FERC

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FY09-18
Received in OEA: 1/7/09
Track 1
Due Date: 2/5/09

REPLY TO J. Peter Quell //
ATTN OF: Phone:

DATED: 13 November 2008 Page 1 of 3

SUBJECT: F.O.I.A. Request for Operating Data on Selected Duke Power Electrical Generating Plants in S.W. Ohio.

TO: Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Attn: F.O.I.A. Officer and/or Mr. Glenn McGrath

OFFICE OF EXTERNAL AFFAIRS
2009 JAN -7 P 3 57
FEDERAL ENERGY REGULATORY COMMISSION

FEB 12 2009 04
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<1.0>. [redacted] You to Mr. McGrath for taking my telephone calls clarifying the information request, the availability of the appropriate data, and for the courtesies of explaining the intricacies of extracting industry data from the FERC databases in a usable form.

<2.0>. You may consider this request for data to be submitted under F.O.I.A., 1974 and as currently amended. Previous unsuccessful requests for similar data have been requested of USEPA Region V, Ohio EPA, and Ohio PUCO. None of these agencies collects any emissions or reporting data that might provide the requested operating histories.

<3.0>. This request is for a five(5) year operating history for what are known locally as the Woodsdale Generating Stations, No.'s 1 and 2. Given the newness of the No. 2 facility please include an entire life cycle generating output history.

<3.1>. Unit No. 1. is an older (over 20 years old) natural gas fired, six(6) unit, water-injected gas turbine peaker plant. The plant has not operated regularly during the 13 year period of my tenure in the region, and would drain the local aquifer if the seven(7) wells feeding cooling water to the turbines were operated regularly. The plant was a regulated utility when C.G. & E. owned it, and was de-regulated sometime after Duke Power acquired the Cinergy assets and the co-located switching yard.

<3.2>. Unit No. 2 is a 5 to 8 year old eight(8) unit, natural gas fired peaker plant, with newer turbines not requiring water injection and of approximately 350 Megawatt hours of combined generating capacity.

<3.3>. Facility Code(s) for the two plants are listed as [7158] in your reporting structure.

N/A FOIA-2009-000086

Sheila

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<4.0>. We are requesting the last five(5) years of operating history for both combined units in whatever format they are collected and reported. We are told that the capacity data for the two plants is included in FERC Form DI860, and that the generating/operating histories are included in FERC Forms 906, 920 and 923.

<5.0>. Please include the entire operating history for Woodsdale Unit No. 2, as the facility is less than eight(8) years old. Annual or Quarterly data for megawatt-hours of generated output are sufficient for our purposes for either or both facilities.

<6.0>. It is our position/contention that the Unit No. 2 facility was constructed to "Enron-esque" accounting standards, with the intentions of "wheeling" power regionally, and the economic justifications for this type of operation disappeared along with the business entity know as Enron(tm). We hold that the cost justifications for the plant were at best extremely optimistic, and that the plant was contructed and planned with at least a thirty year life cycle making the transfers of ownership between Cinergy and Duke and the tax abatements granted Duke as an out-of-state investor suspicious if not downright scandalous.

<7.0>. It is our position/contention that local school tax levies could have been less regressively paid as incremental utility taxes rather than adding to the local property tax burdens which have resulted/contributed to the current high rates of foreclosure and property abandonment here in SW Ohio. The tax abatements granted by Butler County and the State of Ohio were unjustified, and that their justifications were at best optimistic and most likely falsified and fraudulent based and unannounced intentions coordinated between Cinergy(a regulated utility in Ohio) and Duke for name changes, transfer of ownership and accelerated depreciation of capital assets not justified by actual generated output or contributions to the local economies.

<8.0>. While base load is currently handled adequately by the existing older coal fired plants, it could be argued that the natural gas fired generating capacity is of higher costs, but this justification ignores the uncorrected stack emissions of the plants fired by regionally acquired soft(dirty) coal. Percipitators and scrubbers seemed to have been overlooked in the operating and upgrade history of the local/regional base load plants.

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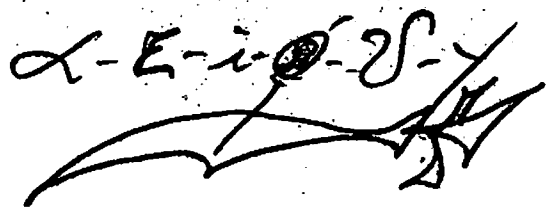
<9.0>. Thank you for your assistance in this information request. Follow-on actions will be based on what the operating history numbers actually say and justify.

<10.0>. In Hoc Signo Vinces.

<11.0.> Nie Lekajcie sie. [Polska, Karol Wojtyla]

Sincerely,

J.Peter Quell, Co[redacted] and Project Manager
for the [redacted] - E - i - O - U - y Group.



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or (513) 988-1567

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From: J.Peter.Quell II

To: Federal Energy Regulatory Commission
Attn: FOIA Officer
888 First Street, N.E.
Washington, D.C.
20426

OEA
Toyia Johnson

20426X0000

McGrath, Glenn

From: FOIA-CEII [FOIA-CEII@ferc.gov]
Sent: Thursday, February 05, 2009 7:11 PM
To: McGrath, Glenn
Cc: FOIA-CEII
Subject: J. Peter Quell - Request for EIA information
Attachments: FY09-18 J. Peter Quell - 2-5-09.pdf; FY09-18 Request - J. Peter Quell.pdf

Mr. McGrath

Please find attached a letter from the Federal Energy Regulatory Commission (FERC) regarding a request for information at the Energy Information Administration (EIA). A copy of this letter has also been mailed to you via the U.S. Postal Service.

If you have any questions regarding this information, please do not hesitate to contact our FOIA Service Center by email at foia-ceii@ferc.gov or by phone at 202 502-6088.

Sincerely,

Toyia Johnson

Toyia Johnson
Federal Energy Regulatory Commission
Office of External Affairs
FOIA Public Liaison
(202) 502-8389

BF-040

Federal Energy Regulatory Commission
Washington, D.C. 20426

FEB 05 2009

Re: FOIA No. FY09-18

J. Peter Quell

Dear Mr. Quell:

On January 7, 2009, this office received correspondence that you intended to send to Mr. Glen McGrath of the Energy Information Administration (EIA) of the Department of Energy. Toyia Johnson of my staff has attempted to contact you by telephone regarding this matter without success. In an effort to assist you, Ms. Johnson has communicated on your behalf with Mr. McGrath. Mr. McGrath stated that he has spoken with you and that EIA has the responsive information you seek.

Accordingly, any further inquires you have regarding the above request should be directed to Mr. McGrath at (202) 586-4325 or the Department of Energy FOIA Officer, Mr. Alexander Morris, at (202) 586-5955.

Sincerely,

Patricia Schaub
Acting Director
Office of External Affairs

CC: Mr. Glen McGrath
Glenn.McGrath@eia.doe.gov

Mr. Alexander Morris
Department of Energy
FOIA Officer
1000 Independence Avenue, SW
Washington, DC 20585