

I. The Discovery Sought is Relevant

The information sought through Applicant's discovery to the Intervenors is similar in nature and scope to discovery against the non-party municipals which the Board approved in its orders of February 16 and March 5, 1973 (See also Tr. 219-320). Like the non-party discovery, this discovery is relevant under the Commission's Rules since it "relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party" (Section 2.740(b)(1) of the Rules of Practice) (Emphasis supplied).

Among the Applicant's principal claims and defenses to the matters raised by the Department of Justice and the Intervenors are that (1) Applicant's wholesale service to area municipal and cooperative systems provides adequate "access" to the benefits of nuclear generation and coordination, (2) that this service permits these systems to be financially and competitively viable to the extent permitted by law, and (3) that, hence, Applicant has not "denied access" to its coordinated system and no situation inconsistent with the antitrust laws is presented. Since the hearing Board's order of August 7, 1972, specifically identified "access to coordination" as the "basic thrust" of the Department's case (p. 3), Applicant's foregoing claims and defense with regard

to the "access" issue are clearly relevant to this proceeding and appropriate for discovery under the Commission's Rules.

Many of the items in Applicant's discovery to the Intervenor relate to the competitive viability of the intervening electric systems. The competitive viability of these systems has been put in issue by the Department of Justice, as well as by the Applicant. For example, in the Department's "advice" letter of June 28, 1971, the Department alleged that Applicant "may be exercising that [market] power to deny to those competitors participation in coordinated bulk power supply to the extent necessary to maintain their long-term competitive viability" (pp. 5, 6). Similarly, the Department has supported its document demands, inter alia, with the rationale that the requested material shows "particularly well the effect of cost-price squeeze on a small system which, lacking access to coordination, is compelled to deal with its vertically integrated competitor for its bulk power supply" ("Answer of the Department . . .," filed November 2, 1972, p. 34) (emphasis supplied).

Competitive viability can be demonstrated in some instances by a showing that a municipal system's retail rates compare favorably with Applicant's, and that at these rates the system has grown, has maintained a reasonable rate of

return, and will continue to grow and prosper after the licensed units become operational. Where a municipal system's retail sales do not presently compare favorably with Applicant's, Applicant's discovery seeks to ascertain whether these rates could be lowered to a competitive level, without jeopardizing the financial viability of the system.

Such a financial viability analysis, of course, requires an examination of the system's revenues and costs -- including, for example, the value of services that the electric system provides to non-paying sources such as the municipal government, and the extent to which revenues produced by the electric system are used for non-electric systems purposes. It also requires that the data utilized in the analysis be comparative -- both over time and among the various systems.

In addition to the question of competitive and financial viability, the Department and the Intervenors have raised issues and have sought discovery concerning Applicant's allegedly anticompetitive conduct concerning, inter alia, bulk power supply, interconnection arrangements, and competition for retail customers.^{3/} Many of

^{3/} See, e.g., Department of Justice advice letter in this proceeding of June 28, 1971, pp. 3, 5-8; Joint Petition to Intervene and Request for Hearing, filed October 4, 1971, pp. 7-9.

Applicant's document requests and interrogatories are also relevant to these issues and to Applicant's claim that it has engaged in no anticompetitive conduct.

Applicant's need for full discovery against the Intervenor^s is underlined by the extensive^{4/} discovery requests by the Department, the Intervenor^s, and the Staff which have sought the details of Applicant's relations with other utilities -- including the intervening systems.^{5/} These demands raise the distinct possibility that Applicant will be confronted with evidence respecting such relationships which it will be handicapped in rebutting absent full discovery.

^{4/} To date, Applicant has been served with the following discovery demands in this proceeding: Nineteen interrogatories from the Commission at the behest of the Department (February 25, 1971); four interrogatories from the Department (June 4, 1971); four document requests by the Department (October 29, 1971); twenty-five interrogatories from the Commission staff (November 8, 1971); thirty Joint Document Requests from the Department, the Staff, the Association, and other Intervenor^s (July 26, 1972); four document requests from the Department (August 16, 1972); seven document requests from the Association and other Intervenor^s (September 21, 1972); and 235 requests for admission and interrogatories from the Department (February 12, 1973).

^{5/} This discovery also inquires into such matters as rates and promotional activities; the details of Applicant's generation, transmission and distribution facilities; its operating and planning characteristics, including its pooling and interconnection arrangements; and its financial condition and accounting methods.

With regard to Applicant's similar discovery efforts against the twenty-one non-party municipals, the Board held:^{6/}

If it is found that a situation inconsistent with the antitrust laws will be maintained by issuance of the license sought by Applicant, then such license, if issued, could be subject to conditions deemed by Applicant to be economically severe. Applicant has a right to contest the contentions of the other parties to this proceeding by every lawful means, including relevant discovery.

Applicant submits that the foregoing language applies with equal force to the discovery here sought -- perhaps even greater force since the intervening systems are participating as full parties in this proceeding.

II. It is Too Late to Object to Applicant's Discovery

Applicant's discovery requests to the Intervenor were served upon them more than eight months ago. Since the Intervenor have never filed objections to the requests with the Board, it is clearly too late to do so at this late juncture. (See Sections 2.740b(b) and 2.741(d) of the Rules.)

Last September and October, 1972, counsel for Applicant and the Intervenor met to discuss this discovery, and Applicant agreed to narrow the scope of certain requests. However, as the intervening parties began to provide res-

^{6/} "Order Denying Supplemental Motion . . .," dated March 5, 1973, pp. 4, 5.

ponses to the discovery, it became apparent that (1) the Intervenor's were declining to answer certain discovery items on grounds not raised at these discussions and that (2) there had been a failure of communication with regard to some of the discovery modifications discussed among counsel at these meetings.

Subsequent efforts by counsel to resolve their differences have proven unsuccessful. Although the Applicant has consistently made known its contrary views,^{7/} the Intervenor's continue to raise objections not previously pursued (see letter from Pollock dated February 12, 1973) and to disagree with Applicant about the content of aforementioned discussions of last fall (see letters from Pollock dated March 2 and 12, 1973).^{8/} Finally, by letter dated April 5, 1973, the Intervenor's advised Applicant of their

^{7/} See letters from Watson to Pollock dated February 12, March 16, March 20, and April 5, 1973.

^{8/} Such failure of communication is not surprising given the extensive and informal nature of the discussions that transpired over the course of several weeks. Although Applicant's version of the discussions is buttressed by contemporaneous notes, we do not question the veracity or good faith of opposing counsel's differing views in this regard. Rather, it is submitted, the discovery items which the Intervenor's now decline to answer should be considered on their own merits, and that it would be impractical and, in any event, inexpedient for the Board to attempt at this date to mediate the present disagreement as to what was or was not agreed upon in the Fall 1972 meetings of counsel.

refusal to comply fully with Applicant's discovery.

Given the history and the extent of previous negotiations and the rapidly-approaching hearing date, Applicant believes that the Board must resolve the differences which have arisen between the parties. The attached list of items consists of those discovery requests which the Intervenors have refused to answer, either in whole or in part. In no case is the request broader in scope than the language contained in the discovery requests as originally served; in many instances the language of the items is exactly the same, while in others Applicant has narrowed the scope in accordance with Applicant's understanding of the aforementioned discussions of counsel.

Since the requests are either the same, or narrower, than the discovery served upon the Intervenors nearly eight months ago, we submit that it is too late to object to Applicant's discovery or delay responding any longer. In any event, such objections are without merit in light of Applicant's demonstration of their relevance in Part I, supra.

Conclusion

WHEREFORE, Applicant moves the Board for an order compelling the intervening municipal and cooperative systems

to respond in full to Applicant's discovery requests attached hereto by the close of business April 20, 1973, or five days following the issuance of said order (whichever is later).

Respectfully submitted,

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April 9, 1973

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)
) Docket Nos. 50-329A
CONSUMERS POWER COMPANY) and 50-330A
(Midland Units 1 and 2))

CERTIFICATE OF SERVICE

I hereby certify that copies of APPLICANT'S MOTION TO COMPEL RESPONSE TO DISCOVERY TO INTERVENORS, dated April 9, 1973, in the above-captioned matter have been served on the following by deposit in the United States mail, first class or air mail, this 9th day of April, 1973:

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APPENDIX I
(MUNICIPALS)

Definitions and General Directions

1. "Document" means the original, any copy (regardless of origin), and all drafts of all writings of every kind in the possession, custody or control of the system or municipality, including all drafts of correspondence, memoranda, reports, financial reports, vouchers and other accounting records, notes, letters, telegrams, messages (including reports of telephone conversations and conferences), studies (including, but not limited to, load flow, engineering, general economic and market studies), analyses, comparisons, books, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, minutes and other communications, including inter- and intra-office communications, transcripts, purchase orders, questionnaires and surveys, maps, charts, graphs, electrical or geographic diagrams including those known in the trade as "one line diagrams", photographs, phonograph or other recordings and other data compilations from which information can be obtained. Only documents dated on or after January 1, 1960 need be produced.

In all cases where documents are requested, legible copies should be submitted.

Each document produced and response hereto should identify the Interrogatory number (and subparagraph, if any) to which it is responsive and should be arranged serially according to such number.

2. "Electric utility" and "utility" means any private corporation, cooperative corporation, municipality, or any political subdivision, agency or instrumentality of the Federal or any state or municipal government which owns or controls facilities for the generation, transmission or distribution of electric power and energy, or which in the past has done so.

3. "Coordination" and "coordinating" shall include, but are not limited to, reserve sharing, economic dispatch or economic interchange, and pooling of load growth for joint or staggered additions of generating or transmission facilities.

4. "Integration" and "integrating" shall mean the coordination or coordinating of bulk power supply facilities by a single utility or by two or more utilities owned or controlled by a common entity or common financial interest.

5. "Municipality" shall mean each city, town, village or other political subdivision, incorporated or unincorporated, in which the system principally provides electric service.

6. The account titles used herein shall be defined as in the Uniform System of Accounts Prescribed for Public Utilities and Licensees (Class A and B).

7. In all cases where data are requested by years, indicate whether the information is provided on a calendar or fiscal year basis. Such basis shall be the usual accounting period used by the system. If data are provided on a fiscal

year basis, state the day on which each fiscal year ended and provide data through fiscal year 1972 if such fiscal year ended on or before June 30, 1972.

8. In the event any document requested in these interrogatories is unavailable, specify in detail the reason therefor.

9. If any document requested is available, but is withheld by reason of any assertion of privilege or other claim, describe each such document, including the name, address and position of the persons preparing and receiving it, the form of the document, its title (if any) and the matter to which it relates. In addition, provide a brief statement of the grounds on which privilege or other claim is being asserted.

10. Answers to Interrogatories referring to documents shall include all documents relating to the time period specified in each of said Interrogatories, whether prepared before, during or after said period.

11. If any question is inapplicable, so state and provide a brief explanation of why the Interrogatory is inapplicable.

Interrogatories and Request for Documents

1. For each year 1960 to date furnish copies of all financial, operating, load and capacity reports or statements submitted to the Federal Power Commission, the Michigan Public Service Commission, the Edison Electric Institute, the American

Public Power Association, the Michigan Municipals and Cooperatives Power Pool, the Michigan Municipal Electric Association, or to any local governing authority or official. Where reports or statements are prepared monthly and summarized in annual reports or statements, respondent may furnish all such annual reports or statements together with monthly reports or statements for 1961, 1966, and each month since December, 1969.

7. (a) State the effective date and describe the substance of each change made in any rate schedule, tariff, contract, agreement or terms and conditions of service at any time during the period January 1, 1960 to date.

(b) State the effect on revenues of each such change in dollar and percentage terms. If information concerning such changes is not available from the system's (or the municipal's) records, provide documents which show the contemplated or projected effect of each such change.

9. For each of the dates January 1, 1960, January 1, 1965, January 1, 1970, January 1, 1972, and June 30, 1972, state the typical net monthly bills for electric service employing the assumptions and definitions set forth in Attachment A for the following customer classification and monthly demand-energy combination (designate the rate schedule used for each calculation and identify any discount or special charge):

(a) Residential

(i) minimum bill and number of kilowatt-

hours included; indicate the number of minimum bills rendered in each month of each of these years;

- (ii) 100 kilowatt-hours;
- (iii) 250 kilowatt-hours;
- (iv) 500 kilowatt-hours;
- (v) 750 kilowatt-hours;
- (vi) 1,000 kilowatt-hours.

(b) Commercial

- (i) 3.0 kilowatts-375 kilowatt-hours;
- (ii) 6.0 kilowatts-750 kilowatt-hours;
- (iii) 12.0 kilowatts-1,500 kilowatt-hours;
- (iv) 30.0 kilowatts-6,000 kilowatt-hours;
- (v) 40.0 kilowatts-10,000 kilowatt-hours.

(c) Industrial

- (i) 75 kilowatts-15,000 kilowatt-hours;
- (ii) 75 kilowatts-30,000 kilowatt-hours;
- (iii) 150 kilowatts-30,000 kilowatt-hours;
- (iv) 150 kilowatts-60,000 kilowatt-hours;
- (v) 300 kilowatts-60,000 kilowatt-hours;
- (vi) 300 kilowatts-120,000 kilowatt-hours;
- (vii) 500 kilowatts-100,000 kilowatt-hours;
- (viii) 500 kilowatts-200,000 kilowatt-hours;
- (ix) 1,000 kilowatts-200,000 kilowatt-hours;
- (x) 1,000 kilowatts-400,000 kilowatt-hours;
- (xi) 2,500 kilowatts-1,000,000 kilowatt-hours;
- (xii) 5,000 kilowatts-2,000,000 kilowatt-hours.

[In place of the foregoing response, respondent may state the system's rate schedules and adjustment levels and may designate what rate schedule should be utilized in the computation of each bill. Only such information sufficient to enable Applicant to compute each of the aforementioned monthly bill analyses will be deemed a proper response to this request.]

10. (a) For each township or incorporated area served by the system, state for each year 1960 through 1971^{1/} the name and address of the five industrial and five commercial customers consuming the largest number of kilowatt hours of electricity supplied by the system.

(b) For each customer named in 10(a) state for each year 1960 through 1971^{1/} the following:

- (i) kilowatt-hour sales to the customer;
- (ii) revenues derived from the customer;
- (iii) the customer's peak demand;
- (iv) the yearly load factor for the customer;
- (v) applicable rate schedules for service to the customer;
- (vi) the minimum yearly charge applicable to the customer;
- (vii) the voltage at which service was provided to the customer.

^{1/} In lieu of providing data for each year, respondent may provide a response for 1971 and state to what extent information is available from system or municipal records. Applicant reserves the right to obtain a response concerning prior years following review of the initial limited response.

11. (a) State the length and voltage of each transmission or distribution line running from the bulk power supply delivery point to each of the customers identified in response to Interrogatory 10. Describe each delivery point used.

(b) State separately the cost of constructing each line and the cost and description of each related facility required to deliver power to such customers.

15. (a) Provide the name and address of each commercial and/or industrial customer or potential customer with whom any discussion, approach or other contact was made during the period January 1, 1960 to date utilizing, in whole or in part, information or material described ^{1/} in Interrogatory 13 or 14 of Applicant's Initial Interrogatories to the system, filed August 4, 1972.

(b) Furnish copies of all documents relating to each such discussion, approach or contact.

18. Describe each discount or any other valuable consideration offered by the system or the municipality to any customer or potential customer for electric service and furnish all documents related to such discount or other consideration.

20. If municipal tax revenues are utilized by the electric system, state the rates in effect at any time during

^{1/} The referenced information and material relates to efforts to attract commercial and/or industrial facilities to locate in the municipality or within the area served by its electric system.

the period January 1, 1960 to date of each tax imposed by the municipality during that period and indicate the dates during which each rate was in effect.

21. (a) If municipal tax revenues are utilized by the electric system, state whether real property is presently assessed at true cash value.

(b) If municipal tax revenues are utilized by the electric system, and if any real property is now, or at any time since January 1, 1960 has been, assessed at other than true cash value, set forth:

(i) the type of property (residential, commercial, industrial, e.g.) for which a lesser valuation is or was assessed;

(ii) the effective date(s) of such valuation;

(iii) the percentage of true cash value that the assessed valuation represents for each type of property.

23. (a) State the system's operating revenues, excluding any sales tax receipts, for each year 1960 through 1971.

(b) State whether the figures provided include an imputation for the value or cost of services donated to or provided to the municipality or any of its agencies or departments. If so:

(i) state the amount of any such imputation;

(ii) state whether each amount is classified as a tax equivalent.

24. (a) State the system's operating expenses for each year 1960 through 1971.*

(b) State whether the figures provided in response to Interrogatory 24(a) include an imputation for the value or cost of services donated to or provided to the municipality or any of its agencies or departments. If so:

(i) state the amount of any such imputation;

(ii) state how that value was determined;

(iii) state whether this amount is classified as a tax equivalent;

(iv) state whether this imputation is included in the system's operating revenue figures furnished in response to Interrogatory 23.

25. State the annual depreciation and amortization expense applicable to the system's electric plant(s) for each

*/ In response to this Interrogatory and to all others indicated by an asterisk use the same time period as was used in response to Interrogatory 23; e.g., if calendar years were used there, use calendar years, if fiscal years ending June 30, use fiscal years ending June 30. Data should be provided for each year ending on or before June 30, 1972.

year 1960 through 1971.* State the basis on which such expenses were calculated.

26. State the amount of taxes paid which are applicable to electric operations for each year 1960 through 1971.*

(a) Classify such taxes by type (e.g., local property, franchise, federal income, etc.);

(b) State to whom paid;

(c) State on what date each tax was paid;

(d) State whether these taxes are included for each year in the system's operating expense data furnished in response to Interrogatory 24. If so, state for what year and under what account designation.

27. (a) State the amount of tax equivalents for each year 1960 through 1971.* (As used herein, "tax equivalents" is defined as set forth in FPC Form 1-M.)

(b) Describe in detail each service provided or payment made which is classified by the system as tax equivalents and set forth:

(i) the estimated value given to each such service in each year;

(ii) the method by which the value of any service donated to or provided to the municipality or any of its agencies or departments was determined;

(iii) whether each amount specified in response to subparagraphs (a) and (b) of this Interrogatory

is included in the operating revenue and expense data furnished in answer to Interrogatories 23 and 24, respectively.

28. (a) State the cost and estimated value of, and describe in detail each service donated to or provided to the municipality or any of its agencies or departments.

(b) List the amount and date of each payment made to the municipality, or any of its agencies or departments, which is not classified as a tax equivalent but is included in the operating revenue and cost data furnished in response to Interrogatories 23, 24 and 27.

(c) For each payment specified in response to subparagraph (b) of this Interrogatory, state how the value of any service donated to or provided to the municipality or any of its agencies or departments was determined.

29. State the amount of the total funds transferred by the system to the general funds, or other account, of the municipality or to the account of any other municipal department or agency during each year 1960 through 1971.*

In each case specify:

(a) the amount;

(b) title of the account to which such funds were transferred;

(c) the year in which such transfer was made;

(d) the year in which it is reflected in the data.*

30. State the total kilowatt-hours supplied to the municipality and any of its agencies and departments by the system for each year 1960 through 1971* and the total revenues actually derived therefrom for each such year.*

31. State the price per kilowatt-hour paid by the municipality and any of its agencies and departments for electric energy supplied to it by the system during each year 1960 through 1971.*

32. State the system's total electric plant in service, accumulated provisions for depreciation of electric utility plant and net electric utility plant at the end of each year 1960 through 1971.*

33. State the electric total production plant in service and the accumulated provisions for depreciation of electric utility production plant at the end of each year 1960 through 1971.*

34. (a) State the electric total transmission plant in service and the accumulated provisions for depreciation of electric utility transmission plant at the end of each year 1960 through 1971.*

(b) For each year 1960 through 1971* state the basis on which the system classified such facilities as transmission plant.

35. (a) State the electric total distribution plant in service and the accumulated provisions for depreci-

ation of electric utility distribution plant at the end of each year 1960 through 1971.*

(b) For each year 1960 through 1971* state the basis on which the system classified such facilities as distribution plant.

36. State the total outstanding long-term debt attributable to electric utility operations at the end of each year 1960 through 1971* and state the type, the date of issuance, the maturity date, the principal amount and the interest rate of securities or other documents evidencing this debt as of each of said dates.

37. State the total outstanding short-term debt attributable to the electric utility operations at the end of each year 1960 through 1971* and state the type, the date of issuance, the maturity date, the principal amount and the interest rate of the securities or other documents evidencing this debt as of each of said dates.

38. (a) State the total interest, respectively, on long-term debt and on short-term debt attributable to electric utility operations during each year 1960 through 1971.*

(b) For each year 1960 through 1971,* state whether the amount of short-term debt specified in response to subparagraph (a) of this Interrogatory was included as an

operating expense in data furnished in response to Interrogatory 24. If not, state how much of such debt was included in the operating expense data.

39. State the interest rate on the most recent bond issue of the municipality (or any agency or department thereof in which the system serves) where the receipts from said issue were utilized, in whole or in part, by the electric system. State also the date of said issue and its maturity date.

40. State the most recent credit rating applicable to debt instruments of the system (or of the municipality, in the event that the system does not issue debt instruments or that there is no debt rating applicable to such instruments).

41. State the amount of construction work in progress-electric at the end of each year 1960 through 1971.*

42. State the amount of customer contributions in aid of electric plant construction at the end of each year 1960 through 1971.*

43. State the amount of each of the following expenses for each year 1960 through 1971.*

- (a) customer accounts expenses;
- (b) administrative and general expenses;
- (c) distribution expenses;
- (d) transmission expenses;
- (e) production operation and maintenance expenses.

44. (a) State the effective date of and describe in detail each change in the system's accounting methodology or accounting definitions which affect the strict comparability over the requested time periods of the material and information furnished in response to Interrogatories 23 through 43.

(b) If any such change has occurred, furnish data in response to Interrogatories 23 through 43 which are adjusted for each such change and are comparable over the time period 1960 through 1971. [In lieu of this subpart, respondent may provide sufficient information to permit Applicant to adjust data furnished in response to said interrogatories so that such data is comparable over the indicated time period.]

45. For each year 1960 through 1971, if the system's accounting methodology or definitions reflect any activities or operations not related to electric service, describe:

(a) The costs which are allocated among these electric and non-electric services and describe the basis on which each cost is allocated;

(b) Describe any allocation of general or common plant to electric operations and the basis on which each such allocation was made.

46. For each year 1960 through 1971 state the municipal electric system's annual kilowatt-hour sales, average

and year-end number of customers, and annual revenue, by class of customer (residential, commercial, industrial, other and ultimate):

(a) Within the municipality's corporate limits;

(b) For each township or incorporated area served outside of the corporate limits;

(c) Total used in response to Interrogatory 23.

47. (a) State in detail the basis used in each year for classifying customers into the residential, commercial, industrial and other classifications employed in response to Interrogatory 46.

(b) If this basis has been changed at any time during the period covered by Interrogatory 46, state the date(s) on which such change(s) became effective and describe the substance of such change.

(c) If any change is noted in response to subparagraph (b) of this Interrogatory, furnish data in response to Interrogatory 46 which are adjusted for each such change and are comparable over the time period 1960 through 1971. (In lieu of this subpart, respondent may provide information sufficient to permit Applicant to make the aforementioned adjustments.)

48. State whether the data furnished in response, respectively, to Interrogatories 46 and 47 include customers counted more than once who are served by more than one meter

and/or served under more than one rate schedule. If so, state average and year-end number of customers eliminating such duplication for each of the classes, service areas and time periods furnished in response to Interrogatory 46 and/or 47.

49. (a) State in detail the basis used by the system for categorizing customers into the "farm, excluding irrigation and drainage pumping", "irrigation and drainage pumping", "nonfarm-residential", "commercial", "industrial", and other classifications utilized in completing either Schedule 4 of the Federal Power Commission's (FPC) Form 12A for the year ending December 31, 1971 or Schedule 10 of the Federal Power Commission's Form 12 for the year ended December 31, 1971.

(b) State whether a different basis ever has been used during 1960 through 1971 for purposes of reporting to the FPC on Forms 12 or 12A. If so, state the date(s) on which such change(s) became effective and describe the substance of each such change.

50. State the number of customers and kilowatt-hour sales by customer class for each of the years ended December 31, 1960 through December 31, 1971 using the same customer classification and accounting method used in reporting to the FPC on Schedule 4 of Form 12A or Schedule 10 of Form 12 for the year ended December 31, 1971. [In lieu of this interrogatory, respondent may provide information sufficient to enable Applicant to calculate the data requested.]

51. State whether the data furnished in response to Interrogatory 50 include customers counted more than once who are served by more than one meter and/or served under more than one rate schedule. If so, state average and year-end number of customers eliminating such duplication for each of the classes and time periods furnished in response to Interrogatory 50. [In lieu of this interrogatory, respondent may provide information sufficient to enable Applicant to calculate the data requested.]

52. (a) For each township or incorporated area served by the system, list the names and addresses of the system's industrial and commercial customers which ceased taking electric service from the system during the period 1960 to date and provide the kilowatt-hours consumed by each such customer in the full year preceding such determination. If the kilowatt-hours data is not provided, describe the efforts used to obtain it. [In lieu of this list, respondent may limit its list to the system's ten largest customers which ceased taking service. In making the "largest" determination, the kilowatt-hours consumed by each such customer in the full year preceding such termination should be used.]

(b) State the reasons, if known, for the loss of each customer specified in response to subparagraph (a) of this Interrogatory, and the date each terminated service.

(c) State whether any service drops or other

facilities were transferred by the system to any other electric supplier as a result of such termination. If so, specify:

- (i) the facilities transferred;
- (ii) the compensation, if any, received by the system for such transfer;
- (iii) the date on which such transfer was made.

(d) Furnish all documents relating in any way to the loss of each such customer or the facilities transferred in connection with such loss of customer.

(e) Name the electric supplier who now serves each customer named in response to subparagraph (a) of this Interrogatory.

53. (a) For each township or incorporated area served by the system, list the names and addresses of the system's industrial and commercial customers which began taking electric service from the system during the period 1960 to date and provide the kilowatt-hours consumed by each such customer in the full year preceding such determination. [If the kilowatt-hours data is not provided, describe the efforts used to obtain it.] [In lieu of this list respondent may limit its list to the system's ten largest customers which initiated service. In making this "largest" determination, use the kilowatt-hours consumed by each such customer during

1971, or fiscal year 1972 if such fiscal year ended on or before June 30, 1972.] Also, state the date on which service was initiated to each such customer.

(b) State which of such customers were acquired as a result of relocation into the service area of the system, from where each came and the utility previously supplying electricity to each such customer.

(c) As to each of those customers for which relocation was not involved, state:

(i) the electric utility formerly providing service to each of the customers in question;

(ii) the reasons for the change in electric suppliers.

(d) State whether any service drops or other facilities were transferred by the utility formerly providing service to the system as a result of acquiring the new customer. If any transfer of facilities occurred, specify:

(i) the facilities transferred;

(ii) the compensation, if any, paid by the system;

(iii) the date on which such transfer was made.

(e) Furnish all documents relating to any customer acquisition and any facilities transferred in connection

with such acquisition specified in response to subparagraphs (a) and (d) of this Interrogatory.

56. Furnish maps or other documents showing present system facilities and of system facilities as of year-end 1960 through 1971 which show the geographic location of power plants, principal substations, power lines, all connections and transfer points with other systems, and the boundary line of the area served together with the communities therein supplied with electric energy. Such maps or documents should also show the following:

(a) For each line of 12 kilovolts and above (and for any other line regardless of voltage which constitutes a tie line between generating stations or from generating stations to voltage systems of 12 kilovolts or above):

- (i) the length in miles;
- (ii) the voltage at which it is operated;
- (iii) the voltage for which it is insulated if different from the operating voltage.

(b) For all alternating current lines:

- (i) the number of cycles per second;
- (ii) the phase (one-phase, two-phase, or three-phase).

(c) The rating and locations of transformer banks at power plants and principal substations including interconnections with other systems.

(d) The approximate scale (feet per inch or miles per inch). [In lieu of the foregoing or if the referenced documents are not provided, respondent may describe the system's facilities in sufficient detail to include all of the information sought in this request.]

57. (a) Furnish copies of each document prepared by or for the system, or on which the system has relied, during the period January 1, 1960 to date which contains any reference to expected future increases in production capability, investment in the system or growth in the system's peak demand, sales, revenues, profits and/or number of customers served.

(b) Describe any studies or other inquiries presently being prepared by or for the system on such matters, and state the name of the person or other entity preparing the same and the expected completion date of such project.

59. State the system's net generating capacity expressed in kilowatts as of year-end (calendar or fiscal) 1960 through 1971.

60. State the system's total annual kilowatt-hours generated, exclusive of station use, during each year 1960 through 1971.

61. (a) State the system's number of pole miles of transmission facilities and the number of circuit miles of transmission facilities by voltage as of year-end 1960 through 1971.

(b) If the basis for classifying such facilities differs from that used in response to Interrogatory 34:

(i) explain each change made and the reason for each such change;

(ii) furnish data in response to subparagraph (a) of this Interrogatory which are comparable to those provided in response to Interrogatory 34. [In lieu of this subpart, respondent may provide information sufficient to permit Applicant to calculate such comparable data.]

62. (a) State the system's number of pole miles of distribution facilities and the number of circuit miles of overhead and underground distribution facilities as of year-end 1960 through 1971.

(b) If the basis for classifying such facilities differs from that used in response to Interrogatory 35:

(i) Explain each change made and the reason for each such change;

(ii) Furnish data in response to subparagraph (a) of this Interrogatory which are comparable to those provided in response to Interrogatory 35. [In lieu of this subpart, respondent may provide information sufficient to permit Applicant to calculate such comparable data.]

63. (a) State the system's number and capacity of transmission and distribution substations and transformer installations with capacity exceeding 12 kilovolts as of year-end 1960 through 1971.

(b) If the basis for classifying such facilities differs from that used in response to Interrogatories 34 or 35:

(i) explain each change made and the reason for each such change;

(ii) furnish data in response to subparagraph (a) of this Interrogatory which are comparable to those provided in response to Interrogatories 34 and 35. [In lieu of this subpart, respondent may provide information sufficient to permit Applicant to calculate such comparable data.]

64. State whether a franchise has been granted to any supplier of electric service within the corporate limits of or in the area served with electricity by the system. If so, for each such utility franchised to render service, state its name and the area it serves within the corporate limits of and the other area served with electricity by the system.

65. State the extent to which commercial or industrial entities within the corporate limits of the municipality or within (or adjacent to) the area rendered electric service by the system presently have, since 1960, been denied the opportunity by the system to

(i) change from electric service by the system to service by any other utility, or

(ii) change from electric service by another utility to service by the system.

(a) Describe each instance in which an entity was denied the opportunity to so change and the reasons for the system's denial; and describe any conditions set forth by the system for permitting such changes.

(b) State for each year 1960 through 1971:

(i) the number of customers by customer class (commercial or industrial) who changed during each year from electric service by another electricity supplier to service by the system;

(ii) the kilowatt-hour sales to such customers in each year in which service was supplied by the system.

(c) State for each year 1960 through 1971:

(i) the number of customers by customer class (commercial or industrial) who changed during the year from electric service by the system to service by another electricity supplier;

(ii) the kilowatt-hour consumption by such customers supplied by the system in the year such change occurred and in the five years immediately preceding such change.

67. State whether the municipality, or any agency or department thereof, ever declined to provide, or declined to seek the opportunity to provide, electric service to any or all customers served by another other electricity supplier

in the corporate limits of or in the area served with electricity by the system. If so:

(a) State the name and address of each such customer;

(b) Describe each such incident;

(c) Furnish each document relating to any such denial of electric service or decision not to seek the opportunity to serve such customer.

68. (a) State the name and address of each customer served at any time during the period January 1, 1960 to date by any other electricity supplier within the corporate limits of or in the area served with electricity by the system which has ever declined to accept an offer of electric service by the system;

(b) Describe the circumstances of each such incident and provide the date(s) on which it occurred;

(c) Furnish each document relating to each such incident.

73. (a) State each source (e.g., wholesale purchase, self-generation) of electric energy utilized by the system in the years 1960 through 1971.*

(b) State for each of the aforementioned years:

(i) the kilowatt-hours obtained from each source;

(ii) the maximum kilowatt demand placed on each source;

(iii) the cost of the electricity obtained from each source.

(c) In each case where energy was not system-generated specify any breakdown between capacity, demand, energy or other charge incurred and indicate the voltage at which each such supply was received.

74. State the names, dates of installation, types (e.g., hydro, diesel, steam), nameplate capacity, heat rates, kilowatt-hours generated, capacity factors, investment costs, depreciation rates, accumulated depreciation, operation and maintenance costs exclusive of fuel, types of fuel burned and fuel costs of each generating unit purchased, constructed, owned or operated by the system for each of the years 1960 through 1971.

75. (a) Furnish copies of each document prepared by or for the system during the period January 1, 1960 to date which related in any way to the relative costs of electricity obtained from different sources (e.g. wholesale purchase or self-generation) or with suggested sources of and costs of meeting energy requirements during that time period or in the future.

(b) State whether the municipality or any agency or department thereof, alone or jointly with any other

utility or entity, presently plans to install additional generating or transmission capacity. If so, describe in detail:

- (i) any such plans;
- (ii) the stage of their progression;
- (iii) the name and address of each utility or entity involved in any such plan;
- (iv) furnish each document relating in any way to the feasibility, desirability, or cost of any such plan.

(c) Describe any present effort being made by or for the system on any of these matters, state the name and address of the person or other entity engaged in such effort and the expected completion date of the project.

77. (a) Furnish copies of each document prepared by or for the system relating to the technical and/or economic feasibility of constructing generating and/or transmission facilities.

(b) Describe any present effort being made by or for the system relating to any matter described in (a), and state the name and address of the person or other entity engaged in such effort and the expected completion date of the project.

80. Furnish a copy of any coordinating or integrating agreement, contract or understanding for the sale or exchange of electric power and energy between the system and any

other electric utility now in effect, or in effect at any time during the period January 1, 1960 to date. Exclude any such agreement with Consumers Power Company.

85. Is the system now, or has it been at any time during the period January 1, 1960 to date, a member of any bulk power supply coordinating group? If so:

(a) State the name by which the group is known;

(b) Name the other members of the group;

(c) Indicate the particular coordinating functions of each group; and

(d) Furnish all documents relating to each such membership and any document relating to the exclusion of particular electric utilities or classes of such utilities from such groups, including but not limited to communications with other electric utilities with respect to actions, joint or several, to prevent admission of such electric utilities.

86. State the number of present employees of the system who hold an engineering degree of the bachelors level or above; and state the specific degree or degrees held by such employees and the number of years each recipient of each degree has been employed by the system.

APPENDIX II
(COOPERATIVES)

Definitions and General Directions

1. "Document" means the original, any copy (regardless of origin), and all drafts of all writings of every kind in the possession, custody or control of the system, including all drafts of correspondence, memoranda, reports, financial reports, vouchers and other accounting records, notes, letters, telegrams, messages (including reports of telephone conversations and conferences), studies (including, but not limited to, load flow, engineering, general economic and market studies), analyses, comparisons, books, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, minutes and other communications, including inter- and intra-office communications, transcripts, purchase orders, questionnaires and surveys, maps, charts, graphs, electrical or geographic diagrams including those known in the trade as "one line diagrams", photographs, phonograph or other recordings and other data compilations from which information can be obtained. Only documents dated on or after January 1, 1960 need be produced.

In all cases where documents are requested, legible copies should be submitted.

Each document produced and response hereto should identify the Interrogatory number (and subparagraph, if any) to which it is responsive and should be arranged serially according to such number.

2. "Electric utility" and "utility" means any private corporation, cooperative corporation, municipality, or any political subdivision, agency or instrumentality of the Federal or any state or municipal government which owns or controls facilities for the generation, transmission or distribution of electric power and energy, or which in the past has done so.

3. "Coordination" and "coordinating" shall include, but are not limited to, reserve sharing, economic dispatch or economic interchange, and pooling of load growth for joint or staggered additions of generating or transmission facilities.

4. "Integration" and "integrating" shall mean the coordination or coordinating of bulk power supply facilities by a single utility or by two or more utilities owned or controlled by a common entity or common financial interest.

5. "Cooperative" shall mean any entity organized for the purpose of providing generation, transmission or distribution of electric power to persons in rural areas who theretofore had not been receiving central station service.

6. The account titles used herein shall be defined as in the Uniform System of Accounts Prescribed for Electric Borrowers of the Rural Electrification Administration (REA Bulletin 181-1).

7. In all cases where data are requested by years, indicate whether the information is provided on a calendar or

fiscal year basis. Such basis shall be the usual accounting period used by the system. If data are provided on a fiscal year basis, state the day on which each fiscal year ended and provide data through fiscal year 1972 if such fiscal year ended on or before June 30, 1972.

8. In the event any document requested in these interrogatories is unavailable, specify in detail the reason therefor.

9. If any document requested is available, but is withheld by reason of any assertion of privilege or other claim, describe each such document, including the name, address and position of the persons preparing and receiving it, the form of the document, its title (if any) and the matter to which it relates. In addition, provide a brief statement of the grounds on which privilege or other claim is being asserted.

10. Answers to Interrogatories referring to documents shall include all documents relating to the time period specified in each of said Interrogatories, whether prepared before, during or after said period. Documents prepared prior to January 1, 1960, need not be furnished.

11. If any question is inapplicable, so state and provide a brief explanation of why the Interrogatory is inapplicable.

Interrogatories and Request for Documents

6. (a) Furnish copies of all fuel, purchased power, materials, commodity, tax, wage or other adjustment clauses found in each rate schedule, tariff, rate contract or agreement in effect at any time during the period January 1, 1960 to date.

(b) State the adjustment level applicable on January 1, and June 30 of each year 1960 to 1973 and explain the basis on which each adjustment was determined. [Except for the January 1973 and June 1972 levels, if a particular adjustment level is not available, respondent need not compute it. It must compute, or provide sufficient information to enable Applicant to compute, January 1973 and June 1972 levels.]

7. State the effective date and describe the substance of each change made in any rate schedule, tariff, contract, agreement or terms and conditions of service at any time during the period January 1, 1960 to date. State the effect on revenues of each change in dollar and percentage terms, or if such data is not available, provide a projection of the effect on revenues.

9. For each of the dates January 1, 1960, January 1, 1965, January 1, 1970, January 1, 1972, and June 30, 1972, state the typical net monthly bills for electric service employing the assumptions and definitions set forth in Attachment A for

the following customer classification and monthly demand-energy combination (designate the rate schedule used for each calculation and identify any discount or special charge):

(a) Residential

(i) minimum bill and number of kilowatt-hours included; indicate the number of minimum bills rendered in each month of each of these years;

(ii) 100 kilowatt-hours;

(iii) 250 kilowatt-hours;

(iv) 500 kilowatt-hours;

(v) 750 kilowatt-hours;

(vi) 1,000 kilowatt-hours.

(b) Commercial

(i) 3.0 kilowatts-375 kilowatt-hours;

(ii) 6.0 kilowatts-750 kilowatt-hours;

(iii) 12.0 kilowatts-1,500 kilowatt-hours;

(iv) 30.0 kilowatts-6,000 kilowatt-hours;

(v) 40.0 kilowatts-10,000 kilowatt-hours.

(c) Industrial

(i) 75 kilowatts-15,000 kilowatt-hours;

(ii) 75 kilowatts-30,000 kilowatt-hours;

(iii) 150 kilowatts-30,000 kilowatt-hours;

(iv) 150 kilowatts-60,000 kilowatt-hours;

(v) 300 kilowatts-60,000 kilowatt-hours;

- (vi) 300 kilowatts-120,000 kilowatt-hours;
- (vii) 500 kilowatts-100,000 kilowatt-hours;
- (viii) 500 kilowatts-200,000 kilowatt-hours;
- (ix) 1,000 kilowatts-200,000 kilowatt-hours;
- (x) 1,000 kilowatts-400,000 kilowatt-hours;
- (xi) 2,500 kilowatts-1,000,000 kilowatt-hours;
- (xii) 5,000 kilowatts-2,000,000 kilowatt-hours.

[In lieu of the foregoing computations, respondent may provide information sufficient to permit Applicant to make such calculations. Such information must include the following: (1) all rate schedules; (2) the appropriate adjustment levels for each date indicated; and (3) a designation of which rate schedule the intervenor would have used to compute each bill.]

10. (a) State for each year 1960 through 1971 the name and address of each customer with a load in excess of 25 kva; if there are less than five such customers in any year, for that year provide the name and address of the five largest customers supplied by the system.

(b) For each customer named in 10(a) state for each year 1960 through 1971 the following:

- (i) kilowatt-hour sales to the customer;
- (ii) revenues derived from the customer;
- (iii) the customer's peak demand;
- (iv) the yearly load factor for the customer;

(v) applicable rate schedules for service to the customer;

(vi) the minimum yearly charge applicable to the customer;

(vii) the voltage at which service was provided to the customer.

11. (a) State the length and voltage of each transmission or distribution line running from the bulk power supply delivery point to each of the customers identified in response to Interrogatory 10. Describe each delivery point used.

(b) State separately the cost of constructing each line and the cost and description of each related facility required to deliver power to such customers.

27 (a) State the names and addresses of the system's ten largest industrial and commercial customers (in terms of annual kilowatt-hour consumption) which ceased taking electric service from the system during the period 1960 to date. In making this determination, use the kilowatt-hours consumed by each such customer in the full year preceding such termination.

(b) State the reasons, if known, for the loss of each customer specified in response to subparagraph (a) of this Interrogatory, the date service was terminated by the system and the name of each customer's present electric supplier.

(c) State whether any service drops or other facilities were transferred by the system to any other electric supplier as a result of such termination. If so, specify:

- (i) the facilities transferred;
- (ii) the compensation, if any, received by the system for such transfer;
- (iii) the date on which such transfer was made.

(d) Furnish all documents relating in any way to the loss of each such customer or the facilities transferred in connection with such loss of customer.

28. (a) State the names and addresses of the system's ten largest industrial and commercial customers in terms of annual kilowatt-hour consumption which began taking electric service from the system during the period 1960 to date. (In making this determination, use the kilowatt-hours consumed by each such customer during 1971.) Also state the date on which service was initiated to each such customer.

(b) State which of such customers were acquired as a result of relocation into the service area of the system, from where each came and the name of the utility previously supplying electricity to each such customer.

(c) As to each of those customers for which relocation was not involved, state:

(i) the electric utility formerly providing service to each of the customers in question;

(ii) the reasons for the change in electricity suppliers.

(d) State whether any service drops or other facilities were transferred by the utility formerly providing service to the system as a result of acquiring the new customer. If any transfer of facilities occurred, specify:

(i) the facilities transferred;

(ii) the compensation, if any, paid by the system;

(iii) the date on which such transfer was made.

(e) Furnish all documents relating to any customer acquisition and any facilities transferred in connection with such acquisition specified in response to subparagraphs (a) and (d) of this Interrogatory.

30. (a) Describe each change in territory served with electricity by the system from January 1, 1960 to date, the classification and number of customers affected and annual kilowatt-hour sales to such customers. [Only systems which distribute electricity at retail need respond to this subpart.]

(b) Furnish each document related to any territorial gain or loss over the aforementioned time period.

36. (a) State whether customers within the area generally rendered electric service by the system presently have, or at any time during the period January 1, 1960 to date had, the option of

(i) changing from electric service by the system to service by any other utility, or

(ii) changing from electric service by another utility to service by the system.

(b) State for each year 1960 through 1971:

(i) the number of customers by customer class who changed during each year from electric service by another electricity supplier to service by the system;

(ii) the kilowatt-hour sales to each such customer (or customer class) in each year, or portion thereof, in which service was supplied by the system.

(c) State for each year 1960 through 1971:

(i) the number of customers by customer class who changed during the year from electric service by the system to service by another electricity supplier;

(ii) the kilowatt-hour consumption by each customer (or by each such customer class) and supplied by the system in the year such change occurred and in the five years immediately preceding such change.

39. (a) State each source of electric energy utilized by the system in the years 1960 through 1971.

(b) State for each of the aforementioned years:

(i) the kilowatt-hours obtained from each source;

(ii) the maximum kilowatt demand placed on each source;

(iii) the cost of the electricity obtained from each source.

(c) In each case where energy was not system-generated specify any breakdown between capacity, demand, energy or other charge incurred and indicate the voltage at which each such supply was received.

40. State the cost of plant, cost per kilowatt of installed capacity, capacity factors, depreciation rates and accumulated depreciation of each generating unit owned, purchased, constructed or operated by the system for each of the years 1960 through 1971.

41 (a) Furnish copies of each document prepared by or for the system during the period January 1, 1960 to date which relate in any way to the relative costs of electricity obtained from different sources or with suggested sources of and costs of meeting energy requirements during that time period or in the future. Such sources include, but are not limited to, self-generation and wholesale purchase from Applicant.

(b) State whether the system, alone or jointly with any other utility or entity, presently plans to install additional generating or transmission capacity. If so, describe in detail:

- (i) any such plans;
- (ii) the state of their progression;
- (iii) the name and address of each utility or entity involved in any such plan;
- (iv) furnish each document relating in any way to the feasibility, desirability, or cost of any such plan.

(c) Describe any present effort being made by or for the system on any of these matters, state the name and address of the person or other entity engaged in such effort and the expected completion date of the project. [Only systems which generate electricity need respond to this interrogatory.]

42. Except for the information and/or data already supplied in response to Interrogatory 41, state the cost per kilowatt-hour, including both estimated capacity and energy costs, for the system's most recent generation and transmission expansion programs and those forecasted as of 1960, 1965, and 1970, for the following ten-year period, or such other or shorter periods as may have been utilized by the system for planning purposes. Include a statement of the estimated (and

where applicable, the realized) cost of generation and transmission programs undertaken or proposed during the production period indicating:

(a) For generation and

(b) For transmission subdivided by voltage classes, the estimated cost as follows:

(i) investment cost in dollars per kilowatt;

(ii) energy cost in mills per kilowatt hour;

(iii) investment carrying charges and energy costs in mills per kilowatt hour.

[Only systems which generate electricity need respond to this Interrogatory.]

47. Furnish a copy of every request, inquiry or other document submitted to the REA during the period January 1, 1960 to date concerning the acquisition of new investment loans from the REA. The documents sought include, but are not limited to, board minutes and resolutions, REA Forms 740c (with all attachments), and correspondence (except inquiries for forms and transmittal letters not otherwise responsive to this or any other demand)).

53. (a) Provide all documents prepared by or on behalf of the system for its customers at any time during the period January 1, 1960 to date which describe proposals for

the design of in-plant distribution facilities, substations, protective devices, transformers, heating and light systems and the like.

(b) State for each year 1960 through 1971 any charges made by the system for the preparation of such documents.

(c) For each year 1960 through 1971, state the system's expenditures for the preparation of such documents.

54. Is the system a member of any electric, power, energy or similar association or organization? If so:

(a) Provide the name and address of each such association or organization and state the year in which the system first became a member of each;

(b) State the name and address of any system employee who is or has been an officer or director of each such association or organization during the period January 1, 1960 to date; the title of the position held; the period of time during which such office or directorship was held; and the present position of the employee in the system, or if not now employed by the system, the date on which such employment terminated.

56. State the name, address and present position

of each person employed by the system during the period January 1, 1960 to date who had or now has managerial responsibility in each of the following areas, or who occupy the following positions together with the dates during which each person held the position:

- (a) Marketing;
- (b) Sales;
- (c) Accounting;
- (d) Financial planning;
- (e) Chief executive officer, Manager or Supervisor;
- (f) Chief operating officer;
- (g) Research and development;
- (h) Engineering.

If any such person is no longer employed by the system, state the date on which such person left the system's employ.

59. Is the system now, or has it been at any time during the period January 1, 1960 to date, a member of any bulk power supply coordinating group? If so,

- (a) State the name by which the group is known;
- (b) Name the other members in the group;
- (c) Indicate the particular coordinating functions of each group; and
- (d) Furnish all documents relating to each

such membership and any document relating to the exclusion of particular electric utilities from such groups (including ECAR), including but not limited to communications with other electric utilities with respect to actions, joint or several, to prevent admission of such electric utilities.

61. State whether any engineering services are provided to the system or its retail customers (if any) by any other supplier of electric power. State the nature and cost to the system in 1971 of any such services received. As used herein "engineering services" include the design of in-plant distribution facilities, substations, protective devices, transformers, heat and light systems and the like.

62. (a) State for each year 1960 to date whether the design and engineering of transmission facilities is performed by system employees or by other persons or entities and state the estimated proportion of such work performed by each group in each year.

(b) If any such services were performed by other persons or entities, state the name and address of such person or other entity and the dates during which he or it performed such services.

ATTACHMENT A

INSTRUCTIONS FOR REPORTING TYPICAL
NET MONTHLY BILLS FOR ELECTRIC SERVICE
AS OF JANUARY 1 OF THE YEARS
1960, 1965, 1970 and 1972
and JUNE 30, 1972.

SECTION I. GENERAL INSTRUCTIONS

1. EFFECTIVE DATE. Use rate schedules in effect on January 1 of the years 1960, 1965, 1970 and 1972, and June 30, 1972 for computing bills. A rate schedule is deemed effective on January 1 or June 30 of the year if any energy used on that day could have been billed thereunder. Insert the schedule designation and the date on which the new rate schedule first became effective.

2. NET BILLS. Compute all bills on a net basis, i.e., after prompt payment discounts or before delayed payment penalties.

3. MONTHLY BASIS. Compute all bills on a monthly basis. Where rate schedules or any part thereof are quoted on an annual, quarterly, or bimonthly basis, prorate the bills to a monthly basis.

4. FUEL ADJUSTMENT. Adjust bills to reflect fuel adjustments, if any, for energy billed on January 1 of each of the stated years, and on June 30 for 1972. Enter the adjustment per kwh, the fuel cost and other pertinent data.

5. METER RENTALS. In computing bills include where applicable any charge made for meter rentals if the majority of customers are required to pay such meter rentals, but exclude such charge if the majority of customers furnish their own meters. In either case, state in a footnote the amount of the meter rental and whether or not the majority of customers furnish or rent meters.

6. LAMP RENEWALS. Compute bills on the assumption that lamp renewal service is not included in the rates. When the charge for lamp renewal service cannot be segregated, state in a footnote that such charge is included in the bills shown.

7. SEASONAL RATES. Do not compute bills under seasonal rates where year-round rates are available. Where year-round rates are not available, compute bills for all seasons for which there are different rates and state the periods or seasons of the year for which each rate is available.

8. TAX, PRICE, AND WAGE LEVEL ADJUSTMENTS. The bills furnished are to reflect the charges actually paid by customers in accordance with the terms of the rate schedules, rules and regulations, etc. Adjust bills to reflect tax, price and wage level adjustments, if any, for energy billed on January 1 of each of the stated years, and on June 30 of 1972. Sales taxes are not to be included in computing the bills, but where the revenue collected pursuant to the tax adjustment clause becomes an operating revenue of your system, the bills should reflect such tax adjustment.

9. OTHER FACTORS. Show by footnotes any other facts affecting the computations of the bills furnished or the choice of the schedules used. Such factors would include rebates, periodic free service and inducement rates.

SECTION II. SPECIAL INSTRUCTIONS FOR RESIDENTIAL SERVICE

1. DEFINITION. Residential service is defined as service which is supplied to residential customers for lighting, refrigeration, cooking, water heating, and other domestic uses.

2. RATE SCHEDULES TO BE USED. Compute each bill using the rate schedule or combination of rate schedules on which the largest group of residential customers was billed for the specified consumption as of January 1 of each of the stated years, and as of June 30 of 1972.

3. DEMAND ASSUMPTIONS. Where charges are based on the number of rooms or measured demand, assume the following for computing bills:

- (a) Number of rooms - A five-room residence consisting of living room, dining room, kitchen and two bedrooms.
- (b) Measured demand - For 500 kwh consumption assume a measured demand of 4.5 kw. For 750 kwh consumption assume a demand of 5 kw. For 1,000 kwh consumption assume a demand of 5.5 kw.
- (c) Water heating - Use demand and size of tank most generally applicable to water heaters using from 250 to 350 kwh per month, and state what demand and/or size of tank is used.

4. KWH ASSUMPTIONS. TWO OR MORE METERS. Where residential service can be taken through more than one meter and such is the general practice, assume the following:

- (a) For the 500 kwh bill assume that 250 kwh for lighting, small appliances, refrigeration, and cooking are measured through the general service meter and that 250 kwh for water-heating are measured through the water-heating meter.
- (b) For the 750 kwh bill assume that 400 kwh for lighting, appliances, refrigeration and cooking are measured through the general service meter and that 350 kwh are measured through the water heating meter. If cooking is metered separately from lighting and water heating, assume 150 kwh for cooking consumption. If refrigeration is not metered with lighting and appliance load, assume 40 kwh for such consumption.
- (c) For the 1,000 kwh bill assume that 650 kwh for lighting, appliances, refrigeration and cooking are measured through the general service meter and that 350 kwh are measured through the water-heating meter. If cooking is metered separately from lighting and water heating, assume 150 kwh for cooking consumption. If refrigeration is not metered with lighting and appliance load, assume 40 kwh for such consumption.
- (d) In the case of rates providing for special night rates when water heating is used, assume for the 500 kwh bill that 250 kwh are billed at the night rate. For the 750 and 1,000 kwh bills assume that 350 kwh are billed at the night rate.

SECTION III. SPECIAL INSTRUCTIONS FOR COMMERCIAL SERVICE

1. DEFINITION. Commercial service is defined as service which is supplied to commercial or business establishments such as stores, offices, restaurants, and garages for lighting and power purposes.
2. RATE SCHEDULES TO BE USED. Use all rate schedules ordinarily applicable to commercial service at the range of consumptions and demands given in Interrogatory 7(b). Do not use rate schedules restricted to a special class of enterprise such as department stores, hotels, laundries or apartment houses; nor to a special purpose such as sign lighting, refrigeration, heating, cooking, welding, auxiliary, or temporary service. Industrial schedules specifically limited to manufacturing customers should not be included.
3. BILLS TO BE FURNISHED. If but one schedule is applicable to commercial service, a bill is to be furnished under that schedule for every demand-energy combination listed in Interrogatory 7(b). If more than one schedule is applicable, bills should be shown for each schedule for those demand-energy combinations shown in that interrogatory, which come within the range of demand and/or energy consumptions for which the schedule is, or would be used in actual utility billing practice. Bills outside of this range need not be shown. At least one bill for each demand-energy combination should be furnished.
4. SCHEDULE USE. When a new schedule is used, state the minimum and maximum demands and consumptions beyond which the schedule is not, or would not be used.
5. DIRECT CURRENT. Do not compute any bills under schedules for direct-current service only.
6. OFF-PEAK SERVICE. Do not compute bills from rates which restrict service to off-peak hours.
7. SERVICE VOLTAGE. Compute bills only for energy delivered at secondary voltage (550 volts or less) and metered at such voltage on the secondary side of system-owned transformer.
8. TERM OF CONTRACT. Footnote cases where contract term is over one year.

9. DEMAND.

- (a) Billing Demand. The kilowatt demands requested are the actual billing demands of a customer after all adjustments, except for power factor, have been made.
- (b) Power Factor. Compute all bills for schedules applicable to motive power and incidental or no lighting at 85% lagging power factor. For schedules permitting unrestricted lighting in addition to power, compute bills for 375, 750, and 1,500 kwh at unity power factor. For the 6,000 and 10,000 kwh bills assume a lagging power factor of 85% (unless only a small motive power load is permitted, in which case assume unity power factor).
- (c) Kilovolt-amperes or Horsepower. For schedules basing charges on kilovolt-amperes or horsepower, assume the following conversions:

BILLING DEMAND

<u>KW</u>	<u>Kva</u>	<u>Hp</u>
3	3(1)	4
6	6(1)	8
12	12(1)	16
30	35.3	40
40	47	54

(1) For power schedules permitting incidental or no lighting assume 3.5 kva, 7 kva, and 14 kva for 3 kw, 6 kw and 12 kw, respectively.

10. TYPE OF SERVICE. Show the application of rate schedules, using the following symbols:

- L - lighting, and appliances with or without single phase or incidental power
- PL - motive power, and incidental lighting
- GEN - lighting, single or 3-phase power, and other used in any proportion desired
- P - motive power but no lighting

SECTION IV. SPECIAL INSTRUCTIONS FOR INDUSTRIAL SERVICE

1. DEFINITION. Industrial service is defined as service which is supplied to industrial establishments having demands of 50 kw or more, or consumptions of 15,000 kwh or more per month.

2. RATE SCHEDULES TO BE USED. Use all rate schedules for motive power applicable to industrial service as defined under paragraph 1 of this section. Do not use rate schedules restricted to commercial establishments or to special classes of enterprise, such as cement, mining, oil, or textile industries; or to a special purpose, such as auxiliary, breakdown, temporary, or intermittent services, industrial heating, or irrigation, or to industrial lighting.

3. BILLS TO BE FURNISHED. If but one schedule is applicable to industrial service, a bill must be furnished under that schedule for every demand-energy combination listed in Interrogatory 7(c). If more than one schedule is applicable to this class of service, bills should be furnished for each schedule for those demand-energy combinations shown in that interrogatory, which come within the range of demand and/or energy consumptions, for which the schedule is, or would be used in actual system billing practice. Bills outside of this range should be noted.

4. SCHEDULE USE. When a new schedule is used, state the minimum and maximum demands and consumptions beyond which the schedule is not, or would not be used.

5. DIRECT CURRENT. Do not compute any bills under schedules for direct-current service only.

6. OFF-PEAK SERVICE. Off-peak rates which do not restrict the use of energy during the normal hours of operation of industrial concerns may be shown.

7. SERVICE VOLTAGE. Use all rate schedules applicable to industrial service as defined in paragraphs 1 and 2 of this section, regardless of voltage. Indicate whether the bills furnished are for primary metering or for secondary metering, and whether the system or the customer owns the transformer.

When a rate schedule provides different rates for primary and secondary metering compute bills for primary metering only, assuming customer ownership of transformer. Where the schedule permits, compute bills for 75 kw and 150 kw demands at voltages between 2,200 and 4,000 and bills for 300 kw, 500 kw and 1,000 kw demands at voltages between 11,000 and 13,200. Otherwise compute bills for the voltage at which service is most generally rendered, and state in a footnote the voltages used.

8. TERM OF CONTRACT. If the rate schedule allows a discount to customers contracting for service for a period longer than one year, compute bills based on the longer contract term.

9. DEMAND.

- (a) Billing Demand. The kilowatt-demands shown in Interrogatory 7(c) are the actual billing demands of a customer after all adjustments, except those for power factor and voltage, have been made.
- (b) Power Factor. Compute all bills for motive power at 85% lagging power factor. Note any adjustments.
- (c) Kilovolt-amperes or Horsepower. For schedules basing charges on kilovolt-amperes or horsepower assume the following conversions:

<u>BILLING DEMAND</u>		
<u>Kw</u>	<u>Kva</u>	<u>Hp</u>
75	88	100
150	176	200
300	353	400
500	588	667
1,000	1,176	1,333

10. TYPE OF SERVICE. Show the application of the rate schedules using the following symbols:

- M - where the schedule permits unrestricted motive power only
- MUL - where the schedule permits unrestricted lighting in addition to unrestricted motive power
- MRL - where the schedule permits unrestricted motive power and in addition restricting lighting