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December 4, 2020

Ms. Tanowa M. Troupe, Secretary
Ohio Power Siting Board
Docketing Division
180 East Broad Street, 11th Floor
Columbus, Ohio 43215

Re: PUCO Case No. 20-1610-EL-BLN, Duke Energy Ohio, Inc. F9787 Line GLT Realignment Project

Dear Ms. Troupe:

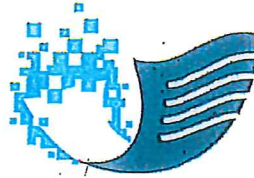
The Affidavit of Publications and proof of publication, relating to the above-referenced case, are attached for filing today.

Should you have any questions please feel free to contact me.

Sincerely,

/s/ Emily A. Olive, CP

Emily A. Olive
Certified Paralegal



Proof of Publication

I, Joshua Park, do hereby attest that the Duke Energy Legal Notices did appear in the following newspaper(s) as ordered:

Cincinnati Enquirer

11/11//2020


Joshua Park 12/4/20
Date

State of Ohio
County of Franklin

On this day, the 4th day of December, 2020 before me, Timothy J. Kress, the undersigned Notary Public, personally appeared Joshua Park, proved to me on the basis of satisfactory evidence to be the person whose name was subscribed to the within instrument and acknowledged that he executed it.

Witness my hand and official seal.


Notary Public



TIMOTHY J. KRESS
Notary Public, State of Ohio
My Comm. Expires 6/14/2023
Recorded in Franklin County

Pastor

Continued from Page 1A

electronic surveillance and at least two whistleblowers to unravel the pay-to-play scheme, which included a trip to Miami with a developer and solicitations by Pastor for cash, investment opportunities and jobs.

Throughout the investigation, prosecutors say, Pastor suggested dollar amounts for the bribes and directed the agents on how to pay them.

“Sometimes, the cash was literally handed to Pastor,” said U.S. Attorney David DeVillers, who will lead the prosecution. “Some of the things are so brazen.”

He said Pastor, who is accused of collecting \$55,000 in bribes, at one point told the undercover agents he should be paid \$200,000 for his help and sought a “monthly retainer” for his continuing assistance.

The charges against Pastor and Marshall include bribery, money laundering, extortion, wire fraud, theft of honest services and conspiracy. If convicted, they face more than 20 years in prison.

Pastor was in federal custody Tuesday and could not be reached for comment. But when The Enquirer asked him in July about his relationship with developers, including some of the allegations that would later turn up in the criminal charges, Pastor said he never took a bribe.

Reaction to Pastor’s arrest was swift. State and local Republican Party leaders called for the councilman to resign immediately.

“Once a public trust is broken, a public official should resign,” said Jane Timken, chairwoman of the Ohio GOP.

Pastor is the second city council member this year charged with taking bribes from developers. Tamaya Dennard, a Democrat, resigned from council in February after her arrest on fraud and bribery charges.

Dennard’s case is unrelated to Pastor’s, but DeVillers said both arrests speak to “a culture of corruption” that’s tolerated in city government. He said the investigation that resulted in the charges against Pastor and Dennard are ongoing and are part of a broader campaign to uproot public corruption in Cincinnati and other Ohio communities.

“We are concerned about this almost acceptance that this is how it’s done,” DeVillers said. “We’re going to prosecute those cases. Our goal is to make people nervous and stop them from doing this.”

At a press conference Tuesday afternoon, DeVillers said the investigation isn’t over and more people could be charged. “We have a way to go,” he said. “We still have some prosecutions to do.”

The investigation began in August 2018, eight months after Pastor joined council, and ended in February 2019. By that time, DeVillers said, Pastor had accepted \$55,000 from undercover FBI agents, most in cash but some through Ummah Strength, the nonprofit prosecutors say Pastor and Marshall used to launder money.

The indictment against Pastor quotes him saying he needed the non-profit to “sanitize” the money.

According to prosecutors and the indictment, the agents posing as developers told Pastor they were working on the proposed development of the former Convention Place Mall at 435 Elm St. in downtown Cincinnati, which has been an eyesore for years but still is considered a prime location.

Former Cincinnati Bengal Chinedum Ndukwe, whose company is trying to develop the former mall site, agreed to cooperate with the FBI as a confidential informant after agents approached him and asked for his help.

Ndukwe could not be reached for comment. But DeVillers said the developer decided to cooperate because he was frustrated with “being shaken down” while working on city development projects.

He said Ndukwe worked closely with



Chris Hoffman, special agent in charge of the Cincinnati FBI office, left, and David M. DeVillers, U.S. attorney for Southern District of Ohio, discuss corruption charges against Pastor and and associate Tyran Marshall on Tuesday. LIZ DUFOUR/THE ENQUIRER

undercover FBI agents throughout the course of the investigation.

Chris Hoffman, special agent in charge of the FBI in Cincinnati, said Pastor accepted his first bribe from undercover agents about six months after taking office. “It undermines the public trust,” Hoffman said. “He promoted his own interests over those of the citizens of the city of Cincinnati.”

The indictment includes several excerpts from recorded phone and text message conversations that prosecutors say illustrate Pastor’s determination to profit from his council seat, which he narrowly won in November 2017.

In one such conversation, in January 2019, Pastor told one of the two undercover agents that he sometimes worried they might be “FBI plants.” But a few days later, the indictment states, Pastor told the same undercover agent he wanted a \$115,000 salary so they could “get the best” out of him.

Pastor explained to the agent, who was posing as a developer, that he was getting paid “pennies on the dollar” for the good work he was doing for him at City Hall.

In an earlier phone conversation, the indictment states, Marshall confirmed a \$20,000 payment that would be split between him and Pastor as a worthwhile investment by the developers. “A lot of what you all doing is going through council and that is where Jeff comes in,” Marshall said, according to the indictment.

In March 2019, prosecutors said, Pastor repeated his desire to get bribes related to his council work, describing a hypothetical deal in which he’d collect \$7,500 before a project wins approval and another \$7,500 after.

“I like s*** like that,” Pastor told the undercover agent, according to the indictment.

By that time, though, DeVillers said the FBI had decided to stop paying Pastor money because it had gathered enough evidence to charge him. It would take more than a year, however, before those charges were filed, in part, DeVillers said, because of considerations related to other corruption investigations.

One of those investigations appears to be the probe related to Ohio House Bill 6 legislation, which ensnared former Ohio House Speaker Larry Householder. DeVillers said Pastor’s case is not directly linked to House Bill 6, but the two cases do overlap peripherally.

A Columbus lobbyist implicated in the House Bill 6 case, which alleges public officials accepted bribes to support a bailout of nuclear plants, has said he believes he dealt with two undercover FBI agents who also were investigating the Convention Place Mall development.

The lobbyist, Neil Clark, was enlisted to help Ndukwe bring sports betting to a boutique hotel Ndukwe hoped to build

at the former mall site.

Clark has told reporters that he believes conversations with the agents, who claimed to be developers, were recorded and used against him and others implicated in the House Bill 6 case.

The proposed Convention Place Mall project remains in limbo today, though Ndukwe still wants to develop the site. The Port of Greater Cincinnati Development Authority currently owns the property.

It doesn’t appear Pastor’s vote on any development deal was decisive. The only council vote related to the 435 Elm

St. site was the sale of the property to The Port for \$1, and that vote was unanimous.

DeVillers praised Ndukwe for agreeing to help investigators and said such cooperation is crucial to ending corruption at City Hall. A second confidential informant also assisted the FBI, but that person has not been identified.

“We want to flip the script,” DeVillers said. “We want to change this from a culture of corruption to a culture of whistleblowers.”

Enquirer reporters Jessie Balmert and Cameron Knight contributed.

1000
USED CARS!

josephauto.com

Ask Your Neighbor...
They Bought From Us!



Due to the holiday, our office hours and obituary placement times may vary.

Please contact us at
855-288-3511 or
obits@enquirer.com
for further details.

NOTICE OF PROPOSED MAJOR UTILITY FACILITY

Duke Energy Ohio proposes to replace and realign a 1,461-foot (0.27 mi) section of the F9787 Electric Transmission Line with 1,122-feet of electric transmission line, located in Colerain Township, Hamilton County, Ohio as a part of the Circuit F9787 Line GLT Project. The re-alignment will include the replacement and relocation of deficient wood pole structures with the installation of five direct embed steel structures and the installation of new conductor. The project consists of replacing of three wood pole structures, relocating one wood pole structure, removing two wood pole structures, removing transmission line from a wood pole with distribution underbuild and installing one new structure. Approximately 0.21 miles (1,122 feet) of new conductor will be installed along Circuit F9787 adjacent to I-275.

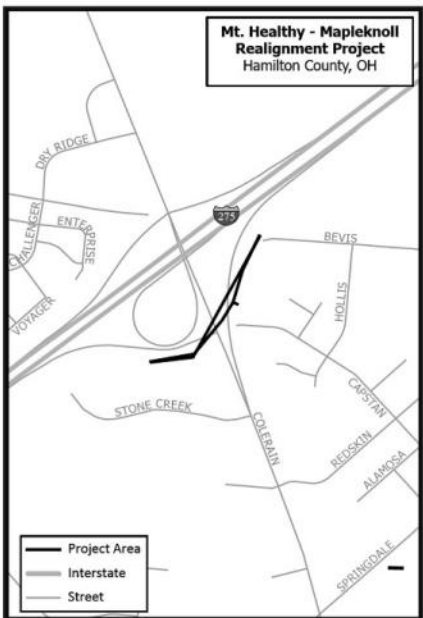
A map of the project area is included below. Construction is scheduled for March 2021 – December 2021, pending approval of this Letter of Notification.

Duke Energy Ohio has filed a Letter of Notification with the Ohio Power Siting Board (Board), under Case No. 20-1610-EL-BLN. This number should be included in all communications with respect to the Project. The Letter of Notification to construct, operate, and maintain this facility is now pending before the Board. Comments and/or petitions to intervene will be accepted by the Board up to 10 days following the publication date of this notice, pursuant to Ohio Administrative Code Rules 4906-2-12 and 4906-6-08. Petitions or comments should be addressed to Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio, 43215, and must reference Case No. 20-1610-EL-BLN.

The following public officials, agencies, and library have been served with a link to the Application, as required by Ohio Power Siting Board regulations:
Hamilton County Commissioners
Denise Driehaus, President
Stephanie Summerow Dumas, Vice President
Victoria Parks, Commissioner
Hamilton County Administration
Todd Gadbury, Director of Planning & Development
Jeff Aluotto, County Administrator

Steve Johns, Planning Services Administrator
Bryan Snyder, Development Services Administrator
Joy Pierson, Community Development Administrator
Brad Miller, Director of Environmental Services
Scott Huber, Chairperson of the Board of Supervisors, Hamilton County Soil & Water Conservation District
John Nelson, Executive Director
Colerain Township:
Dan Unger, President of Trustees
Raj Rajagopal, Vice President of Trustees
Matt Wahlert, Trustee
Geoff Milz, Township Administrator
The Public Library of Cincinnati and Hamilton County-North Central Branch
Kate Denier, Branch Manager
11109 Hamilton Avenue
Cincinnati, Ohio 45231

A copy of the application is available for public inspection at the main office of Duke Energy Ohio at 139 E. Fourth Street, Cincinnati, Ohio 45202 and at the offices of the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215. It is also available on the Duke Energy Ohio website, at: www.duke-energy.com/Mapleknoll, and on the Ohio Power Siting Board’s website, at: www.opsb.ohio.gov.



**Mt. Healthy - Mapleknoll
Realignment Project**
Hamilton County, OH

CE-GC0530695-01



The building at the center of allegations against Pastor – 435 Elm St. in Downtown. ALBERT CESARE/THE ENQUIRER