

FILE

October 21, 2009

Stonebrooke Village Condominium Association
c/o Tom Myers
3269 Stone Crest Ct
Columbus, Ohio 43221

Ohio Power Siting Board
Commissions Docketing
180 East Broad Street, 13th Floor
Columbus, Ohio 43215

RECEIVED-DOCKETING DIV.

2009 OCT 21 AM 8:18

PUCO

0170
Re: Ohio Power Siting Board Case No. 08-0710-EL-BTX
Application for Rehearing

Ladies and Gentlemen:

The Stonebrooke Village Condominium Association Board became aware of the Ohio Power Siting Board's September 21, 2009 decision regarding the above case on October 20, 2009. No Board member, unit owner, or resident of Stonebrooke Village received any correspondence concerning the proposal or decision to install power transmission lines in such close proximity to our neighborhood. We believe these lines will run closer to Stonebrooke property than to any other property affected by this project.

The Ohio Power Siting Board should have made our neighborhood, Stonebrooke Village, directly aware of the OSU-Roberts 138kV power line project. As a result of this oversight, our neighborhood deserves the opportunity to review and address this project because of the extent it will impact our community aesthetics and property values.

Members of the Board of Stonebrooke Village have reviewed the October 18, 2009 Application for Rehearing filed by the Trustees of the Quarry Pointe Home Owners Association (hereinafter "QPHOA") and are in *full and complete consensus* with the views and opinions expressed in that Application (attached for your reference).

Please record and docket this Joinder in the Appeal and Application for Rehearing in your usual manner.

Thank you for your attention to this matter.

Very truly yours,



Tom Myers
President, Stonebrooke Village Board of Directors

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October 18, 2009

Trustees
Quarry Pointe Home Owners Association
C/o James Buchanan
2927 Splitrock Rd.
Columbus, OH 43221

Ohio Power Siting Board
Commissions Docketing
180 E. Broad St., 13th Floor
Columbus, OH 43215

0170

Re: Ohio Power Siting Board Case No. 08-0710-EL-BTX
Application for Rehearing

Ladies and Gentlemen:

The Quarry Pointe Homeowners Association (QPHOA) and individual property owners in the subdivision are parties to and have a vital interest in the above case because of the proximity of their respective property to the proposed poles for the power transmission lines. The QPHOA owns real property within 60 feet of the proposed power transmission line poles. Individuals within the subdivision own real property within 120 feet of the power transmission line poles. The proposed poles will be visible from almost all of the Quarry Pointe Subdivision homeowner's lots. The planned dramatically large poles will be an eyesore and have a direct and detrimental impact on real property values of Quarry Pointe Homeowners and the QPHOA. Furthermore, the QPHOA believes that the information presented to the Ohio Power Siting Board was incomplete and out of date. Therefore The QPHOA and individual homeowners are appealing the September 21 decision by the Ohio Power Siting Board with regards to the above case and submitting this application for a rehearing. The purpose of the rehearing is to cause American Electric Power to modify the power transmission line plan to remove the poles and place the power transmission lines underground as is the case for the lines running through Upper Arlington or any other route through residential areas.

The proposed power transmission line poles will be an eyesore to Quarry Pointe residents and prospective residents.

- The new poles will be taller and at ground level will appear to be twice as tall as existing poles and contrast with the existing natural setting.
- Residents will not be able to avoid viewing the poles from most of the subdivision.
- Existing poles are smaller and blend into the landscape better than new poles.
- Existing poles are not so large that they are visible throughout the subdivision.

The QPHOA believes that the Ohio Power Siting Board should rehear the case because homeowners did not receive clear and descriptive communication prior to the Ohio Power Siting Board decision.

- The one letter sent to homeowners described the project as "Roberts – OSU 138kV Transmission Line Project". Homeowners believe this is deceptive. The letter also referred to project impact on the Upper Arlington and OSU communities only. No mention of the direct and immediate impact on QP homeowners. We believe this is also deceptive.

- Calling the AEP substation on Scioto Darby Road by the name "Roberts Road substation" is not clear to the general public and even seems deceptive. This deceptive description was repeated by the press and an article heading: "A transmission line will run from AEP's substation on Roberts Road near Interstate 270..." No correction from AEP or its subsidiaries was found. It should also be noted the Scioto Darby Creek Road has just reopened after being closed for bridge repairs for an extended period of time, thus almost no one was driving past this location. Roberts Road is 0.55 miles south of Scioto Darby Creek Road on Dublin Road. This would be like saying that the OBSB office at 180 East Broad is next to COSI on the west bank of the Scioto on Broad Street.
- The community newspapers selected by AEP are not distributed to homes to the west of the Scioto River. Simply checking a box on the advertising forms when it was placing ads in other community newspapers, AEP could have also had community Newspapers delivered to residents' doors west of the Scioto River. For the record, these community newspapers are *Hilliard Northwest News* and *ThisWeek Community Newspapers Hilliard*.
- Large metropolitan newspaper readership is declining. Practical notification should include other media. The online version of the Columbus Dispatch does not contain legal advertisements. A small minority of our residents get the outmoded paper copies which do have legal advertising.
- The area within 1000 feet of the new 138kV west of the Scioto River is Hilliard City Schools and Norwich or Columbus local government. We also share the Upper Arlington zip code, which sometimes means we often receive mail designed exclusively for Upper Arlington residents. Most of us quickly discard such items.
- The library used by citizens in our area is the Columbus Metropolitan Public Library, Hilliard Branch, located at 4772 Cemetery Road. No copies of the plans were shown to be delivered to this location in the AEP letter of March 3, 2009 (filed April 4, 2009). Copies were delivered to the Upper Arlington and OSU libraries so the Central and Eastern portion of the possible routes were informed but the western portion of the route did not receive a library copy. Advance copies of these materials are essential given the hundreds of pages of technical material that must be understood before intelligent comments can be made at a hearing.
- The wording of the June 10, 2009 letter sent by AEP to adjunct residents did not mention Quarry Pointe, Dublin Road, Scioto Darby Road, Columbus, Hilliard, or Norwich Township.
- The use of Upper Arlington City Hall for the hearing implies Upper Arlington residents only. Upper Arlington is an insular community that wishes to keep traffic from other parts of the Columbus area out of their community as evidenced by their 2001 Lane Avenue plan. The diverse Quarry Pointe homeowners rarely associate with the Upper Arlington community. Quarry Pointe children attend Hilliard City schools, use Hilliard City recreational facilities, and travel predominately west (away from Upper Arlington area) to shop.

- Other than Riverside Drive, many of our residents are not frequent visitors to Upper Arlington. The Mill Run area is most familiar to our residents and within walking distance. The Upper Arlington City Hall is several miles away and not generally known to Quarry Pointe residents. The Northwest Bible Church is used as a voting location and thus would be a preferred location to the Upper Arlington City Hall. Indian Village is also available for events, but has less parking and less interior space.

Homeowners believe that the AEP immediate need argument to the Ohio Power Siting Board may not be applicable because of the changes in economic conditions.

- In the AEP letter dated February 6, 2009, the Columbus southern power load data chart showed a three year average change of 3.7% and a six year average change of 2.1% through the end of 2007.
- *The State Journal*, a West Virginia newspaper, reported that "All together, AEP generated and sold 15 percent less electricity in the second quarter compared with 2008".
- "But AEP's quarterly report foreshadowed further cuts to come." "...The largest customer of AEP subsidiaries Columbus Southern Power Co. and Ohio Power Co., has announced production cutbacks coming in September, the utility's report stated."
- The smart grid program and the \$1500 federal incentive for greater energy efficiency could also reduce the growth of power demand.
- Current power load data or even more current data from meters could show that we are back to power levels seen four years ago.
- Since AEP manages to send out bills every month and all previous peak periods were in July or August, it seems reasonable that they should be able to supply 2009 data that includes summer data.
- Any decline of greater than one year would show that the one year waiver was not needed. More time can then be spent studying alternatives and making adjustments to address future power needs. Reports can then have more accurate data upon which to make decisions.

Homeowners believe that the Ohio Power Siting Board was not fully informed about homes near the power transmission line poles.

- The AEP report used 2000 and 2006 census data. The reference maps used by the US Census show that the Quarry Pointe subdivision did not appear on their maps until 2007. The 2000 map shows the area occupied by Quarry Pointe as part of Norwich Township. Since the Quarry Pointe houses were built between 2001 and 2005, one can not be certain that the several hundred people in Quarry Point were properly applied to the population data used by AEP.

- A search of The Franklin County Auditor's website shows that average home value in Quarry Pointe is \$244,450, which according to zillow.com is much closer to Upper Arlington's \$269,600 than Columbus figure of \$118,400 used by AEP.
- The Franklin County Auditor's website indicates that the average value of the Quarry Pointe homes falls in the lower end of the homes on Lane Avenue in Upper Arlington – an area that will have the route placed underground.
- It should also be noted that all utilities are buried underground in Quarry Pointe, unlike Upper Arlington. Adding the new 138kV overhead power line transmission poles will be introducing an eyesore.

Homeowners believe that the Ohio Power Siting board was not fully aware of relevant demographic data regarding homeowners affected by the project.

- The Franklin County Auditor's website is a great public resource, but it has difficulties with large properties (GIS error prevents display) and condominiums (only shows the first owner per parcel in the proximity report). AEP used this site for some of its property data. Homeowners believe there are better methods to determine accurate data for analysis, if truly desired.
- AEP report states 143 residences with 1000 feet from AEP station to Scioto River. The Franklin County Auditor's website shows 395 residences within 1000 feet of power line using the Specialty Restaurants Quarry Property power line edge and Allied Materials on Scioto Darby.
- It should be noted that this property is worth \$63 million according to the Franklin County Auditor's website, which far exceeds the amounts discussed for potential and yet unplanned developments. If the complete Quarry Point subdivision is included (an area that must pass by the power line), the figure climbs to \$74 million.

Homeowners believe that the Ohio Power Siting Board was not aware of the impact on the Columbus recreational facility, Indian Village.

- Columbus city land used by Indian Village falls into the power line easement areas which will likely be clear-cut.
- This area of clear-cutting has been reduced, by Columbus Parks and Recreation, but will still extensively affect the ravine used by the children for their outdoor education. Parcel 560-105201 also includes historic caves and is adjacent to the historic Wesley Chapel. There should be further realignment to eliminate or reduce impact. The cemetery that abuts the Quarry Pointe subdivision also abuts the Wesley Chapel property.
- The children with their counselors also use the land from the river to the service road from their building to a few hundred feet south of the Griggs dam, which will also be affected, although effects in this area have been greatly reduced by going underground for the most part.

Homeowners believe that the Ohio Power Siting Board was not aware of the impact on the species "Indiana Bats". Homeowners understand the AEP report said that "Furthermore, given that there are no Indiana bat records in Franklin County, Ohio and nearby surveys have not recorded captures, it appears unlikely Indiana bats present in the project vicinity. AEP letter of April 6 2009 "Staff Questions/Clarifications Set#3" page 4.

Homeowners observe otherwise.

- As noted by others, the area has lots of bats.
- Indiana Bats have been found 8 miles away in Franklin County according to the US Fish and Wildlife service in conjunction with Metroparks.

Homeowners believe that the impact on the Yellow Crowned Night Heron was not fully considered.

- The area below the Griggs dam was used by the more productive rookeries in the state until the early 1990s. (Not more than 25 years ago as stated by AEP).
- These rookeries are known to relocate from time to time.
- Yellow Crowned Night Herons will nest in trees with 1 mile of water.

Homeowners believe that the power transmission line poles will have a detrimental impact on the natural animal and wildlife corridors in the immediate area.

- Parcel 560-261419 is Reserve "C" and is treated as a nature preserve, which was its designated role when Quarry Pointe was zoned and is now owned by the City of Columbus. A very narrow, unmarked, brush filled corridor connects it to Capstone Way. It contains a ravine with a constant stream and is almost entirely filled with mature trees. The lots on Ledge Lane bordering this ravine all have deed restrictions to preserve nature in their backyards.
- Parcel 560-259948 is Reserve "B", was designated as future parkland in the original Quarry Pointe zoning plan. It consists of a flatter open area with scattered trees that is treated more like a traditional city park of its western end. The eastern end contains a ravine with many more mature trees and a spring which is active for only a few days in the spring and fall.
- Parcel 560-258337 is a small parcel owned by the homeowners association and is at the end of the walkway/bike trail on Dublin Road. It features a stream that flows except during drought and mature trees.
- These conservation areas were major attractants in people buying in Quarry Pointe.
- Residents report numerous bird species are in these reserves including cardinals, downy woodpeckers, yellow shafted flickers, red bellied wood peckers, red headed

woodpeckers, nuthatch, indigo buntings, rose -crested grosbeaks, purple finches, gold finches, blue jays, catbirds, ruby throated hummingbirds, mourning doves, sparrows, hawks (red tailed, sharpshinned, marsh), owls, starlings, red winged blackbirds, turkey vultures, herons, egrets, various species of juncos, chickadees, wrens, and other finches, ducks, swallows, bats, squirrels, chipmunks, raccoons, white-tailed deer, foxes, ground hogs. Some of these are special interest species or species of concern. The reserve is part of available habitat for the Northern Harrier which is endangered in Ohio and the Bald Eagle which is endangered.

- The wooded area along the stream is also a significant resource for the above animals. This includes the northern portions of parcels 560-154661, 560-154670, and 560-154663, which are part of the quarry's buffer zone.
- Park corridors are viewed as essential for wildlife survival by Columbus parks and recreation.

Homeowners believe the Ohio Power Siting Board did not fully consider the detrimental impact the poles will have on the natural buffer zone of property, trees, shrubs, wildlife habitat, and streams that serve as a buffer zone between the Quarry Pointe homes and the Marble Cliff quarry.

- The trees and animals help reduce noise, dust, and obscure the quarry moonscape from the nearby residents.
- This natural buffer area is a significant factor in homeowners current good relations with the quarry. The large intrusive power line poles will result in the effective removal of the pleasant buffer zone. Direct exposure to the quarry operations may result in unintended conflict with nearby homeowners.

Please note and record this appeal for a rehearing and change to underground placement for the power transmission line poles planned for the south side of Dublin Road.

Sincerely,

Trustees
Quarry Pointe Homeowners Association

John Miller

Natalie Weir

James Buchanan
