

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the :  
Application of Columbus :  
Southern Power Company :  
for a Certificate of :  
Environmental : Case No. 08-170-EL-BTX  
Compatibility and Public :  
Need for the Roberts-OSU :  
138 kV Transmission Line :  
Project. :

- - -

PROCEEDINGS

before Mr. Jeffrey R. Jones, Hearing Examiner, at the  
City of Upper Arlington Council Chambers, 3600  
Tremont Road, Columbus, Ohio, called at 6:00 p.m. on  
Tuesday, July 14, 2009.

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1 APPEARANCES:

2 Mr. Matt J. Satterwhite  
3 Mr. Steven T. Nourse  
4 American Electric Power  
5 One Riverside Plaza  
6 Columbus, Ohio 43215

7 On behalf of Columbus Southern Power  
8 Company.

9 Bailey Cavalieri, LLC  
10 By Mr. William A. Adams  
11 One Columbus  
12 Ten West Broad Street, Suite 2100  
13 Columbus, Ohio 43215-3422

14 On behalf of the city of Upper Arlington.

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1 Tuesday Evening Session,

2 July 14, 2009.

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4 ADMINISTRATIVE LAW JUDGE: Let's go on  
5 the record. Good evening. The Ohio Power Siting  
6 Board has assigned for public hearing at this time  
7 and place Case number 08-170-EL-BTX, being captioned  
8 In the Matter of the Application of Columbus Southern  
9 Power Company for a Certificate of Environmental  
10 Compatibility and Public Need for the Roberts-OSU  
11 138-kilovolt Transmission Line.

12 My name is Jeffrey R. Jones. I'm an  
13 administrative law judge assigned to this case by the  
14 Board and will be presiding over the hearing this  
15 evening.

16 At this time I'll take appearances on  
17 behalf of the parties. On behalf of AEP.

18 MR. SATTERWHITE: Thank you, your Honor.  
19 On behalf of Columbus Southern Power, Matthew  
20 Satterwhite, One Riverside Plaza, Columbus, Ohio  
21 43215. Steve Nourse is also here on behalf of the  
22 company.

23 ADMINISTRATIVE LAW JUDGE: Thank you.

24 Is there anybody here representing the  
25 staff of the Power Siting Board?

1           Seeing no one, on behalf of the city of  
2 Upper Arlington.

3           MR. ADAMS: Thank you, your Honor.  
4 William Adams, special counsel to the city of Upper  
5 Arlington, Bailey Cavalieri, Ten West Broad Street,  
6 Columbus, Ohio 43215.

7           ADMINISTRATIVE LAW JUDGE: Thank you,  
8 Mr. Adams.

9           At this point in time I'm going to go off  
10 the record for a short period of time and allow  
11 members of the audience who might have questions  
12 regarding this application to approach the  
13 representatives from Columbus Southern Power who are  
14 here. After a short opportunity to ask questions I  
15 will be going back on the record and we will take  
16 public statements from any members of the public who  
17 wish to make a statement about the application  
18 itself.

19           Then once the public witnesses are  
20 concluded, at that point in time the hearing will be  
21 adjourned; however, I would ask that the company and  
22 I will stick around for a little while after the  
23 hearing if any members of the public have any  
24 additional questions.

25           So at this time we will take a short

1 recess in order for the public to ask questions of  
2 the company.

3 (Recess taken.)

4 ADMINISTRATIVE LAW JUDGE: Let's go back  
5 on the record. Columbus Southern Power Company filed  
6 the instant application with the Board on December  
7 30, 2008. As part of the proceeding Columbus  
8 Southern Power Company is proposing to construct a  
9 138-kilovolt electric transmission line from the  
10 company's Roberts substation near I-270 in western  
11 Franklin County and terminating at the company's OSU  
12 substation, also in Franklin County. The preferred  
13 route is approximately 6.26 miles, and the alternate  
14 route is approximately 5.9 miles.

15 The line would be constructed using a  
16 combination of overhead steel pole structures and  
17 underground trenching and drilling technologies, and  
18 approximately 4.4 miles of the preferred route will  
19 be constructed underground while approximately 4  
20 miles of the alternate route would be constructed  
21 underground.

22 For existing overhead portions of the  
23 route, the new steel pole structures will be  
24 installed in the location of the existing pole  
25 structures on a one-to-one basis.

1           Board staff has reviewed the application  
2 and conducted field visits and requested additional  
3 information and conducted interviews with company  
4 personnel and performed various analyses of data.  
5 Staff then prepared and filed a Staff Report on June  
6 29th, 2009, and I believe there are still copies  
7 available on the table out front as you came in if  
8 you'd like to pick one up.

9           The Staff Report summarizes the staff's  
10 findings regarding the company's application and sets  
11 forth the staff's recommendations in the case which  
12 is the facility be installed along the applicant's  
13 preferred route subject to a number of conditions.

14           This local public hearing is only one  
15 aspect of the power siting case application process.  
16 An adjudicatory hearing will be conducted at the  
17 Board's offices on July 16th, 2009, at 10 a.m. in  
18 the Board's office. The purpose of that hearing is  
19 to allow the Columbus Southern Power Company and the  
20 Board staff to present witnesses and evidence in  
21 support of their positions.

22           The purpose of tonight's public hearing  
23 is to receive comments from the public regarding  
24 CSP's application. We will not be hearing from the  
25 company or the Board staff tonight on the record;

1 however, this is your opportunity to let the Board  
2 know what you think about the company's request to  
3 construct the proposed electric transmission line.

4 When you arrived, you were offered the  
5 opportunity to sign up to testify. If you missed  
6 that opportunity, it is still available to you by  
7 signing the witness list, or I will offer the  
8 opportunity once I've completed the list of those  
9 persons already signed up.

10 I will take witnesses in the order in  
11 which they signed up, and I will begin calling  
12 witnesses forward who wish to give statements for the  
13 record. Before you begin your statement I'll ask for  
14 your name and address. Your testimony will be  
15 considered part of the official record in the case to  
16 be reviewed by the Board members before they make  
17 their final decision.

18 Before presenting testimony you will be  
19 required to take an oath or affirmation stating that  
20 what you are about to say is the truth, and the  
21 attorneys for the company and the city of Upper  
22 Arlington will have the opportunity to ask follow-up  
23 questions once you've finished your statement.

24 Should you decide that you do not want to  
25 testify when I call your name, you can merely pass to



1 the next witness. Once you have finished testifying,  
2 or if you are just in attendance to observe the  
3 hearing, you may leave at any time you wish.

4 Tonight's hearing is being transcribed by  
5 a court reporter which means that the court reporter  
6 will be recording in typewritten fashion the  
7 statements made here today. If you plan to testify,  
8 please speak plainly and clearly so the court  
9 reporter can accurately reflect your comments on the  
10 record. If you have a prepared written statement, it  
11 would be helpful for you to provide a copy to the  
12 court reporter.

13 We appreciate your participation in  
14 tonight's hearing and we want everyone who wishes to  
15 make a public statement to be able to do so. If you  
16 choose to make a public statement, please be  
17 considerate of others waiting to give their testimony  
18 and keep your statements to a reasonable period of  
19 time.

20 At this point in time I will begin by  
21 calling the first person who signed up on the witness  
22 list, which is Mr. David Kershner. Mr. Kershner,  
23 will you raise your right hand.

24 (Witness sworn.)

25 ADMINISTRATIVE LAW JUDGE: Thank you.

1 You may proceed with your statement.

2 - - -

3 DAVID KERSHNER

4 being first duly sworn, as prescribed by law,  
5 testified as follows:

6 DIRECT TESTIMONY

7 MR. KERSHNER: I would like the Board to  
8 consider for their -- I would just like them to  
9 consider the combination of alternate routes and  
10 preferred routes.

11 In looking at figure 2 in the Staff  
12 Report of Investigation, it just seems that much --  
13 far fewer houses will be impacted by the aboveground  
14 route. There will be far less impact for the  
15 aboveground on the alternate route because there  
16 literally are no houses that run along Dublin Road,  
17 and prior to reaching the housing development near  
18 Dublin and Roberts Road it goes underground, and then  
19 the preferred route will meet back up with the  
20 alternate route at Lane Avenue.

21 I would like them to consider using the  
22 alternate route until they cross the river and then  
23 proceed up Lane Avenue with the preferred route with  
24 the coupling of the fiberoptic line for the city.

25 ADMINISTRATIVE LAW JUDGE: Thank you,

1 Mr. Kershner.

2 Any questions?

3 MR. SATTERWHITE: No questions.

4 ADMINISTRATIVE LAW JUDGE: Seeing none,  
5 the next individual signed up is Mr. Michael  
6 Braunstein. Would you please raise your right hand.

7 (Witness sworn.)

8 ADMINISTRATIVE LAW JUDGE: Thank you.  
9 Please give your name and address for the record.

10 MR. M. BRAUNSTEIN: Michael Braunstein at  
11 2500 Stonehaven Court South, Columbus, Ohio.

12 ADMINISTRATIVE LAW JUDGE: Thank you. If  
13 you have a statement, you may proceed to make it  
14 right now, please.

15 - - -

16 MICHAEL BRAUNSTEIN  
17 being first duly sworn, as prescribed by law,  
18 testified as follows:

19 DIRECT TESTIMONY

20 MR. M. BRAUNSTEIN: I am the owner of  
21 most of the ground that the alternative route would  
22 take if you chose the alternative route. And if you  
23 crossed, it's the -- I don't know how to describe it,  
24 but it would be starting with let's say Riverside  
25 Drive as you go across. So it looks to be vacant

1 land in your drawing.

2 And what I wanted the -- I've already  
3 relayed this to different members of AEP who were in  
4 contact with me, but I wanted tonight people to be  
5 aware that what looks to be vacant ground has  
6 actually been developed with extremely expensive  
7 homes, and as you get to the point where you're  
8 crossing within let's say a hundred yards of this,  
9 there's the two most expensive homes that were built  
10 in Arlington in the last 30 years, probably at a cost  
11 of over \$3 million a home each in this area.

12 There's probably eight homes that are  
13 valued from 1-1/2 to 3 million dollars. And the  
14 piece of ground that you would impact, we've had  
15 offers for over a million dollars for just one of  
16 those lots.

17 So, you know, if you did ever decide to  
18 do this route, I would say we want to be compensated.  
19 It would be our hope that you wouldn't choose to  
20 impact what in reality has been one of the nicest  
21 upscale neighborhoods to build, a big plus to the  
22 community and -- but if you did do it, at least be  
23 aware from here it just looks like it's vacant  
24 ground, you know. That would be my comment. Thank  
25 you very much.

1 ADMINISTRATIVE LAW JUDGE: Thank you.

2 Any questions?

3 MR. SATTERWHITE: Nothing from the  
4 company.

5 ADMINISTRATIVE LAW JUDGE: Thank you.

6 Excuse me. The audience doesn't ask  
7 questions of the witness, just the counsel.

8 Mr. Jordan Braunstein.

9 MR. J. BRAUNSTEIN: We're together. I  
10 was just signing in.

11 THE EXAMINER: Okay, thank you. That's a  
12 pass.

13 This next one I'm not sure. Dean Fields.  
14 Perhaps I did not get the name correct. 3219 Dublin  
15 Road is your address.

16 MS. FIELDS: Diane Fields.

17 ADMINISTRATIVE LAW JUDGE: I'm sorry. My  
18 apologies.

19 Would you please raise your right hand.

20 (Witness sworn.)

21 ADMINISTRATIVE LAW JUDGE: Thank you.

22 Please give your name and address for the record.

23 MS. FIELDS: Diane Fields, 3219 Dublin  
24 Road.

25 ADMINISTRATIVE LAW JUDGE: Thank you.

1 You may proceed with your statement at this time.

2 - - -

3 DIANE FIELDS

4 being first duly sworn, as prescribed by law,  
5 testified as follows:

6 DIRECT TESTIMONY

7 MS. FIELDS: I would just like to say  
8 that I would either like to see AEP take the  
9 alternate route; it will be going underground in the  
10 million dollar development. If it goes the preferred  
11 route, it will be going aboveground in my front yard,  
12 and -- or I would suggest that you take it  
13 underground from Scioto Darby and Dublin Road east.  
14 That's all.

15 ADMINISTRATIVE LAW JUDGE: Thank you.

16 Questions?

17 MR. SATTERWHITE: None.

18 ADMINISTRATIVE LAW JUDGE: That completes  
19 the list of individuals who checked the box that they  
20 said they wanted to give sworn testimony. At this  
21 time I will ask if any other members of the public  
22 would like to give a sworn statement on the record,  
23 please signify by raising your hand.

24 Yes, ma'am. Please approach the podium.  
25 Would you please raise your right hand.

1 (Witness sworn.)

2 ADMINISTRATIVE LAW JUDGE: Thank you.  
3 Please give your name and address for the record.

4 - - -

5 VALERIE BANFIELD  
6 being first duly sworn, as prescribed by law,  
7 testified as follows:

8 DIRECT TESTIMONY

9 MS. BANFIELD: My name is Valerie  
10 Banfield. I'm at 3217 Dublin Road. And like my  
11 neighbors, I think we want to protect our most  
12 valuable asset. We have lived in our homes for  
13 nearly 20 years, and whether they're  
14 multimillion-dollar homes or whether they're modest  
15 little properties with a country feel, they are our  
16 homes and there is nothing I can see that the  
17 electric company is going to be able to do to  
18 compensate us for the change it will create in the  
19 looks, the marketability, and the value of our homes.

20 There is an alternate path, it doesn't  
21 cross anyone else's front yard, and where it does  
22 affect a lot of properties, it's underground. We're  
23 the only people up in this little corner that are  
24 going to be severely damaged by the primary route.

25 So, like my neighbor, I'm asking that the

1 alternate route be seriously considered.

2 ADMINISTRATIVE LAW JUDGE: Thank you.

3 Any questions?

4 MR. SATTERWHITE: No, your Honor.

5 ADMINISTRATIVE LAW JUDGE: Anyone else  
6 care to make -- thank you. Please raise your right  
7 hand, sir.

8 (Witness sworn.)

9 ADMINISTRATIVE LAW JUDGE: Thank you.  
10 Please give your name and address for the record.

11 MR. FIELDS: John Fields. I live at 3219  
12 Dublin Road.

13 ADMINISTRATIVE LAW JUDGE: Thank you.  
14 You may proceed.

15 - - -

16 JOHN FIELDS

17 being first duly sworn, as prescribed by law,  
18 testified as follows:

19 DIRECT TESTIMONY

20 MR. FIELDS: I think to be fair with  
21 society and -- I think that what we should do is when  
22 we put these power plants in urban areas, I think we  
23 should put them underground. I think that would be  
24 fair to everybody.

25 What we're doing here today is we've got



1 two different routes and, you know, somebody's going  
2 to be a winner and somebody's going to be a loser.  
3 So if we said, Well, why don't we go some way -- if  
4 we go to the places where people live, and I've been  
5 living at my house for 20 years and I like it and I  
6 want to stay there forever, and I don't want to look  
7 at a power line sticking up in the air.

8 I've got large trees there now. I've got  
9 a big line there now, and I don't see it because I've  
10 got the trees there. They're some of the biggest  
11 trees around. But when you put this taller line in  
12 there, those trees will never get up that tall, and I  
13 don't want to spend the rest of my life looking at a  
14 power line.

15 Some people may not mind living in an  
16 environment where they've got crackling during the  
17 fog or during the ice. And I think it's going to be  
18 worse because we're going to have a higher capacity,  
19 so that means it's going to arc a little further.

20 Have we got any electrical engineers  
21 here?

22 So I think no matter what we do here,  
23 let's agree that when it's in somebody's  
24 neighborhood, let's put it underground. And if we  
25 have to think, well, okay, if for some electrical

1 capacity, let's be creative and maybe say let's  
2 parallel. Let's use two of them and maybe we can go  
3 underground.

4 And I don't know -- who's paying for  
5 this? Am I allowed to ask that question?

6 ADMINISTRATIVE LAW JUDGE: I would ask  
7 that question when the hearing is over, yes.

8 MR. FIELDS: Okay. Well, me, I would  
9 think that today we're screwing these screwy little  
10 light bulbs in there to save energy. We're buying  
11 Energy Star refrigerators. I don't know why we need  
12 the more capacity.

13 And who's this for? Ohio State  
14 University? I own 2,000 shares of American Electric  
15 Power. I bought them shares to make money, and I'm  
16 not sure we should be spending all this money. And  
17 maybe if somebody said, "Well, we want Plan A just  
18 based on a cost." Well, how much cost did you put in  
19 there for me and the loss to my livelihood, my  
20 investment, my house.

21 Some people, they may not plan on staying  
22 there the rest of their lives. They may want to sell  
23 it, and I don't -- there probably isn't a realtor  
24 around that's had somebody come up to them and said,  
25 "Hey, I want this big 100-plus power line in my front

1 yard. That's what I want in a house."

2 And I don't think that they're putting  
3 any money into this. So if it's a cost difference of  
4 putting it underground, I think underground -- I  
5 think it would be safer for everybody if it was  
6 underground.

7 And except for a backhoe operator I don't  
8 know who could be hurt by an underground power line.  
9 Now, we could have a hundred-year storm next winter  
10 and that could ride that -- maybe ride it down. Who  
11 knows. Somebody could blow it up; a terrorist.  
12 Let's just put them all underground and then I don't  
13 have to look at them.

14 And if you want to put them aboveground,  
15 put them out in the country. I think that's all I  
16 got to say. Thank you.

17 ADMINISTRATIVE LAW JUDGE: Thank you,  
18 Mr. Fields.

19 Questions?

20 MR. SATTERWHITE: Nothing, your Honor.

21 ADMINISTRATIVE LAW JUDGE: Anyone else?  
22 Yes, ma'am. Would you please raise your right hand.

23 (Witness sworn.)

24 ADMINISTRATIVE LAW JUDGE: Thank you.  
25 Please give your name and address for the record.

1 NIKKI SPRETNAK

2 being first duly sworn, as prescribed by law,  
3 testified as follows:

4 DIRECT TESTIMONY

5 MS. SPRETNAK: My name is Nikki Spretnak.  
6 I live at 2432 Southway Drive. It's Spretnak,  
7 S-p-r-e-t-n-a-k.

8 I don't really have any question. I just  
9 don't find much value in a hearing when I don't know  
10 what people are talking about, so I would like  
11 someone -- the people who have talked about these  
12 homes, expensive or not -- to tell me where they are  
13 on the map. How can we here understand the  
14 implication of what they're talking about unless we  
15 see where these homes are. So could someone --

16 MS. FIELDS: I'll show you.

17 MS. SPRETNAK: And are all your homes in  
18 the same area? Let's show them. That's the purpose  
19 of the big thing.

20 MRS. FIELDS: We live right in here.

21 MS. SPRETNAK: Okay. And all three of  
22 you were referring to the same area?

23 MS. FIELDS: Uh-huh.

24 MS. SPRETNAK: That's all.

25 MR. FIELDS: We're not the expensive

1 ones.

2 ADMINISTRATIVE LAW JUDGE: Excuse me,  
3 sir. Please don't speak out of the audience.

4 MS. SPRETNAK: Well, who was the one --  
5 were the homes you were referring to in the same  
6 place?

7 MR. M. BRAUNSTEIN: No.

8 MS. SPRETNAK: Where are the homes you  
9 were referring to?

10 ADMINISTRATIVE LAW JUDGE: Ma'am, he's  
11 directing you to the map right now. I believe it is  
12 the vacant area of land that, well, it appears as  
13 vacant, and he's testified on the stand that that was  
14 the case.

15 MS. SPRETNAK: And what's that called,  
16 that area?

17 ADMINISTRATIVE LAW JUDGE: Ma'am, do you  
18 have -- excuse me. Do you have some additional  
19 testimony? If you want to ask these people  
20 questions, you can do it after the --

21 MS. SPRETNAK: I'm just gathering facts.  
22 That's the purpose of the hearing is facts.

23 ADMINISTRATIVE LAW JUDGE: The purpose of  
24 the hearing is for you to give your statement about  
25 the application.

1 MS. SPRETNAK: To gather facts. Thanks.

2 ADMINISTRATIVE LAW JUDGE: Questions?

3 Anyone else?

4 Okay. Seeing no one, at this time we  
5 will adjourn the hearing. First, I wish to thank the  
6 city of Upper Arlington for making this nice facility  
7 available for our hearing this evening. I would  
8 encourage the company employees to stick around for a  
9 little while after the hearing if there are  
10 additional questions on the application itself, and I  
11 will also stick around for a few minutes and see if  
12 anybody has any questions of me.

13 With that, this evening's hearing will be  
14 adjourned. We'll take up the adjudicatory hearing on  
15 Thursday at the Commission's offices. Thank you.

16 (The public hearing concluded at 6:39  
17 p.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Tuesday, July 14, 2009, and carefully compared with my original stenographic notes.

\_\_\_\_s/Maria DiPaolo Jones\_\_\_\_\_  
Maria DiPaolo Jones, Registered  
Diplomate Reporter and CRR and  
Notary Public in and for the  
State of Ohio.

My commission expires June 19, 2011.

(MDJ-3415)

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