE may be made absent a filing with FERC.
- K The percentage shown for Long Term Debt is subject to the Annual Update and Attachment 6 and Attachment 9.

**Attachment 4 - Cost Support**  
**PATH West Virginia Transmission Company, LLC**

**Safety Related Advertising, Education and Out Reach Cost Support**

Attachment A Line #s, Descriptions, Notes, Form 1 Page #s and Instructions			Form 1 Amount	Safety, Education, Siting & Outreach Related	Other	Details
142	Directly Assigned A&G General Advertising Exp Account 930.1	p323.191.b	406,155	406,155	-	None

**Multi-state Workpaper**

Attachment A Line #s, Descriptions, Notes, Form 1 Page #s and Instructions		State 1	State 2	State 3	State 4	State 5	Weighed Average
143	Income Tax Rates SIT=State Income Tax Rate or Composite		WV 8.750%				8.75%

**Excluded Plant Cost Support**

Attachment A Line #s, Descriptions, Notes, Form 1 Page #s and Instructions		Excluded Transmission Facilities	Description of the Facilities
144	Adjustment to Remove Revenue Requirements Associated with Excluded Transmission Facilities Excluded Transmission Facilities	-	General Description of the Facilities
	Instructions: 1 Remove all investment below 69 kV facilities, including the investment allocated to distribution of a dual function substation, generator, interconnection and local and direct assigned facilities for which separate costs are charged and step-up generation substation included in transmission plant in service.  2 If unable to determine the investment below 69kV in a substation with investment of 69 kV and higher as well as below 69 kV, the following formula will be used: Example A Total investment in substation 1,000,000 B Identifiable investment in Transmission (provide workpapers) 500,000 C Identifiable investment in Distribution (provide workpapers) 400,000 D Amount to be excluded (A x (C / (B + C))) 444,444	Enter \$  Or Enter \$	None
Add more lines if necessary			

**Materials & Supplies**

Attachment A Line #s, Descriptions, Notes, Form 1 Page #s and Instructions			Beg of year	End of Year	Average
145	Assigned to O&M	p227.6	-	-	-
146	Stores Expense Undistributed	p227.16	-	-	-
147	Undistributed Stores Exp		-	-	-
148	Transmission Materials & Supplies	p227.8	-	-	-

**Regulatory Asset**

Attachment A Line #s, Descriptions, Notes, Form 1 Page #s and Instructions				
149	Beginning Balance of Regulatory Asset	p111.72.d (and notes)	6,197,226	Uncapitalized costs as of date the rates become effective As approved by FERC
150	Months Remaining in Amortization Period		60	
151	Monthly Amortization	(line 149 - line 153) / 152	103,287	Number of months rates are in effect during the calendar year
152	Months in Year to be amortized		10	
153	Ending Balance of Regulatory Asset	p111.72.c	5,164,355	
154	Average Balance of Regulatory Asset	(line 149 + line 153)/2	5,680,791	

# **Exhibit No. NH-66**

**Advertising Copy**

**on behalf of Keryn Newman and Alison Haverty**

**Docket Nos. ER09-1256-002 and ER12-2708-003 Consolidated**

**November 21, 2014**

**PATH Benefits :60 TV**

April 2, 2009

***Video: Animated PATH line with electrical plug "end" travels down a road-like system. Other plugs come off the main line and correspond with voice-over. As the other plug ends "exit" at Charles Town, Winchester, Front Royal, Leesburg, Frederick, (and possibly other cities) they pass schools, industries and businesses which all light up as they're passed. The spot ends with the plugs finding their "homes" in neighborhood homes, which then light up. Camera pulls-out and widens shot to reveal a global image with whole communities lit up.***

**VO:**

The new PATH transmission line is not just a bright idea for our region but for communities and neighborhoods along the way.

From West Virginia to Virginia and Maryland...***(moving electrical plug ends head for the exits)***

it's one PATH but it leads everywhere...

...bringing safe, reliable power to our communities...

...making sure industry has a dependable source of energy to count on...

...and giving our local schools, hospitals and offices the energy it takes to stay up and running.

***(multiple plug ends can pass the existing plug ends, which also light up passing by wind generators)***

Best of all, the PATH transmission line will be there to ensure dependable energy for the future. Not only reinforcing our power grid...but ready and able to support new energy sources, including renewables.

It's important to our region and our nation. Supplying reliable energy and securing our national grid system is key to sustaining our country's future.

***(lines "plug in" to homes which then light up; pull-out reveals lit homes in neighborhoods and wider to show global image with many lights)***

Because the real power of progress...is bringing safe, reliable energy to the most important place of all...home.

Fantasia

***“Reliable power is the lifeblood of economic development.”***

Media broadcaster Nick Fantasia knows a thing or two about watts and a clear signal. Without reliable power, his radio waves are silenced and 40,000 listeners tune out. And as a former Fairmont Mayor, Nick also knows that without good infrastructure, businesses will go elsewhere, too.

Reliable energy is good for business, good for our nation and good for our region. And the path toward it is clear – the Potomac-Appalachian Transmission Highline. Find out more at [pathtransmission.com](http://pathtransmission.com).

Arbogast

***“Reliable energy will sustain us in a new economy.”***

The West Virginia Business Roundtable creates opportunities for residents by promoting economic growth. As President, Paul Arbogast knows a good opportunity when he sees one. He recognizes that investing in electric infrastructure will drive future growth in West Virginia.

Reliable energy is good for business, good for our nation and good for our region. And the path toward it is clear – the Potomac-Appalachian Transmission Highline. Find out more at [pathtransmission.com](http://pathtransmission.com).

Ramsey

***“Every patient depends on our equipment to work perfectly – every time. So we must have reliable power.”***

At Charleston Area Medical Center, there is no room for error. Advanced technology and state-of-the-art patient care requires 24/7 reliability. With so much at stake, David Ramsey knows reliable power is the lifeblood of the Center’s critical equipment. That’s why he supports investment in our region’s electric grid.

Reliable energy is good for business, good for our nation and good for our region. And the path toward it is clear – the Potomac-Appalachian Transmission Highline. Find out more at [pathtransmission.com](http://pathtransmission.com).

Wilson

***“Good infrastructure brings good jobs...and good jobs keep our children close to home.”***

As a county commissioner, Jim Wilson believes the new wind turbines along Grant County’s ridge tops could also produce the jobs that will support a new generation of energy workers. But he also understands that better infrastructure will help to move that power from where it’s generated to where it’s needed.

Reliable energy is good for business, good for our nation and good for our region. And the path toward it is clear – the Potomac-Appalachian Transmission Highline. Find out more at [pathtransmission.com](http://pathtransmission.com).

Biel

***“If it’s wind power... if it’s water power... you must have the lines to transmit the power.”***

Known in the area as a “green” plant manager, Paul Biel of Essroc Cement believes in the use of renewables. He also knows renewable energy sources must get from where they’re generated to where they’re needed – places like Martinsburg, W. Va., home of Essroc’s state-of-the-art facility. That’s why he supports investment in our region’s electric grid.

Reliable energy is good for business, good for our nation and good for our region. And the path toward it is clear: the Potomac-Appalachian Transmission Highline. Find out more at [pathtransmission.com](http://pathtransmission.com).

Jim Wilson

***“Good infrastructure brings good jobs...and good jobs keep our children close to home.”***

As a Grant County Commissioner, Jim Wilson knows that good paying jobs are essential to keeping young people in the County. But he also understands that high-quality employers need more than a dedicated workforce. Businesses demand a 21<sup>st</sup> century infrastructure that can keep pace with modern technology.

Reliable energy is good for business, good for our nation and good for our region. And the path toward it is clear: the Potomac-Appalachian Transmission Highline. Find out more at [pathtransmission.com](http://pathtransmission.com).

## **PATH Landowners :60 TV (script FINAL)**

**April 23, 2009**

***Ron Poff**, PATH Project Manager, speaks to camera (background transmission tower and line in distance)*

### **AUDIO:**

As a project manager for the PATH transmission line, I would like to ease some concerns and give examples of our cooperation with landowners affected by transmission line projects such as PATH.

### **Landowner clips inserted**

AEP and Allegheny Energy strive to be responsible corporate citizens. We live in your communities and are committed to working with landowners, neighbors and businesses.

### **PATH LOGO/Web site**

PATH TV: Connected to the National Grid /:30  
July 20, 2010

<b><u>VIDEO:</u></b>	<b><u>V.O. ANNCR.:</u></b>
Hand holding small light (from decorative set): Hand holding small light, camera pulls back to reveal decorative set	OUR LOCAL POWER SUPPLY IS CONNECTED TO OUR NATION'S POWER GRID.
Hands wiggling burned out lights; Medium shot of additional lights out	SO WHEN ONE LINK IS PUSHED TO ITS LIMITS AND GOES OUT, IT CAN AFFECT THE ENTIRE CHAIN.
Hands replace burned out light, new light burns brighter	THAT'S WHY WE NEED NEW, HIGHLY ADVANCED TRANSMISSION LINES.
Camera pulls back to reveal grid of lights; Wide angle reveals light grid as an American Flag	THE PATH TRANSMISSION LINE WILL ADD A LINK THAT WILL PROTECT OUR REGION'S ELECTRICAL RELIABILITY
Camera zooms through light grid; Satellite type view of Nation showing electrical use	AND GIVE THE NATION THE ENERGY SECURITY WE NEED FOR



<p>Satellite view becomes neighborhood view; High angle neighborhood view zooms to a view of a single home; Single home view zooms to a modern family using electricity in their daily lives</p>	<p>OUR FUTURE.</p>
<p>Logo: PATH: The Power We Need to Move Forward</p>	<p>PATH. THE POWER WE NEED TO MOVE FORWARD.</p>

PATH TV: More Electricity /:30  
July 20, 2010

<b><u>VIDEO:</u></b>	<b><u>V.O. ANNCR.:</u></b>
<p>Busy main street scene showing hectic modern life</p>	<p>MORE PEOPLE...</p>
<p>Young girl cooling off in front of fan; Family dog watching front-loading washing machine as it runs</p>	<p>MORE APPLIANCES...</p>
<p>Man watches sports on big screen TV; Young woman plugs in laptop computer; Teenage girl lying on bed, talking on phone</p>	<p>MORE GADGETS...</p>
<p>Hand pushes button, making copies; Close up of wireless router with lights flashing; Hospital technician prepares patient for a CT Scan</p>	<p>MORE EQUIPMENT...</p>
<p>Doctor reviews patient's CT Scan</p>	<p>WHAT DO THEY ALL NEED TO KEEP GOING?</p>
<p>Teenage boy signing and bobbing his head</p>	<p>MORE ELECTRICITY.</p>

to the music	
Young girl startled when fan stops running; Close up of dog as his head tilts; Man sitting on sofa, disgruntled over electricity going out	IT WON'T HAPPEN BY MAGIC.
Electricity comes back on and teenage boy begins to sing and dance again	IT WILL HAPPEN WITH NEW, HIGHLY ADVANCED TRANSMISSION.
High angle view of home after electricity is restored; Higher angle showing lit neighborhood	THE PATH TRANSMISSION LINE PROVIDES A MISSING LINK THAT WILL MAKE OUR REGION AND NATION'S POWER GRID MORE SECURE AND RELIABLE FOR FUTURE GENERATIONS.
Satellite-type view of Nation showing electrical use	PATH. THE POWER WE NEED TO MOVE FORWARD.
Logo: PATH: The Power We Need to Move Forward	



PATH Radio: More Electricity  
July 20, 2010

The 1970's an amazing decade that is now a distant memory. Since the 70's our nation and our region have dramatically increased the demand for electricity. But while demand keeps growing our regional power grid has stayed pretty much the same as it was back in the days of disco.

Today's PATH transmission line will add a link making our nation's entire power grid more reliable and secure for future generations.

PATH. The power we need to move forward.

In the 1970s, This was  
a Really  
Cool Laptop.



Technology has changed quickly over the last 40 years. But major upgrades to the region's electric grid to support advancing technologies haven't come nearly as fast. Efforts are under way to strengthen the grid to meet our growing demand for electricity.

The PATH transmission line will add much-needed reliability and security to our electrical system. So all of us have the power we need to move forward.



*The Power We Need to Move Forward*

[pathtransmission.com](http://pathtransmission.com)

In the  
1980s,

Talking on a  
Cell Phone  
Required  
Some  
Muscle.



Cell phones have come a long way in 30 years. But major upgrades to the region's electric grid to support advancing technologies haven't come nearly as fast. Efforts are under way to strengthen the grid to meet our growing demand for electricity.

The PATH transmission line will add much-needed reliability and security to our electrical system. And that will help keep everyone talking.



*The Power We Need to Move Forward*

[pathtransmission.com](http://pathtransmission.com)

# In the 1970s, Television Only Showed Three Channels.



Television has come a long way in 40 years. But major upgrades to the region's electric grid to support advancing technologies haven't come nearly as fast. Efforts are under way to strengthen the grid to meet our growing demand for electricity.

The PATH transmission line will add much-needed reliability and security to our electrical system. So all of us have the power we need to move forward.



*The Power We Need to Move Forward*

[pathtransmission.com](http://pathtransmission.com)



# In the 1970s, Video Games Lacked a Certain Realism.



Video games have come a long way in 40 years. But major upgrades to the region's electric grid to support advancing technologies haven't come nearly as fast. Efforts are under way to strengthen the grid to meet our growing demand for electricity.

The PATH transmission line will add much-needed reliability and security to our electrical system. And that will make everyone a winner.



*The Power We Need to Move Forward*

[pathtransmission.com](http://pathtransmission.com)

# In the 1970s, This was a State-of-the-Art Music Player.



Music has come a long way since eight-track and disco. But over the last 40 years major upgrades to the region's electric grid to support advancing technologies haven't come nearly as fast. Efforts are under way to strengthen the grid to meet our growing demand for electricity.

The PATH transmission line will add much-needed reliability and security to our electrical system. And that will be music to everyone's ears.



*The Power We Need to Move Forward*

[pathtransmission.com](http://pathtransmission.com)



In the 1970s, This was a Really Cool Laptop.

Exhibit No. NH-66

Page 16 of 40



40-year old technology  
can't support today's lifestyle.

**Exhibit No. NH-66**

**Page 17 of 40**

The same is true with our power grid.

Exhibit No. NH-66

Page 18 of 40



**PATH**

*PATH West Virginia Transmission Company, LLC*

**Exhibit No. NH-66**

**Page 19 of 40**

**The Power We Need to Move Forward.**



**PATH**

*PATH West Virginia Transmission Company, LLC*

**pathtransmission.com**

**Exhibit No. NH-66**

**Page 20 of 40**



In the 1970s, This was a  
State-Of-The-Art Music Player.

Exhibit No. NH-66

Page 21 of 40





**40-year old technology  
can't support today's lifestyle.**

**Exhibit No. NH-66**

**Page 22 of 40**

The same is true with our power grid.

Exhibit No. NH-66

Page 23 of 40



**PATH**

*PATH West Virginia Transmission Company, LLC*

**Exhibit No. NH-66**

**Page 24 of 40**

**The Power We Need to Move Forward.**



[pathtransmission.com](http://pathtransmission.com)

**Exhibit No. NH-66**  
**Page 25 of 40**



# In the 1970s, Video Games Lacked a Certain Realism.

Exhibit No. NH-66

Page 26 of 40



40-year old technology  
can't support today's lifestyle.

**Exhibit No. NH-66**  
**Page 27 of 40**

The same is true with our power grid.

Exhibit No. NH-66

Page 28 of 40



**PATH**

*PATH West Virginia Transmission Company, LLC*

**Exhibit No. NH-66**

**Page 29 of 40**

**The Power We Need to Move Forward.**



The same is true with our power grid.

Exhibit No. NH-66

Page 30 of 40



# In the 1980s, Talking on a Cell Phone Required Some Muscle.

**Exhibit No. NH-66**

**Page 31 of 40**



30-year old technology  
can't support today's lifestyle.

**Exhibit No. NH-66**

**Page 32 of 40**

The same is true with our power grid.

Exhibit No. NH-66

Page 33 of 40



**PATH**

*PATH West Virginia Transmission Company, LLC*

**Exhibit No. NH-66**

**Page 34 of 40**

**The Power We Need to Move Forward.**

The same is true with our power grid.

Exhibit No. NH-66

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In the 1970s, Television Only  
Showed Three Channels.

**Exhibit No. NH-66**

**Page 36 of 40**



**40-year old technology  
can't support today's lifestyle.**

**Exhibit No. NH-66**

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The same is true with our power grid.

Exhibit No. NH-66

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**PATH**

*PATH West Virginia Transmission Company, LLC*

**Exhibit No. NH-66**

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**The Power We Need to Move Forward.**

The same is true with our power grid.

Exhibit No. NH-66

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EXHIBIT No. NH-12  
 PATH Reliable Power Coalition Expenses 2009 - 2011

Vendor	Invoice No.	Amount	Year	Account	Coalition Group*
Brown Communications	2160	\$7,698.00	2009	923	WVRP
Brown Communications	2168	\$7,500.00	2009	923	WVRP
Burson Marsteller	142166	\$1,283.97	2009	923	All
Burson Marsteller	143717	\$946.95	2009	923	All
Burson Marsteller	145696	\$485.85	2009	923	All
Burson Marsteller	146540	\$606.82	2009	923	All
Charles Ryan Assoc.	2102-0	\$14,584.01	2009	923	WVRP
Charles Ryan Assoc.	2255-0	\$14,000.00	2009	923	WVRP
Charles Ryan Assoc. (no office)	2513-D 11/21/2014	\$15,010.46	2009	923	WVRP
Charles Ryan Assoc.	2643-0	\$50,000.00	2009	923	WVRP
Charles Ryan Assoc.	2644-0	\$16,250.00	2009	923	WVRP
Charles Ryan Assoc.	3004-0	\$15,849.78	2009	923	WVRP
Charles Ryan Assoc.	3246-0	\$6,650.00	2009	923	WVRP
Charles Ryan Assoc.	3564-0	\$6,650.00	2009	923	WVRP
Charles Ryan Assoc.	3691-0	\$7,500.00	2009	923	WVRP
Charles Ryan Assoc.	3800-2	\$33,750.00	2009	923	WVRP
Charles Ryan Assoc.	3827-0	\$14,150.00	2009	923	WVRP
Young & Rubicam Brand	151806B	\$667.51	2009	923	All
Young & Rubicam Brand	152814B	\$400.00	2009	923	All
Young & Rubicam Brand	159160A	\$409.50	2009	923	All
Charles Ryan Assoc.	6298-0	\$5,816.67	2011	923	MDRP
Charles Ryan Assoc.	6545-0	\$16,392.08	2011	923	MDRP
Charles Ryan Assoc.	6546-0	\$12,097.66	2011	923	VRE
Charles Ryan Assoc.	6556-0	\$28,478.67	2011	923	WVRP
Charles Ryan Assoc.	6770-1	\$72.00	2011	923	MDRP
Charles Ryan Assoc.	6774-0	\$5,766.67	2011	923	MDRP
Charles Ryan Assoc.	6779-0	\$4,000.00	2011	923	VRE
Charles Ryan Assoc.	6780-0	\$23,573.61	2011	923	WVRP
Charles Ryan Assoc.	6903-0	\$23,616.89	2011	923	MDRP
Charles Ryan Assoc.	6904-0	\$17,000.00	2011	923	VRE
Charles Ryan Assoc.	6905-0	\$21,896.67	2011	923	WVRP
Charles Ryan Assoc.	7038-0	\$14,316.67	2011	923	MDRP
Charles Ryan Assoc.	7039-0	\$17,000.00	2011	923	VRE
Charles Ryan Assoc.	7040-0	\$22,466.67	2011	923	WVRP
Charles Ryan Assoc.	7147-0	\$50.00	2011	923	MDRP
Charles Ryan Assoc.	7154-0	\$13,000.00	2011	923	VRE
Charles Ryan Assoc.	43790	\$14,546.00	2010	923	WVRP
Charles Ryan Assoc.	45080	\$20,766.91	2010	923	WVRP
Charles Ryan Assoc.	47240	\$18,331.67	2010	923	WVRP
Charles Ryan Assoc.	48490	\$25,396.28	2010	923	WVRP
Charles Ryan Assoc.	50400	\$36,498.04	2010	923	WVRP
Charles Ryan Assoc.	52110	\$13,498.31	2010	923	WVRP
Charles Ryan Assoc.	52670	\$581.50	2010	923	WVRP
Charles Ryan Assoc.	54570	\$13,316.67	2010	923	WVRP
Charles Ryan Assoc.	54660	\$400.00	2010	923	WVRP
Charles Ryan Assoc.	55940	\$13,316.67	2010	923	WVRP
Charles Ryan Assoc.	57910	\$14,368.63	2010	923	WVRP
Charles Ryan Assoc.	60820	\$13,973.24	2010	923	WVRP
Charles Ryan Assoc.	63010	\$5,816.67	2010	923	WVRP
Charles Ryan Assoc.	64090	\$7,571.08	2010	923	WVRP
Charles Ryan Assoc.	65560	\$28,478.67	2010	923	WVRP
Charles Ryan Assoc.	4064-0*A	\$16,470.75	2010	923	MDRP
Charles Ryan Assoc.	4320-0	\$4,000.00	2010	923	VRE
Charles Ryan Assoc.	4377-0	\$10,206.40	2010	923	MDRP
Charles Ryan Assoc.	43790A	\$2,770.67	2010	923	WVRP
Charles Ryan Assoc.	4505-0	\$11,187.98	2010	923	MDRP
Charles Ryan Assoc.	4506-0	\$4,000.00	2010	923	VRE
Charles Ryan Assoc.	4516-0	\$17,967.00	2010	923	MDRP
Charles Ryan Assoc.	4721-0	\$20,401.64	2010	923	MDRP
Charles Ryan Assoc.	4722-0	\$5,128.85	2010	923	VRE
Charles Ryan Assoc.	4835-0	\$20,300.60	2010	923	MDRP
Charles Ryan Assoc.	4842-0	\$26,507.81	2010	923	VRE
Charles Ryan Assoc.	5016-0	\$42,465.51	2010	923	MDRP

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EXHIBIT No. NH-12  
 PATH Reliable Power Coalition Expenses 2009 - 2011

Vendor	Invoice No.	Amount	Year	Account No	Group*
Charles Ryan Assoc.	5017-0	\$12,000.00	2010	923	VRE
Charles Ryan Assoc.	5190-0	\$5,985.06	2010	923	MDRP
Charles Ryan Assoc.	5203-0	\$12,044.33	2010	923	VRE
Charles Ryan Assoc.	5226-0	\$11,038.23	2010	923	MDRP
Charles Ryan Assoc.	5455-0	\$14,551.80	2010	923	MDRP
Charles Ryan Assoc.	5456-0	\$12,000.00	2010	923	VRE
Charles Ryan Assoc.	5581-0	\$5,816.67	2010	923	MDRP
Charles Ryan Assoc.	5588-0	\$12,000.00	2010	923	VRE
Charles Ryan Assoc.	5612-0	\$11,559.67	2010	923	MDRP
Charles Ryan Assoc.	5780-0	\$14,903.76	2010	923	MDRP
Charles Ryan Assoc. (Unofficial)	5789-0	\$12,000.00	2010	923	VRE
Charles Ryan Assoc.	5925-0	\$8,000.00	2010	923	VRE
Charles Ryan Assoc.	5970-0	\$1,932.37	2010	923	VRE
Charles Ryan Assoc.	6080-0	\$5,816.67	2010	923	MDRP
Charles Ryan Assoc.	6081-0	\$4,000.00	2010	923	VRE
Charles Ryan Assoc.	6113-0	\$9,341.51	2010	923	MDRP
Charles Ryan Assoc.	6298-0	\$5,816.67	2010	923	MDRP
Charles Ryan Assoc.	6299-0	\$18,178.04	2010	923	VRE
Charles Ryan Assoc.	6407-0	\$8,500.00	2010	923	MDRP
Charles Ryan Assoc.	6545-0	\$16,392.08	2010	923	MDRP
Charles Ryan Assoc.	6546-0	\$12,097.66	2010	923	VRE
Charles Ryan Assoc.	1805-0	\$12,914.00	2009	923	MDRP
Charles Ryan Assoc.	1806-0	\$11,500.00	2009	930.1	WVRP
Charles Ryan Assoc.	1970-0	\$15,353.48	2009	923	MDRP
Charles Ryan Assoc.	2203-0	\$18,049.00	2009	923	MDRP
Charles Ryan Assoc.	2216-0	\$41,250.00	2009	923	VRE
Charles Ryan Assoc.	2463-0	\$16,752.71	2009	923	MDRP
Charles Ryan Assoc.	2475-0	\$5,000.00	2009	923	VRE
Charles Ryan Assoc.	2738-0	\$6,600.00	2009	923	MDRP
Charles Ryan Assoc.	2778-0	\$6,600.00	2009	CWIP 107	WVRP
Charles Ryan Assoc.	2873-0	\$9,820.75	2009	923	MDRP
Charles Ryan Assoc.	2874-0	\$5,000.00	2009	923	VRE
Charles Ryan Assoc.	2875-0	\$10,724.37	2009	930.1	WVRP
Charles Ryan Assoc.	2957-0	\$16,470.75	2009	923	MDRP
Charles Ryan Assoc.	3195-0	\$16,470.75	2009	923	MDRP
Charles Ryan Assoc.	3210-0	\$41,250.00	2009	923	VRE
Charles Ryan Assoc.	3395-0	\$10,413.48	2009	930.1	WVRP
Charles Ryan Assoc.	3784-0	\$16,470.75	2009	923	MDRP
Charles Ryan Assoc.	3800-1	\$32,500.00	2009	923	VRE
Charles Ryan Assoc.	4102-0	\$14,150.00	2009	930.1	WVRP
Pritchard Electric Co.	40848	\$1,457.25	2009	923	WVRP
The Artemis Group	0708-0309Frisb	\$1,648.88	2009	923	MDRP
The Artemis Group	Dec. 2008	\$11,579.00	2009	923	MDRP
The Artemis Group	Feb. 2009	\$927.67	2009	923	MDRP
The Artemis Group	Feb. 2009	\$12,956.00	2009	923	MDRP
The Artemis Group	Feb. 2009	\$8,000.00	2009	923	MDRP
The Artemis Group	Jan. 2009	\$8,000.00	2009	923	MDRP
The Artemis Group	Jan. 2009	\$9,600.00	2009	923	MDRP
The Artemis Group	Nov. 2008	\$21,448.00	2009	923	MDRP
The Artemis Group	Nov/Dec 2008	\$16,000.00	2009	923	MDRP
The Artemis Group	Oct. 2008	\$24,589.00	2009	923	MDRP
The Artemis Group	Sept. 2008	\$39,919.00	2009	923	MDRP
Young & Rubicam Brand	142166	\$3,851.90	2009	CWIP 107	All
Young & Rubicam Brand	143717	\$2,840.85	2009	CWIP 107	All
Young & Rubicam Brand	145696	\$1,457.56	2009	CWIP 107	All
Young & Rubicam Brand	146540	\$1,213.65	2009	CWIP 107	All
Young & Rubicam Brand	151806C	\$667.51	2009	923	All
Young & Rubicam Brand	152814A	\$400.00	2009	923	All
Young & Rubicam Brand	159160C	\$409.50	2009	923	All
TOTAL:		\$1,536,434.99			
*MDRP = Marylanders for Reliable Power					
VRE = Virginians for Reliable Energy					
WVRP = West Virginians for Reliable Power or Energy					

EXHIBIT NO. NH-31  
 PATH PEAT Expenses 2009 - 2011

Vendor	Invoice No.	Invoice Total	Year	Account
Charles Ryan Assoc	1803-0	\$23,000.00	2009	923
Charles Ryan Assoc	1804-0	\$15,000.00	2009	923
Charles Ryan Assoc	1965-0	\$8,187.22	2009	923
Charles Ryan Assoc	1966-0	\$15,165.00	2009	923
Charles Ryan Assoc	1967-1	\$152.80	2009	923
Charles Ryan Assoc	1967-2	\$235.30	2009	923
Charles Ryan Assoc	1968-0	\$1,445.00	2009	923
201411 Charles Ryan Assoc	1969-0 (Official)	\$11,220.53	2009	930.1
Charles Ryan Assoc	2196-0	\$9,185.21	2009	923
Charles Ryan Assoc	2197-0	\$15,000.00	2009	923
Charles Ryan Assoc	2198-1	\$619.49	2009	923
Charles Ryan Assoc	2198-2	\$620.65	2009	923
Charles Ryan Assoc	2199-0	\$16,750.94	2009	CWIP 107
Charles Ryan Assoc	2200-0	\$15,086.81	2009	923
Charles Ryan Assoc	2457-0	\$8,035.25	2009	923
Charles Ryan Assoc	2458-0	\$15,234.82	2009	923
Charles Ryan Assoc	2459-1	\$427.33	2009	923
Charles Ryan Assoc	2459-2	\$427.30	2009	923
Charles Ryan Assoc	2460-0	\$2,082.50	2009	923
Charles Ryan Assoc	2461-0	\$16,306.24	2009	923
Charles Ryan Assoc	2734-0	\$15,000.00	2009	923
Charles Ryan Assoc	2735-1	\$3,120.96	2009	923
Charles Ryan Assoc	2735-2	\$3,120.87	2009	CWIP 107
Charles Ryan Assoc	2736-0	\$15,000.00	2009	923
Charles Ryan Assoc	2870-0	\$7.60	2009	923
Charles Ryan Assoc	2871-1	\$636.93	2009	923
Charles Ryan Assoc	2871-2	\$636.92	2009	CWIP 107
Charles Ryan Assoc	2872-0	\$7,992.00	2009	930.1
Charles Ryan Assoc	2872-2	\$9,000.00	2009	CWIP 107
Charles Ryan Assoc	2951-1	\$11,451.64	2009	923
Charles Ryan Assoc	2952-0	\$15,000.00	2009	923
Charles Ryan Assoc	2953-1	\$8,087.04	2009	923
Charles Ryan Assoc	2953-2	\$8,086.94	2009	923
Charles Ryan Assoc	2954-0	\$14,314.02	2009	923
Charles Ryan Assoc	2955-0	\$15,000.00	2009	923
Charles Ryan Assoc	3190-0	\$13,284.00	2009	923
Charles Ryan Assoc	3191-0	\$19,286.14	2009	923
Charles Ryan Assoc	3192-1	\$3,694.63	2009	923
Charles Ryan Assoc	3192-2	\$3,691.58	2009	923
Charles Ryan Assoc	3193-0	\$23,746.53	2009	923
Charles Ryan Assoc	3194-0	\$21,976.91	2009	923
Charles Ryan Assoc	3500-0	\$13,621.11	2009	923
Charles Ryan Assoc	3501-0	\$15,000.00	2009	923
Charles Ryan Assoc	3502-1	\$3,227.19	2009	923
Charles Ryan Assoc	3502-2	\$3,227.39	2009	923
Charles Ryan Assoc	3503-0	\$9,744.59	2009	923
Charles Ryan Assoc	3504-0	\$15,000.00	2009	923
Charles Ryan Assoc	3776-0	\$8,000.00	2009	923
Charles Ryan Assoc	3777-0	\$15,000.00	2009	923
Charles Ryan Assoc	3778-0	\$892.54	2009	923
Charles Ryan Assoc	3779-1	\$2,041.33	2009	923
Charles Ryan Assoc	3779-2	\$2,041.34	2009	923
Charles Ryan Assoc	3780-0	\$17,769.43	2009	923
Charles Ryan Assoc	3781-0	\$15,000.00	2009	923
Charles Ryan Assoc	3827-0	\$15,000.00	2009	923
Charles Ryan Assoc	4060-2	\$412.96	2009	930.1
Charles Ryan Assoc	4061-0	\$1,911.97	2009	930.1
Charles Ryan Assoc	4062-0	\$15,000.00	2009	930.1
Pritchard Electric	39368	\$20,254.93	2009	923
Pritchard Electric	39803	\$3,391.26	2009	923
Pritchard Electric	40198	\$12,791.64	2009	930.1
Pritchard Electric	40567	\$3,261.76	2009	923

EXHIBIT NO. NH-31  
 PATH PEAT Expenses 2009 - 2011

Vendor	Invoice No.	Invoice Total	Year	Account
Pritchard Electric	40847	\$1,107.75	2009	930.1
Charles Ryan Assoc	6544	\$15,100.00	2010	923
Charles Ryan Assoc	43740	\$7,560.00	2010	923
Charles Ryan Assoc	43750	\$3,708.32	2010	923
Charles Ryan Assoc	45030	\$9,902.94	2010	923
Charles Ryan Assoc	47190	\$11,838.01	2010	923
Charles Ryan Assoc	48320	\$7,784.47	2010	923
Charles Ryan Assoc	49680	\$27,000.00	2010	923
201411 Charles Ryan Assoc (Official)	49690	\$2,600.00	2010	923
Charles Ryan Assoc	50190	\$714.67	2010	923
Charles Ryan Assoc	52170	\$30,039.63	2010	923
Charles Ryan Assoc	54600	\$15,805.85	2010	923
Charles Ryan Assoc	54650	\$4,038.54	2010	923
Charles Ryan Assoc	55790	\$15,900.00	2010	923
Charles Ryan Assoc	56110	\$1,115.00	2010	923
Charles Ryan Assoc	56540	\$15,881.54	2010	923
Charles Ryan Assoc	58080	\$17,150.85	2010	923
Charles Ryan Assoc	59240	\$9,866.82	2010	923
Charles Ryan Assoc	60790	\$17,920.89	2010	923
Charles Ryan Assoc	62970	\$20,308.06	2010	923
Charles Ryan Assoc	63340	\$5,002.57	2010	923
Charles Ryan Assoc	64090	\$1,637.45	2010	923
Charles Ryan Assoc	4057-0	\$8,218.33	2010	923
Charles Ryan Assoc	4058-0	\$15,000.00	2010	923
Charles Ryan Assoc	4059-0	\$3,544.83	2010	923
Charles Ryan Assoc	4060-1	\$412.92	2010	923
Charles Ryan Assoc	4291-0	\$8,055.13	2010	923
Charles Ryan Assoc	4372-0	\$5,897.32	2010	923
Charles Ryan Assoc	43740A	\$1,440.00	2010	923
Charles Ryan Assoc	43750A	\$706.35	2010	923
Charles Ryan Assoc	4501-0	\$11,392.40	2010	923
Charles Ryan Assoc	4515-0	\$7,500.00	2010	923
Charles Ryan Assoc	4717-0	\$397.80	2010	923
Charles Ryan Assoc	4718-0	\$12,853.63	2010	923
Charles Ryan Assoc	4831-0	\$6,500.00	2010	923
Charles Ryan Assoc	5035-0	\$8,841.60	2010	923
Charles Ryan Assoc	5186-0	\$19,250.00	2010	923
Charles Ryan Assoc	5255-0	\$4,000.00	2010	923
Charles Ryan Assoc	5266-0	\$650.00	2010	923
Charles Ryan Assoc	5453-0	\$23,000.00	2010	923
Charles Ryan Assoc	5477-0	\$750.00	2010	923
Charles Ryan Assoc	5578-0	\$42,246.74	2010	923
Charles Ryan Assoc	5653-0	\$1,486.09	2010	923
Charles Ryan Assoc	5807-0	\$32,001.18	2010	923
Charles Ryan Assoc	5923-0	\$1,378.55	2010	923
Charles Ryan Assoc	6078-0	\$26,167.43	2010	923
Charles Ryan Assoc	6112-0	\$5,522.04	2010	923
Charles Ryan Assoc	6296-0	\$20,107.07	2010	923
Charles Ryan Assoc	6405-0	\$8,031.84	2010	923
Charles Ryan Assoc	6543&6633	\$32,583.18	2010	923
Assoc. Builders & Contractors		\$530.00	2011	923
Charles Ryan Assoc	6544	\$15,100.00	2011	923
Charles Ryan Assoc	6296-0	\$20,107.07	2011	923
Charles Ryan Assoc	6315-2	\$8,892.00	2011	923
Charles Ryan Assoc	6334-2A	\$4,731.00	2011	923
Charles Ryan Assoc	6335-2	\$328.99	2011	923
Charles Ryan Assoc	6541-2	\$5,984.84	2011	923
Charles Ryan Assoc	6543-0	\$23,580.00	2011	923
Charles Ryan Assoc	6557-2	\$6,106.81	2011	923
Charles Ryan Assoc	6558-2	\$24,086.30	2011	923
Charles Ryan Assoc	6633-0	\$9,003.18	2011	923
Charles Ryan Assoc	6634-0	\$5,002.57	2011	923

EXHIBIT NO. NH-31  
 PATH PEAT Expenses 2009 - 2011

Vendor	Invoice No.	Invoice Total	Year	Account
Charles Ryan Assoc	6768-2	\$12,149.55	2011	923
Charles Ryan Assoc	6769-2	\$2,831.00	2011	923
Charles Ryan Assoc	6770-2	\$298.57	2011	923
Charles Ryan Assoc	6772-0	\$24,025.06	2011	923
Charles Ryan Assoc	6773-0	\$15,257.00	2011	923
Charles Ryan Assoc	6830-0	\$5,068.00	2011	923
Charles Ryan Assoc	6898-2	\$10,307.50	2011	923
Charles Ryan Assoc	6901-0	\$23,727.34	2011	923
201411 Charles Ryan Assoc	6902-0 (Official)	\$15,100.00	2011	923
Charles Ryan Assoc	6971-0	\$18,371.32	2011	923
Charles Ryan Assoc	6972-0	\$12,349.17	2011	923
Charles Ryan Assoc	7034-2	\$228.00	2011	923
Charles Ryan Assoc	7036-0	\$28,000.00	2011	923
Charles Ryan Assoc	7037-0	\$15,000.00	2011	923
Charles Ryan Assoc	7050-2	\$1,890.50	2011	923
Charles Ryan Assoc	7156-0	\$50.00	2011	923

TOTAL:

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## EXHIBIT NO. NH-39

## PATH - Account 930.2 Memberships 2009 - 2011

Organization	Amount	Reason
Chamber of Commerce Martinsburg-Berkeley County	\$961.00	Component of PEAT/Reliable Power Coalitions
Greater Cumberland Committee	\$2,480.00	Donation
Hagerstown-Washington Co. Chamber of Commerce	\$500.00	Component of PEAT/Reliable Power Coalitions
Harrison Co. Chamber of Commerce	\$210.00	Component of PEAT/Reliable Power Coalitions
Hunton & Williams LLP	\$558.91	Lobbying activity
Jefferson Co. Chamber of Commerce	\$309.00	Component of PEAT/Reliable Power Coalitions
Maryland Chamber of Commerce	\$15,745.00	Component of PEAT/Reliable Power Coalitions
Buckhannon Upshur Chamber of Commerce	\$375.00	Component of PEAT/Reliable Power Coalitions
County Commissioners Assoc of WV	\$570.00	Component of PEAT/Reliable Power Coalitions
Edison Electric Institute	\$11,040.87	Lobbying activity
Electric Power Generation Assoc	\$1,220.00	Lobbying activity/not transmission related
Elkins Randolph Co	\$500.00	Component of PEAT/Reliable Power Coalitions
Elkins Rotary Club	\$722.00	Component of PEAT/Reliable Power Coalitions
Energy Assoc of PA	\$1,336.49	Lobbying activity
Grant County Chamber of Commerce	\$300.00	Component of PEAT/Reliable Power Coalitions
Hampshire Co Chamber of Commerce	\$300.00	Component of PEAT/Reliable Power Coalitions
Hardy Co Chamber of Commerce	\$500.00	Component of PEAT/Reliable Power Coalitions
Leadership West Virginia	\$275.00	Donation
Lewis Co Chamber of Commerce	\$100.00	Component of PEAT/Reliable Power Coalitions
NMSU Foundation - New Mexico State University Foundation	\$36.60	Donation
Preston Co. Chamber of Commerce	\$500.00	Component of PEAT/Reliable Power Coalitions
Southeastern Electric Exchange	\$220.50	Not transmission related
Three Rivers Pollution Response	\$6.10	Not transmission related
Top of Virginia Regional Chamber	\$800.00	Component of PEAT/Reliable Power Coalitions

## EXHIBIT NO. NH-39

## PATH - Account 930.2 Memberships 2009 - 2011

Organization	Amount	Reason
WV Business & Industry Council	\$300.00	Component of PEAT/Reliable Power Coalitions
WV Chamber of Commerce	\$26,000.00	Component of PEAT/Reliable Power Coalitions
WV Coal Assoc Inc.	\$2,500.00	Component of PEAT/Reliable Power Coalitions
WV Economic Development Council	\$100.00	Component of PEAT/Reliable Power Coalitions
WV Forestry Assoc	\$500.00	Component of PEAT/Reliable Power Coalitions
WV Hardwood Alliance Zone	\$250.00	Component of PEAT/Reliable Power Coalitions
WV Manufacturers Assoc	\$2,200.00	Component of PEAT/Reliable Power Coalitions
WV Municipal League	\$300.00	Component of PEAT/Reliable Power Coalitions
Carnegie Mellon Elec. Ind. Center Chamber of Commerce	\$805.00	Donation
Martinsburg Berkely Co.	\$961.00	Component of PEAT/Reliable Power Coalitions
COMPETE	\$261.63	Lobbying activity
Economic Growth Connection	\$48.30	Donation
Greater Cumberland Committee	\$37.03	Donation
GT Power Group LLC	\$52.00	Donation
Hagerstown-Washington Chamber of Commerce	\$500.00	Component of PEAT/Reliable Power Coalitions
Hunton & Williams LLP (Utility Water Act Group) per discovery	\$1,040.46	Lobbying activity
Jefferson Co. Chamber of Commerce	\$309.00	Component of PEAT/Reliable Power Coalitions
MACO - Maryland Association of Counties	\$7,500.00	Component of PEAT/Reliable Power Coalitions
Maryland Municipal League	\$7,500.00	Component of PEAT/Reliable Power Coalitions
Maryland Chamber of Commerce	\$20,000.00	Component of PEAT/Reliable Power Coalitions
MD DC Utilities Assoc.	\$1,200.00	Component of PEAT/Reliable Power Coalitions
NMSU Center for Public Utilities	\$73.20	Donation
PA Chamber of Business	\$91.30	Lobbying activity
Top of Virginia Regional Chamber of Commerce	\$760.00	Component of PEAT/Reliable Power Coalitions
US Chamber of Commerce	\$483.00	Lobbying activity

## EXHIBIT NO. NH-39

## PATH - Account 930.2 Memberships 2009 - 2011

Organization	Amount	Reason
UTEC	\$40.25	Lobbying activity
Virginia Manufacturers Assoc.	\$840.00	Component of PEAT/Reliable Power Coalitions
Western PA MSDC	\$43.16	Donation
Barbour Co Chamber of Commerce	\$100.00	Component of PEAT/Reliable Power Coalitions
Berkeley Springs Morgan Co. Chamber of Commerce	\$250.00	Component of PEAT/Reliable Power Coalitions
Buckhannon Upshur Chamber of Commerce	\$450.00	Component of PEAT/Reliable Power Coalitions
Co. Commissioners Assoc. of WV	\$350.00	Component of PEAT/Reliable Power Coalitions
Elkins Randolph Co. Chamber of Commerce	\$500.00	Component of PEAT/Reliable Power Coalitions
Elkins Rotary Club	\$694.00	Component of PEAT/Reliable Power Coalitions
Grant Co. Chamber of Commerce	\$300.00	Component of PEAT/Reliable Power Coalitions
Hampshire Co. Chamber of Commerce	\$300.00	Component of PEAT/Reliable Power Coalitions
Hardy Co. Chamber of Commerce	\$500.00	Component of PEAT/Reliable Power Coalitions
Lewis Co. Chamber of Commerce	\$1,000.00	Component of PEAT/Reliable Power Coalitions
Preston Co. Chamber of Commerce	\$450.00	Component of PEAT/Reliable Power Coalitions
WV Assoc. of Counties	\$400.00	Component of PEAT/Reliable Power Coalitions
WV Business & Industry Council	\$300.00	Component of PEAT/Reliable Power Coalitions
WV Coal Assoc., Inc.	\$5,000.00	Component of PEAT/Reliable Power Coalitions
WV Economic Development Council	\$200.00	Component of PEAT/Reliable Power Coalitions
WV Forestry Assoc.	\$500.00	Component of PEAT/Reliable Power Coalitions
WV Hardwood Alliance Zone	\$250.00	Component of PEAT/Reliable Power Coalitions
WV Manufacturers Assoc.	\$1,672.00	Component of PEAT/Reliable Power Coalitions
WV Municipal League	\$300.00	Component of PEAT/Reliable Power Coalitions

## EXHIBIT NO. NH-39

## PATH - Account 930.2 Memberships 2009 - 2011

Organization	Amount	Reason
Barbour Co Chamber of Commerce	\$100.00	Component of PEAT/Reliable Power Coalitions
Berkeley Springs Morgan Co. Chamber of Commerce	\$250.00	Component of PEAT/Reliable Power Coalitions
Buckhannon Upshur Chamber of Commerce	\$450.00	Component of PEAT/Reliable Power Coalitions
Chamber of Commerce Martinsburg Berkely Co.	\$961.00	Component of PEAT/Reliable Power Coalitions
Duquesne Club	\$45.38	Donation
Edison Electric Institute	\$3,735.71	Lobbying activity
Elkins Randolph Co. Chamber of Commerce	\$500.00	Component of PEAT/Reliable Power Coalitions
Elkins Rotary Club	\$181.00	Component of PEAT/Reliable Power Coalitions
Frederick Co. Chamber of Commerce	\$410.00	Component of PEAT/Reliable Power Coalitions
Hunton & Williams LLP (Utility Water Act Group) per discovery	\$56.85	Lobbying activity
Preston Co. Chamber of Commerce	\$500.00	Component of PEAT/Reliable Power Coalitions
Top of Virginia Regional Chamber of Commerce	\$330.00	Component of PEAT/Reliable Power Coalitions
UTEC	\$2,500.00	Lobbying activity
Westmoreland Cultural Trust	\$47.00	Donation
WV Economic Development Council	\$100.00	Component of PEAT/Reliable Power Coalitions
WV Forestry Assoc.	\$500.00	Component of PEAT/Reliable Power Coalitions
WV Manufacturers Assoc.	\$2,200.00	Component of PEAT/Reliable Power Coalitions

<b>TOTAL</b>	<b>\$140,644.74</b>
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## EXHIBIT NO. NH-39

## PATH - Account 930.2 Memberships 2009 - 2011

Parent Company Membership Charged 100% to PATH	Year
Yes	2009
Yes	2009
Yes	2009
Yes	2009
No	2009
Yes	2009
Yes	2009
Yes	2009
Yes	2009
No	2009
No	2009
Yes	2009
Yes	2009
No	2009
Yes	2009
Yes	2009
Yes	2009
Yes	2009
Yes	2009
No	2009
Yes	2009
No	2009
No	2009
Yes	2009

## EXHIBIT NO. NH-39

## PATH - Account 930.2 Memberships 2009 - 2011

Parent Company Membership Charged 100% to PATH	Year
Yes	2009
Yes	2009
Yes	2009
Yes	2009
Yes	2009
Yes	2009
Yes	2009
Yes	2009
Yes	2009
No	2010
Yes	2010
No	2010
No	2010
No	2010
No	2010
Yes	2010
No	2010
Yes	2010
Yes	2010
Yes	2010
Yes	2010
Yes	2010
Yes	2010
No	2010
No	2010
Yes	2010
No	2010



## EXHIBIT NO. NH-39

## PATH - Account 930.2 Memberships 2009 - 2011

Parent Company Membership Charged 100% to PATH	Year
Yes	2011
Yes	2011
Yes	2011
Yes	2011
No	2011
No	2011
Yes	2011
Yes	2011
Yes	2011
No	2011
Yes	2011
Yes	2011
Yes	2011
No	2011
Yes	2011
Yes	2011
Yes	2011



**EXHIBIT NO. NH-49****PATH - Charles Ryan Assoc. "Research and Expenses" - R.L. Repass Partners, Inc.****2008 - 2010**

<b>Invoice No.</b>	<b>Date</b>	<b>Account</b>	<b>Amount</b>
94	03/07/08	923	\$9,440.00
95	03/07/08	107	\$49,560.00
356	05/31/08	107	\$20,977.24
358	05/31/08	107	\$112,991.54
4290-1	02/08/10	923	\$7,003.51
4290-2	02/08/10	923	\$22,177.78
4898-0	06/01/10	923	\$52,920.00
5185-1	07/07/10	923	\$13,552.20
5185-2	08/06/10	923	\$42,915.28
5503-1	08/30/10	923	\$306.01
<b>TOTAL</b>			<b>\$331,843.56</b>

## EXHIBIT NO. NH-52

## Access Point Public Affairs LLC 2009-2011

Invoice No.	Purchase Order No.	Date	Year	Amount	Regulatory Account	Amount Recovered from Ratepayers
A-135-1	4500210531	06/29/09	2009	\$7,500.00	923	\$7,500.00
A-135-2	4500210531	09/01/09	2009	\$7,500.00	923	\$7,500.00
B-135-1	4500239980	10/01/09	2009	\$5,000.00	426.4	\$0.00
B-135-2	No P.O.	11/02/09	2009	\$5,000.00	923	\$5,000.00
B-135-3	4500239980	11/30/09	2009	\$5,020.99	426.4	\$0.00
B-135-4	4500239980	12/23/09	2009	\$5,000.00	426.4	\$0.00
B-135-5	4500239980	01/29/10	2010	\$5,000.00	923	\$5,000.00
B-135-6	4500239980	02/26/10	2010	\$5,000.00	923	\$5,000.00
B-135-7	4500239980	03/31/10	2010	\$5,000.00	923	\$5,000.00
B-135-8	4500239980	04/30/10	2010	\$5,000.00	923	\$5,000.00
B-135-9	4500239980	05/28/10	2010	\$5,000.00	923	\$5,000.00
B-135-10	4500239980	06/30/10	2010	\$5,000.00	923	\$5,000.00
A-135-11	4500239980	07/23/10	2010	\$5,000.00	923	\$5,000.00
B-135-12	4500239980	08/30/10	2010	\$5,024.42	923	\$5,024.42
C-135-1	4500239980	09/29/10	2010	\$5,000.00	923	\$5,000.00
C-135-2	4500239980	10/27/10	2010	\$5,000.00	923	\$5,000.00
C-135-3	4500239980	11/23/10	2010	\$5,044.36	923	\$5,044.36
C-135-4	4500239980	12/23/10	2010	\$5,000.00	426.4	\$0.00
C-135-5	4500239980	1/30/11	2011	\$5,000.00	426.4	\$0.00
C-135-6	4500239980	03/03/11	2011	\$5,000.00	426.4	\$0.00
C-135-7	4500239980	03/30/11	2011	\$5,000.00	426.4	\$0.00
C-135-8	4500239980	03/30/11	2011	\$5,000.00	426.4	\$0.00

Total
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\$115,089.77
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\$75,068.78
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## EXHIBIT NO. NH-55

PATH - Charles Ryan Assoc., Consulting Services - Larry Puccio, L.C. Expenses

Recorded in Account 923 (Outside Services)

Invoice No.	Date	Amount
5480-0	08/12/10	\$20,834.00
5545-0	10/08/10	\$10,417.00
5922-0	10/19/10	\$10,417.00
6077-0	11/04/10	\$10,417.00
6410-0	12/14/10	\$10,417.00
6771-0	02/08/11	\$10,417.00
6773-0	02/08/11	\$157.00
6925-0	03/08/11	\$10,417.00
7035-0	04/05/11	\$10,417.00
<b>TOTAL</b>		<b>\$93,910.00</b>







## EXHIBIT NO. NH-64

## PATH Advertising invoices erroneously recovered from ratepayers

## Invoice # Invoice Total in Regulatory Account 930.1

1178	\$926.65
1591	\$6,054.02
2040	\$29,870.68
1850-1	\$28,749.87
2289-1	\$24,240.00
2546-1	\$22,566.51
2804-1	\$33,499.95
3029-1	\$36,074.70
3296-1	\$18,875.78
3622-1	\$37,895.39
3895-1	\$29,469.49
2194-0	\$4,584.22
1416	\$6,764.00
1323-1	\$15.84
1869-2	\$6,360.00
2103-1	\$4,719.98
2869-1	\$7,025.73
2950-1	\$1,535.57
1505-1	\$3,068.80
2456-1	\$18,109.78
3189-1	\$19,799.58
3497-1	\$1,879.15
3497-1A	\$11,122.56
1236-1	\$1,118.88
2195-1	\$13,602.82
3498-1	\$78.90
1722-0	\$404.91
593	\$63,808.91
905	\$75,557.77
1000	\$32,279.80
1178	\$4,880.59
2041	\$94,590.53
1850-2	\$150,936.61
2546-2	\$71,460.69
2804-2	\$106,083.13
3029-2	\$114,236.55
3296-2	\$59,773.30

## EXHIBIT NO. NH-64

## PATH Advertising invoices erroneously recovered from ratepayers

3622-2	\$120,002.06
3895-2	\$93,320.07
4133-2	\$6,427.67
1723-2	\$49,161.01
1869-2	\$33,390.00
2103-2	\$14,946.62
2869-2	\$75,071.64
2950-2	\$45,452.51
3189-2	\$136,782.09
3774-2	\$65,780.87
4054-2	\$15,299.08
2456-2	\$93,730.86
3497-2	\$48,475.49
1964-2	\$38,382.82
4133-1	\$2,029.77
4054-1	\$777.60
3895-1	\$29,469.49
3622-1	\$37,895.39
5046-1	\$1,693.44
5045-1	\$195.67
5288-1	\$254.12
5541-0	\$275.00
5722-0	\$2,556.25
5805-1	\$16,192.08
5865-0	\$1,941.18
5898-0	\$7,582.80
5868-0	\$20,878.30
6083-0	\$2,125.00
6111-1	\$1,091.52
6201-1	\$2,265.88
6167-1	\$8,077.73
6185-1	\$22,761.36
6166-1	\$338.82
6334-1	\$9,510.48
6362-1	\$1,334.88
6366-1	\$1,601.51
6384-1	\$2,367.60
6359-1	\$4,622.38
6368-1	\$6,017.74
6386-1	\$21,156.77
6638-1, 6603	\$31,200.00



## EXHIBIT NO. NH-64

## PATH Advertising invoices erroneously recovered from ratepayers

5288-02	\$804.70
5462-2A	\$185.25
5452-2A	\$1,035.04
5463-2A	\$49.40
5502-0	\$1,091.47
5501-2 \$55,5	\$55,518.00
5551-2A	\$135.85
5548-2	\$2,544.48
5868-0	\$66,114.62
5805-2	\$51,274.96
6167-02	\$25,579.48
6201-2	\$7,175.28
6166-2	\$1,072.94
6359662848	\$98,429.95
6185-2	\$72,077.63
6593-2	\$8,635.06
6541-2A	\$6,543.60
6599-2A	\$40,386.60
6334-2	\$25,385.52
6368-2	\$19,056.25
6617-2	\$40,395.66
6639-2	\$20,941.80
6638-2	\$288.48
6603-2	\$15,875.47
6811-2	\$377.19
6809-2	\$1,072.94





Invoice #	Invoice Total	Regulatory Account
1236-2	\$5,874.12	426.4
1323-2	\$37,151.52	426.4
1505-2	\$55,404.25	426.4
2289-2	\$76,760.00	426.4
6362-1	\$1,334.88	930.1
6386-1	\$21,156.77	930.1
6384-1	\$2,367.60	930.1
6368-1	\$6,017.74	930.1
6366-1	\$1,601.51	930.1
6359-1	\$4,622.38	930.1
6603-1	\$5,013.29	930.1
6617-1	\$12,756.54	930.1
6638-1	\$91.08	930.1
6599-1	\$12,753.63	930.1
6593-1	\$2,726.84	930.1
6539-1	\$6,613.20	930.1
6541-1	\$2,066.40	930.1
6769-1	\$100.80	930.1
6809-1	\$338.82	930.1
6811-1	\$119.12	930.1
6810-1	\$426.00	930.1
6941-1	\$2,250.00	930.1
6944-1	\$1,605.60	930.1
6943-1	\$2,328.48	930.1
6942-1	\$1,193.73	930.1
7096-1	\$2,387.46	930.1
7254-1	\$54.75	930.1
7459-1	\$576.00	930.1
7604-1	\$432.00	930.1
6593-2	\$8,635.06	930.1
6599-2A	\$40,386.60	930.1
6541-2A	\$6,543.60	930.1
6810-2	\$1,349.00	930.1
6809-2	\$1,072.94	930.1
6811-2	\$377.19	930.1
6617-2	\$40,395.66	930.1
6368-2	\$19,056.25	930.1

6334-2	\$25,385.52	930.1
6603-2	\$15,875.47	930.1
6638-2	\$288.42	930.1
6639-2	\$20,941.80	930.1
6942-2	\$3,780.10	930.1
6943-2	\$7,373.52	930.1
6944-2	\$5,084.40	930.1
6899-2	\$20,134.68	930.1
6900-2	\$3,436.25	930.1
7254-2	\$173.40	930.1
7096-2	\$7,560.20	930.1
7459-2	\$1,824.00	930.1
7458-2	\$331.55	930.1
7604-2	\$1,368.00	930.1

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