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PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC HEARING

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CASE NUMBER: 12-1636-EL-BTX

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Wednesday, May 21, 2014

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In the Matter of the Application of
American Transmission Systems, Inc. for a
Certificate of Environmental Compatibility and
Public Need to Construct the Hayes-West Fremont
138-kilovolt Transmission Line.

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1 MS. SEE: Good evening, everyone.
2 My name is Greta See. I'm with the Ohio
3 Power Siting Board. And scheduled for
4 hearing today at this time is Case
5 Number 12-1636-EL-BTX entitled, In the
6 Matter of the Application of American
7 Transition Systems, Inc. for certificate
8 of environment compatibility and public
9 need to construct the Hayes-West Fremont
10 138-kilovolt transmission line.

11 I am the administrative law judge
12 assigned by the Board to hear this
13 case. When you came in this evening,
14 you were met by two members of the
15 board, Matt Butler and Steven Erwin.
16 Mr. Butler is over in the corner here.
17 If you have some questions about the
18 Board process, you can approach either
19 Mr. Butler, Mr. Erwin who is at the
20 table outside, or myself after the
21 hearing. And I will later direct you to
22 ATSI personnel that you can ask
23 questions of if you have questions of
24 the company.

25 At this time I would like to take

1 appearances of the parties. On behalf
2 American Transmission Systems
3 Incorporated.

4 MR. SCHMIDT: Good evening. Rob
5 Schmidt, Porter, Wright, Morris and
6 Arthur, Columbus, Ohio on behalf of
7 American Transmission Systems
8 Incorporated. With me is Ted Krause and
9 Scott Humphries on behalf of FirstEnergy
10 Corp.

11 MS. SEE: I'm afraid the people at
12 this end can't hear.

13 MR. SCHMIDT: Sorry, Your Honor.
14 Rob Schmidt, Porter Wright Morris and
15 Arthur, Columbus Ohio on behalf American
16 Transmission Systems Incorporated. With
17 me from FirstEnergy Corporation is Ted
18 Krause and Scott Humphries.

19 MS. SEE: Is counsel for Stokes
20 Farms present?

21 Let the record reflect that counsel
22 for Stokes Farms is not present this
23 evening.

24 Is there counsel for American
25 Municipal Power present this evening?

1 Let the record reflect that counsel
2 for AMP is not here.

3 I would like to give you a little
4 bit of background about the
5 application. American Transmission
6 Systems filed its application for
7 approval to construct the proposed
8 electric transmission line on December
9 2nd. The transmission line would
10 originate at the existing West Fremont
11 substation, which is located
12 approximately one mile northwest of
13 Fremont -- of the City of Fremont in
14 Sandusky County and extends
15 approximately 22 miles east and
16 southward in the direction of a planned
17 distribution substation. The planned
18 distribution substation will be located
19 three miles north of the City of
20 Bellevue. The proposed line will
21 proceed for approximately eight miles to
22 the northeast and end at the Hayes
23 Substation approximately four miles
24 south of the City of Sandusky in Erie
25 County.

1 In this application ATSI has
2 proposed both a Preferred and an
3 Alternate Route. They have also
4 proposed an Option B to about 1.5 miles
5 of the Preferred Route to avoid land
6 held by state agency.

7 At -- you will hear me call
8 American transmission Systems ATSI. So
9 I'm talk about the same thing.

10 ATSI projects that if they are
11 authorized tod build this line, they
12 will commence construction in May of
13 2017, and on that time line would expect
14 the transmission line to be completed
15 and placed in service on or about
16 September 2018.

17 The Board staff has reviewed,
18 evaluated and investigated the
19 application and filed its report of
20 investigation on May 6th. You can
21 access their staff report, investigative
22 report online by going into the Board's
23 web site and putting in this case
24 number. There were also some available
25 at the table outside when you came in

1 this evening.

2 I emphasize that the Board's
3 recommended decision is not the decision
4 of the Board. The Board will make the
5 final decision on this application.

6 This local public hearing is only
7 one part of the process. There will be
8 an evidentiary hearing held at the
9 Board's offices on June 3rd starting at
10 10:00.

11 The purpose of this local public
12 hearing is to receive comments from the
13 public and the community on ATSI's
14 application. It's not a part of a
15 question-and-answer session, that's the
16 reason why I directed you to get your
17 questions answered before the hearing
18 started. Board staff and ATSI will be
19 available after the hearing to answer
20 any additional questions you may have.

21 Tonight's hearing is being
22 transcribed by a court reporter. If you
23 plan to testify, please speak clearly so
24 that the court reporter can accurately
25 record your comments. Also, if you have

1 a written statement, it would be helpful
2 if you provide that statement to the
3 court reporter after you finish your
4 testimony.

5 I understand that some of you hear
6 have decided at this point that you
7 don't want to offer testimony and you
8 just want to submit your written
9 comments into the record. If that is
10 the case, I will take your written
11 comments and see to it that they're put
12 in the docket. I'll take those.

13 If I call you forward and you've
14 changed your mind, you can just give me
15 your comments then or you can wait until
16 after the hearing.

17 When you arrived this evening, you
18 were asked if you wanted to offer
19 testimony and told you can sign up at
20 that time. After I finish the
21 introduction, I'll call you forward in
22 the order that witnesses have signed up
23 on the sign-in sheet. When I call your
24 name, you should -- you decide at that
25 point that you don't want to testify,

1 you can merely indicate that you pass.

2 If you come forward and start to
3 offer testimony, I'll ask you to raise
4 your right hand so that you can be sworn
5 in, and I will ask you to affirm that
6 the information you're about to give is
7 true. I need you to state and spell
8 your name for the record and give us
9 your address. And if your comments are,
10 in particular, as to the Preferred line
11 or the Alternate line, I would also like
12 for you to state that so that the record
13 is clear. If you're unsure, once you
14 give us your address, we can determine
15 whether you're along the Alternate or
16 the Preferred Route.

17 Your testimony here tonight becomes
18 part of the Commission's record that
19 they will consider before they make
20 their final decision on the
21 application. As part of your offering
22 testimony tonight, the company will have
23 an opportunity to cross-examine you on
24 your testimony, as will I.

25 If you only came in this evening to

1 observe, feel free to leave at any
2 time. And even after you've offered
3 your testimony, if you want to leave
4 before the conclusion of the hearing,
5 feel free to do so.

6 Thank you all for coming out this
7 evening. It's a beautiful day to be
8 here in the gym.

9 MR. SCHMIDT: Your Honor.

10 MS. SEE: Yes, Mr. Schmidt.

11 MR. SCHMIDT: Just for purposes of
12 the record tonight, the adjudicatory
13 hearing is scheduled for June 2nd, not
14 June 3rd, as related.

15 MS. SEE: Thank you. I have a
16 couple other things going on. So yes,
17 correction, the hearing is going to be
18 on Monday -- the first Monday in June,
19 June 2nd. It will start at 10:00 at the
20 Board's offices. That's at 180 East
21 Broad in Columbus.

22 With that, let's start with our
23 first witness. And I apologize now if I
24 mispronounce anyone's name. I think our
25 first witness is Kay McClusky.

1 MS. McCLUSKY: I just signed in.

2 Thought it was an attendance.

3 MS. SEE: So Ms. McClusky, you're
4 passing?

5 MS. McCLUSKY: (Indicating
6 affirmative.)

7 MS. SEE: Vickery. Is there
8 someone here by the last name of
9 Vickery?

10 FEMALE AUDIENCE MEMBER: She
11 passes.

12 MS. SEE: Tom Kwiatkowski. Sir,
13 come forward. You can step to the
14 podium.

15 TOM KWIATKOWSKI,
16 After having been first duly sworn, as
17 hereinafter certified, was examined and testified
18 as follows:

19 MS. SEE: I think it's on. Please
20 state and spell your name for the
21 record.

22 MR. KWIATKOWSKI: My name is Thomas
23 Kwiatkowski, K-W-I-A-T-K-O-W-K-S-I.

24 MS. SEE: Thank you. I need your
25 address.

1 MR. KWIATKOWSKI: Well, I live
2 along the primary route. And my
3 concerns are --

4 MS. SEE: I need you to state your
5 address.

6 MR. KWIATKOWSKI: Oh. I'm sorry.
7 4374 County Road 233, Clyde, Ohio.

8 And my concerns are, I live on the
9 primary route and I have a drainage tile
10 that runs along part of the route, and I
11 have a water line that runs along part
12 of the route. And I'm just hear to get
13 a reassurance from the power company
14 that they will locate these items before
15 they put holes in the ground.

16 MS. SEE: Okay.

17 MR. KWIATKOWSKI: That's about it.

18 MS. SEE: Okay. And did you
19 approach the company prior to --

20 MR. KWIATKOWSKI: Yes. I spoke
21 with them a couple times on the phone.
22 And they just advised me to come here
23 and make it public record so that it's
24 on record and they'll hold me to it --
25 or I'll be able to hold them to do that,

1 they'll flag the items before they put
2 holes in.

3 MS. SEE: Okay.

4 MR. KWIATKOWSKI: All right.

5 MS. SEE: Any cross-examination for
6 this witness?

7 MR. SCHMIDT: No, ma'am.

8 MS. SEE: Thank you.

9 The next witness is Paul Kistler?

10 MR. KISTLER: I pass at this time.

11 MS. SEE: Tom Kistler?

12 MR. KISTLER: Pass.

13 MS. SEE: Charlie Kistler?

14 MR. KISTLER: Pass.

15 MS. SEE: Is there a Charlie
16 Kistler?

17 MR. KISTLER: I pass.

18 MS. SEE: Doug Cullen?

19 MR. CULLEN: Yes.

20 MS. SEE: Okay. Please come
21 forward.

22 DOUGLAS CULLEN,

23 After having been first duly sworn, as
24 hereinafter certified, was examined and testified
25 as follows:

1 MS. SEE: Thank you. Please state
2 and spell your name for the record and
3 give us your address.

4 MR. CULLEN: Douglas Cullen,
5 D-O-U-G-L-A-S, C-U-L-L-E-N. Got it?

6 MS. SEE: Go ahead.

7 MR. CULLEN: Okay. My property is
8 located in the primary right at the end
9 of the quarry property. It's on the
10 crossover.

11 MALE AUDIENCE MEMBER: Can't hear
12 you.

13 MS. SEE: Hold on. You can't hear?

14 MALE AUDIENCE MEMBER: No.

15 MS. SEE: Go ahead, sir.

16 MR. CULLEN: My property is located
17 -- that's better -- located at the end
18 of the quarry property on the Groton
19 Township.

20 MS. SEE: Did you state your
21 address?

22 MR. CULLEN: 8212 Portland Road,
23 Castalia.

24 Got my name, correct?

25 And my property is the property

1 that is -- the crossover takes place
2 from the quarry at the interchange going
3 north. And my concerns, when I was
4 approached, was about the first line
5 where they're going to take it
6 through -- well, they moved it over
7 somewhat, but I have a 60-year old oak
8 tree that is in this new line of,
9 apparently, where they want to place the
10 poles. And also, you know, there is
11 some water problems that need to be
12 addressed, as far as a ditch that's
13 located. And that ditch would have to
14 be protected from any of the edge row
15 that needs replaced with, you know,
16 excavation, and any type of migratory
17 water foul on the farm. And I would
18 also like to know why this wasn't taken
19 through Route 4 and moved north down to
20 the A substation. That's it.

21 MS. SEE: Okay. Any cross-
22 examination?

23 MR. SCHMIDT: Just for
24 clarification, did you say migratory
25 water foul?

1 MR. CULLEN: Correct. Geese, and
2 ducks.

3 MR. SCHMIDT: And what is your
4 concern?

5 MR. CULLEN: They land in our farm
6 fields.

7 MS. SEE: Does that conclude your
8 testimony?

9 MR. CULLEN: Yes. That pretty
10 much, you know, covers it.

11 MS. SEE: Thank you very much.

12 Next witness is Gary Stacy.

13 GARY STACY,

14 After having been first duly sworn, as
15 hereinafter certified, was examined and testified
16 as follows:

17 MS. SEE: Please state and spell
18 your name for the record.

19 MR. STACY: Gary, G-A-R-Y,
20 S-T-A-C-Y. 405 Strecker Road, Bellevue,
21 Ohio.

22 MS. SEE: Proceed with your
23 testimony.

24 MR. STACY: I oppose the proposed
25 route in Groton Township because it

1 crosses my farm. And depending on the
2 exact footage north/south where the
3 power line goes through will affect
4 maximizing three to eight acres. That
5 may not sound like much, but I own a
6 farm 148, and it is a lot. And I was
7 wondering, because the map I seen here
8 tonight looks different than the map at
9 the township, which one is correct?

10 MS. SEE: Sir, tell me again which
11 line you -- win line is closest?

12 MR. STACY: Close line.

13 MS. SEE: Which line is the close
14 line, the Preferred or the Alternate, do
15 you know?

16 MR. STACY: The preferred runs
17 through?

18 Does that complete your testimony?

19 MR. STACY: It will affect it
20 whether the map I see at the township is
21 different than the map --

22 MS. SEE: It will affect what?

23 MR. STACY: The map at the township
24 is different than the map that is here.
25 Although both of them have crossed my

1 farm, that changes at my farm, the one
2 in the township.

3 MS. SEE: Mr. Schmidt, any cross of
4 this witness?

5 MR. SCHMIDT: No cross. Thank
6 you.

7 MS. SEE: Okay. Mr. Stacy, did you
8 have an opportunity to look at the map
9 that was here tonight?

10 MR. STACY: I just looked at one
11 here tonight and I reviewed the one at
12 the township several times.

13 MS. SEE: Okay. I'm not sure which
14 map you may be looking at the township,
15 but I would encourage you to check the
16 one that was brought here.

17 MR. STACY: Whatever they gave the
18 trustees.

19 MS. SEE: I'll tell you to refer to
20 the map that was brought here. Okay.
21 All right. Thank you very much.

22 MR. SCHMIDT: Your Honor, can I ask
23 just a couple questions to clarify that
24 last answer?

25 MS. SEE: Sure.

1 MR. SCHMIDT: The map that you're
2 referring to that you said was with the
3 township trustees, did it come with the
4 entire application?

5 MR. STACY: It had all the areas in
6 accordance.

7 MR. SCHMIDT: And you believe that
8 the map you've seen here tonight and the
9 map there was different?

10 MR. STACY: Was different.

11 MR. SCHMIDT: Okay.

12 MS. SEE: Thank you, Mr. Stacy.

13 Tom Smith?

14 Did I hear Mr. Smith say pass?

15 MR. SMITH: Pass.

16 MS. SEE: Wayne Cullen -- or I'm
17 sorry. This may be Wayne Collier.

18 MR. COLLIER: Pass.

19 MS. SEE: Pass.

20 Is there a Scott -- I cannot read
21 the last name.

22 MR. COLLIER: Collier, Keith.

23 MS. SEE: Is there a Keith Collier?

24 MR. COLLIER: Correct. Pass.

25 MS. SEE: Jeanette R. Henry.

1 JEANETTE R. HENRY,

2 After having been first duly sworn, as
3 hereinafter certified, was examined and testified
4 as follows:

5 MS. SEE: You need to state and
6 spell your name for the record and give
7 us your address.

8 MS. HENRY: Jeanette R. Henry,
9 J-E-A-N-E-T-T-E, middle initial R.,
10 Henry, H-E-N-R-Y. My address is P.O.
11 Box 1700, Milan, Ohio.

12 MS. SEE: Go ahead with your
13 testimony.

14 MS. HENRY: I have a hearing
15 problem even with hearing aides, so I
16 brought some ears along to help me. He
17 will introduce himself.

18 MR. FISCHER: My name is Matthew J.
19 Fisher, F-I-S-C-H-E-R. I'm an attorney
20 with Marshall and Melhorn, LLC, in
21 Toledo. That's 4 Seagate, Eighth Floor,
22 Toledo, 43604.

23 MS. HENRY: Okay. Can I go?

24 I wanted to thank you for giving me
25 this opportunity to state my concerns,

1 my objections and my suggestions to the
2 proposed transmission line. Our farm is
3 located on Route 4 and 99 in Groton
4 Township. The proposed line cuts the
5 full length of the farm, halfway in the
6 center of the farm over half a mile.
7 That's 3,345 feet long.

8 MS. SEE: Ms. Henry, could you tell
9 me if you are along the proposed
10 Preferred line or the Alternate line?

11 MR. FISCHER: We are talking about
12 the preferred line, and that's the one
13 that cuts right through the middle of
14 her farm.

15 MS. SEE: The preferred line?

16 MS. HENRY: Thank you. I object to
17 the unsightliness of the power poles and
18 lines. I have some pictures here that
19 I don't think that enhances our property
20 any. The initial damage lasts forever.
21 It eliminates Groton Township's future
22 develop forever.

23 If we should decide to farm this
24 easement portion, farming around the
25 poles is very difficult, as a lot of

1 farmers know. They're all shaking their
2 heads. And that is forever.

3 The liability of a pole falling
4 beyond the easement line, whose is
5 responsibility does it then become?
6 Mine?

7 Spraying foliage can be very
8 harmful animals, farm equipment and to
9 humans. This easement makes a cloud on
10 the title to the property and remains on
11 the land forever. Residual damage to
12 our property on both sides of the
13 transmission line will reduce the
14 property for its size and best use.
15 There is much hunger and starving in the
16 world, and this is taking more land out
17 of production.

18 FirstEnergy uses herbicides in
19 controlling weeds. We limit the use of
20 these poisons around our crops. We are
21 growing them for animal and human
22 consumption.

23 I've been to several meetings with
24 Mr. David Lawrence representing
25 FirstEnergy, which I had asked him about

1 corner road sharing, the Alternate Route
2 that appears to be shorter, this
3 proposed route, in our review, zig-zags
4 around several times and appears to
5 double the length of the transmission
6 line, and also to consider Turnpike
7 right-of-way. Coming out of Fremont, it
8 seems to follow along the Turnpike. I
9 don't know why it couldn't continue the
10 length. It would be shorter.

11 Mr. Lawrence has been very
12 friendly, respectful, but he never gave
13 me the answers I wanted.

14 I also ask that if this
15 transmission line is ever abandoned or
16 becomes obsolete or unused for a period
17 of two years, the company, then owning
18 the easement, will remove their property
19 from the easement area and bring the
20 property back to the present owners.

21 So I have some pictures here, also,
22 of what they do with their herbicides.
23 That is in Lorain County. Thank you.

24 MR. FISCHER: May I?

25 MS. SEE: May you what?

1 MR. FISCHER: Speak.

2 MS. SEE: May you speak? No.

3 She's the witness.

4 Are you counsel?

5 MR. FISCHER: I am.

6 MS. SEE: No.

7 MR. FISCHER: I'm on the list,
8 then. I'll wait my turn.

9 MS. SEE: Okay. Well, hold on
10 Ms. Henry.

11 Mr. Schmidt, is there any cross-
12 examination of this witness?

13 MR. SCHMIDT: No, ma'am.

14 MS. SEE: Thank you.

15 Ms. Henry, do you have a written
16 statement the court reporter can have a
17 copy?

18 MR. FISCHER: We'll be happy to
19 submit a copy afterwards.

20 MS. SEE: It's not for me. It's
21 for the court reporter to have notes to
22 follow.

23 MR. FISCHER: Okay. I'll talk to
24 her afterwards.

25 MS. SEE: Next witness I have on

1 the list is Deborah Linder. Ms. Linder?

2 MS. LINDER: I submitted two
3 statements.

4 MS. SEE: Those were the --

5 MS. LINDER: -- in hopes that they
6 will see their way through. Am I
7 guaranteed that?

8 MS. SEE: Yes. I can assure you
9 that will be --

10 MS. LINDER: If I go online, I will
11 see it in the transcript?

12 MS. SEE: You will not see it in
13 the transcript. You will see comments
14 that you submit to me in the comments
15 section of the docket. It's all in the
16 same docket card when you go online.
17 Okay.

18 With that, I take it you're going
19 pass from giving live testimony?

20 MS. LINDER: Yes.

21 MS. SEE: Stephen J. Frontz?

22 STEPHEN J. FRONTZ,

23 After having been first duly sworn, as
24 hereinafter certified, was examined and testified
25 as follows:

1 MS. SEE: Please state and spell
2 your name for the record and give us
3 your address.

4 MR. FRONTZ: Stephen spelled
5 S-T-E-P-H-E-N, Frontz, F-R-O-N-T-Z.
6 We're at 2616 County Road 239, Fremont.

7 MS. SEE: Go ahead with your
8 testimony.

9 MR. FRONTZ: I'm not quite as
10 organized as some other people, but I'm
11 -- I'm concerned about the primary
12 route, which runs right through my farm
13 in Groton Township. And, actually, I'm
14 not in favor of this route. I have no
15 -- you're asking me to okay something
16 that I don't know how many poles there
17 are going to be, how you're going to get
18 to them, how you're going to take care
19 of them. I mean, I need to know this if
20 I'm going to have to farm around them.
21 And that's, you know, some of the things
22 that I'm concerned about. That's it.

23 MS. SEE: Cross-examination,
24 Mr. Schmidt?

25 MR. SCHMIDT: No, ma'am.

1 MS. SEE: Thank you.

2 I have Dan Warner. Dan Warner.

3 Sue Warner? Okay.

4 SUE WARNER,

5 After having been first duly sworn, as
6 hereinafter certified, was examined and testified
7 as follows:

8 MS. SEE: Please state and spell
9 your name for the record and give us
10 your address.

11 MS. WARNER: Sue Warner,
12 W-A-R-N-E-R, 3210 County Road 231,
13 Fremont, Ohio.

14 MS. SEE: Go ahead.

15 MS. WARNER: I have a couple of
16 concerns I have. Number one, the
17 notification process. The notification
18 process, I would like to see a change in
19 that, where everybody who has any
20 property along any of the proposed lines
21 would get a certified letter so that
22 they can take part in public meetings
23 prior to this time in process.

24 Also, I have not heard anything
25 about future use. If this project goes

1 through on the Preferred or the
2 Alternate Route, is there any
3 stipulation on being able to use that
4 right-of-way for something different
5 later, like different poles, additional
6 lines, higher voltages?

7 And, also, on behalf of many
8 farmers in the two counties that this is
9 going to affects, I would like to
10 publicly state that I am opposed to
11 crossing through any farm ground instead
12 of going in between property lines or on
13 the roadways.

14 MS. SEE: Any cross-examination for
15 this witness?

16 MR. SCHMIDT: No, ma'am.

17 MS. SEE: Okay. Thank you very
18 much Ms. Warner.

19 Michael and Judy Mole?

20 MR. MOLE: We pass at this time.

21 MS. SEE: Both of you will pass?

22 MR. MOLE: (Indicating.)

23 MS. SEE: Leslie Millis?

24 LESLIE MILLIS

25 After having been first duly sworn, as

1 hereinafter certified, was examined and testified
2 as follows:

3 MS. SEE: Please state and spell
4 your name for the record and give us
5 your address.

6 MS. MILLIS: My name is Leslie
7 Millis, L-E-S-L-I-E. Last name is
8 Millis, M-I-L-L-I-S. My address at my
9 house is 2416 Lima Sandusky Road
10 Sandusky, Ohio, 44870. My property is
11 located at the corner of Portland and
12 Northern West Road. Is it part of the
13 prefer route. Currently I have a farm
14 with my husband. We only own this
15 farmland, and it's about 62 acres of
16 tillable. And our concern is that the
17 line is preferred to go right through
18 the middle of our farm, and it's our
19 only farm, and it's a very hilly farm,
20 which already takes a lot of
21 concentration to plant and spray and
22 harvest as it is, let alone having some
23 obstacles go through the middle of the
24 field.

25 Also, the placement of the poles,

1 as farm equipment keeps getting bigger
2 and bigger, pretty soon it's going to
3 get really hard to make the rounds and
4 be able to map out the field with
5 obstacles in the middle of it. And I
6 also raise vegetables, and I'm concerned
7 that I'm not going to have a plane spray
8 my crops because you cannot drive on
9 your fine crops at a certain stage and
10 you need a plane to spray them. And I
11 was told that the plane spraying doesn't
12 spray so close to power lines.

13 And my other concern was that I did
14 not know about this line until I had a
15 guy call me named Vinny that came to my
16 house and made me a measly offer for an
17 easement for the life of my land. I did
18 not know anything about it until this
19 guy showed up at my house. And then I
20 received a letter about this hearing in
21 April. And then other people told me
22 there was hearings all the way back in
23 October. So I did not know about this.

24 The other concern I have is that
25 this might be the first phase and

1 supposedly a wooded pole, and then, you
2 know, next they would go to metal poles,
3 then the big free-standing poles, you
4 know, more obstacles going right through
5 your field.

6 And I also don't like that it
7 limits use of my farm. People do not
8 like to live near power lines. When I'm
9 older, I may want to live off my farm,
10 start selling off for houses. I own a
11 lot of frontage. And people do not want
12 to live near power lines. And I may
13 want to sell it off when I'm old and use
14 it as my requirement. And those are my
15 concerns right now. And I would like to
16 reserve the right to give more concerns
17 at a later date. Thank you.

18 MS. SEE: Okay. Mr. Schmidt,
19 cross-examination?

20 MR. SCHMIDT: No, thank you.

21 MS. SEE: Thank you, Ms. Millis.

22 Gary Logsdon?

23 GARY LOGSDON,

24 After having been first duly sworn, as
25 hereinafter certified, was examined and testified

1 as follows:

2 MS. SEE: Please state and spell
3 your name for the record and give us
4 your address.

5 MR. LOGSDON: Gary, G-A-R-Y,
6 Logsdon, L-O-G-S-D-O-N, 411 Gilbert
7 Drive, Fremont.

8 MS. SEE: Go ahead, please.

9 MR. LOGSDON: Our concerns
10 basically involves our family and the
11 Heagney family next to our place. This
12 is in the Logsdon Subdivision.

13 Twenty years ago we developed a
14 wetlands behind our house. Now this
15 does not mean we have a lot of acreage.
16 We actually have a little over two
17 acres, as does my neighbor. So we're
18 approximately look at four acres. But
19 being outdoor people and involved in the
20 environment, we've decided to put in a
21 legitimate wetlands project. This
22 includes bird migratory landings. We
23 get approximately 40 to 50 species of
24 birds every spring. We have deer and
25 every other critter that can walk this

1 Earth comes into our area. And
2 obviously we feed them. Even Woody our
3 woodchuck lives there, and he eating
4 very happily.

5 The ecology of the landing was
6 originally Muskellunge Creek, which was
7 blocked off on the farm, which is my
8 grandfather's farm. So it is
9 classified -- well, we had another issue
10 about a roadway at one point. It's
11 right on the tax form "wetlands." So
12 I'm actually paying my taxes as a
13 wetland in the non-tillable area of our
14 property. So we have there a pond,
15 considered a frog pond to go with it,
16 whereas my neighbor has a deep pond
17 covering, probably, at least, of quarter
18 of an acre, in that area. And that
19 involves, also, a line of many trees
20 that arbors that we're dealing with
21 here.

22 Now, you may wonder why bringing
23 this up. There is power lines -- we
24 back up right to the Turnpike fence.
25 There is power lines along the Turnpike,

1 pretty large ones. Our concern is, why
2 would the power company go through a
3 wetlands if they can move it up to the
4 Turnpike or across the Turnpike, since
5 there is already poles behind the BP
6 station that come across and follow the
7 fence line to the Sandusky River. But
8 the way it's laid out is that the lines,
9 accordingly -- you know, some -- what we
10 are getting off the Internet is not the
11 same, so the mapping needs to be
12 adjusted somehow. But according to
13 survey they did with the little ribbons
14 and that, it comes right through the
15 back part of my wetland, across behind
16 my neighbor's pond and over. I don't
17 understand why they would do that, when
18 the other lines follow the Turnpike. So
19 I guess that's our concern. I know it's
20 not a big deal in property, but wetlands
21 are very important to us and the birds.

22 Another issue that we have that we
23 researched is the EMF, electric magnetic
24 fields. The last study they did was in
25 the year 2000. And according to our

1 research, it's 50 percent safe and 50
2 percent not safe.

3 Now, I want to clarify why if these
4 lines come across the wetlands -- right
5 now there is four to six inches of
6 water -- I'm back there doing things in
7 the water. And according to go my
8 research, it's not safe if you touch
9 metal underneath these lines. Now, how
10 am I supposed to be messing around my
11 wetlands, taking care of my marsh or
12 cattails and all that, I'm not -- I'm
13 going to have to walk under these
14 liens. And there is metal back there.
15 So that's a major concern to us. Is it
16 safe or not safe? The research is not
17 conclusive on this. So if you're
18 running these lines, I'm a little
19 concerned.

20 Another concern is the depreciation
21 of property. I don't know if anybody
22 brought that up here tonight -- would be
23 a concern. It has to take away some of
24 the value of the land. So I guess what
25 we're asking for here is always consider

1 wetlands as a place that you tread
2 lightly.

3 I sent a letter off on e-mail
4 several month ago. I didn't hear a
5 reply on any of this. But I have a
6 proposal I gave tonight. The gentleman
7 in the tie has pictures of what I'm
8 talking about. So it's documented. And
9 I think I guess we would prefer an
10 Alternate Route, or at least don't go
11 through the wetlands. That's it. Thank
12 you.

13 MS. SEE: Mr. Schmidt, any cross-
14 examination for this witness?

15 MR. SCHMIDT: No, Your Honor.

16 MS. SEE: Thank you very much.

17 Barbara Heagney?

18 Mr. Logsdon, I have a question
19 for. Were you intending to -- you just
20 wanted me to take these pictures so that
21 we are aware?

22 MR. LOGSDON: I want them filed
23 with my written notes.

24 MS. SEE: With your witness notes?

25 MR. LOGSDON: Yeah. We turned in a

1 written copy, and then we want to add
2 these pictures to it. We gave it to
3 this gentleman here.

4 MR. BUTLER: They provided that
5 before the meeting started, and then
6 they decided that they wanted to provide
7 written testimony as well.

8 MS. SEE: Is your written --

9 MR. BUTLER: No. It's -- it's in
10 the other papers that we have.

11 MS. SEE: Okay. Okay.

12 MS. HEAGNEY: Barbara Heagney,
13 B-A-R --

14 MS. SEE: I need you to raise your
15 right hand.

16 BARBARA HEAGNEY,
17 After having been first duly sworn, as
18 hereinafter certified, was examined and testified
19 as follows:

20 MS. SEE: Please state and spell
21 your name for the record.

22 MS. HEAGNEY: Barbara Heagney,
23 B-A-R-B-A-R-A, H-E-A-G-N-E-Y.

24 MS. SEE: And I need your address.

25 MS. HEAGNEY: 385 Gilbert Drive,

1 Fremont, Ohio.

2 MS. SEE: Go ahead with your
3 testimony.

4 MS. HEAGNEY: Okay. I am here with
5 Mr. Logsdon that just testified. I have
6 the same concerns that he does.

7 First of all, our back parcel is
8 considered a wetlands, which we were
9 aware of when we purchased the
10 property. We purchased it partially for
11 that reason, knowing that nothing
12 permanent could be built back there to
13 interfere with the back property for us
14 to enjoy. The conditions back there are
15 wet, almost like quicksand.

16 Twenty-five years ago we planted a
17 whole lot of pine trees that help board
18 from fuel cars to help abeyance against
19 the noise and the view of the Turnpike,
20 plus there are trees along 53 that
21 border our property there. And
22 according to the little flags that the
23 people put up, these would all be cut
24 down.

25 And on the other side of creek,

1 which is on our property, there is
2 almost a state tree. It's a Cottonwood
3 that almost is large enough to qualify
4 for a state tree, and that would be cut
5 down.

6 Now, we have a quarter-acre pond.
7 According to the flags, those lines will
8 go across that pond. We have herons,
9 egrets, eagles, kingfisher, woodchucks,
10 mallard, Bufflehead, diving ducks all
11 come in there. We are concerned because
12 the lines will be there that they will
13 be damaged by running into them or by
14 the EMRs that is they put off.

15 Also, I want -- as far as the other
16 lady brought up the easements on the
17 right-of-ways. During the right
18 conditions, there is no way that any
19 truck can get back in there. And if
20 they could and they spray, what is it
21 going to do to the fish in my pond, to
22 the birds in and around it, because it
23 would be in the right-of-way. And also,
24 the land, when we bought it -- we're
25 self-employed. Part of buying this

1 property was to be our retirement. The
2 way I look at it, you put those power
3 poles through the back of it, you cut
4 down all of our trees so we're exposed
5 to 53 and the Turnpike and we're going
6 to lose at least 75 percent of the value
7 of the property. At this time, at my
8 age in life, I can't afford to see that
9 loss. And I vote for the Alternate
10 Route. And we also have all kinds of
11 deer, woodchuck, fox, raccoon, opossum,
12 rabbits, everything that comes to the
13 pond to drink. If it's poisoned,
14 they're going to be poisoned.

15 MS. SEE: Any cross-examination for
16 this witness?

17 MR. SCHMIDT: No, Your Honor.

18 MS. SEE: Did you have a written
19 statement you were reading from?

20 MS. HEAGNEY: There is a written
21 statement that I gave to the gentleman
22 over there.

23 MS. SEE: Thank you very much.
24 Also noted on the registry is a Len
25 Heagney. Were you going to offer

1 testimony tonight?

2 MR. HEAGNEY: Pass. No, I'm not.

3 MS. SEE: Gwen Soule?

4 GWEN SOULE,

5 After having been first duly sworn, as
6 hereinafter certified, was examined and testified
7 as follows:

8 MS. SEE: Please state and spell
9 your name for the record and give us
10 your address.

11 MS. SOULE: My name is Gwen.
12 That's G-W-E-N. Last name Soule,
13 spelled S-O-U-L-E. My address is 452
14 South County Road 204, Fremont, Ohio.

15 MS. SEE: Go ahead with your
16 statement.

17 MS. SOULE: My primary concerns,
18 aside from the fact that I know this is
19 going to be very disruptive to a lot of
20 individuals, I'm really concerned with
21 how the financial compensations are
22 going be calculated for producers who
23 are going to be losing farmable acres.
24 Whether that's going to be calculated on
25 one-time cash payment or whether that's

1 something that's going to be calculated
2 in a way that will allow an adjustment
3 over time to consider the fact that that
4 farmland has value for an eternity.

5 A lot of our -- some of the
6 property affected is owned by our
7 family. And that -- that has been
8 passed down to my father is impacted.
9 It also impacts our generation. It
10 impacts my daughter's generation, and it
11 impacts even my grandchildren's
12 generation, that for an eternity
13 families will lose those production
14 acres and lose income. And there is no
15 way of knowing now what farmland is
16 going be worth in 10, 15, 20 years, and
17 there is no way of knowing what the
18 products produced on that farm are going
19 to be worth in 10 or 20 or 25 or 50
20 years. And I would like to see
21 something spelled out more in writing on
22 exactly how we're going to calculate
23 that and whether there is going to be an
24 opportunity for those numbers to be
25 readjusted and compensation paid on --

1 maybe not necessarily an annual basis,
2 but adjusted every five to ten years,
3 because the people who have that
4 property are not choosing to sell it,
5 like you or I might chose to sell our
6 property. It's being taken from them.
7 And they need to be compensated for
8 that.

9 I actually would have loved to get
10 up here and say that I want you to take
11 the Alternate Route -- or the Preferred
12 Route because the Alternate Route
13 affects where I'm building a new home.
14 And it's going put utility poles in my
15 front yard basically, across the road.
16 However, I grew up in a farm family, and
17 when you look at those two comparisons,
18 that proposed route -- the primary
19 proposed disrupts a lot of farmland.
20 It's going to take a lot of farmland out
21 of production. And if a few of us have
22 to live with poles in our front yard
23 instead of farmers having to lose acres
24 and acres of production, they need to
25 take the route that impacts the least

1 amount.

2 MS. SEE: Just so I am clear, which
3 route is your property located on?

4 MS. SOULE: The property that I
5 currently own is located along the
6 Alternate Route. The property that my
7 family owns together in a family farm is
8 located along the Preferred Route. So
9 both.

10 MS. SEE: Any cross-examination for
11 this witness?

12 MR. SCHMIDT: No, Your Honor.

13 MS. SEE: Ms. Soule, can you give
14 me the address of your family's
15 property?

16 MS. SOULE: It doesn't have an
17 address. It's a field.

18 MS. SEE: What route is it
19 located?

20 MS. SOULE: It is along the primary
21 route, near the corner of County Road
22 231 and County Road 260 -- 233. Sorry.
23 Not 260.

24 MS. SEE: Thank you.

25 MS. SOULE: You're Welcome.

1 MS. SEE: Keith King?

2 MR. KING: Pass.

3 MS. SEE: Jeffrey Diehler?

4 I'm not sure I pronounced that
5 correctly. On North County Road.

6 MR. DIEHLER: Right here.

7 MS. SEE: Pronounce your name.

8 MR. DIEHLER: Pardon me?

9 MS. SEE: Pronounce your name for
10 me.

11 MR. DIEHLER: My name is Jeffrey
12 Diehler, D-I-E-H-L-E-R.

13 JEFFREY DIEHLER,

14 After having been first duly sworn, as
15 hereinafter certified, was examined and testified
16 as follows:

17 MS. SEE: Now state and spell your
18 name for the record.

19 MR. DIEHLER: Jeff Diehler,
20 D-I-E-H-L-E-R. My address is 1616 North
21 County Road 198, Fremont.

22 MS. SEE: Go ahead with your
23 testimony.

24 MR. DIEHLER: Looking at this map,
25 I prefer that it would be the Preferred

1 Route. I've noticed on this paper that
2 Ohio Division of Wildlife is allowing
3 them to go through the line there, too,
4 on their property. And I just hope it
5 will stay that way, because you -- on
6 the preferred Option B, that involves
7 me. So I'm just -- how much of
8 resistance did you have with the Ohio
9 Division of Wildlife. That's my
10 question.

11 MS. SEE: Okay. As I indicated at
12 the start of the hearing, this is not
13 the point at this part of the hearing.
14 I urged you to get your questions
15 answered prior to the start of the
16 hearing. But you should be aware that
17 the Ohio Department of Natural Resources
18 is a state agency that participates in
19 all Board decisions, and we are
20 represented on the Ohio Power Siting
21 Board.

22 MR. DIEHLER: Okay. Thank you.

23 MS. SEE: Thank you.

24 Mr. Schmidt, cross?

25 MR. SCHMIDT: No, Your Honor.

1 MS. SEE: Mike Powell?

2 MIKE POWELL,

3 After having been first duly sworn, as
4 hereinafter certified, was examined and testified
5 as follows:

6 MS. SEE: State and spell your name
7 for the record and also state your
8 address.

9 MR. POWELL: My name is Mike
10 Powell, M-I-K-E, P-O-W-E-L-L. And my
11 mailing address -- I'm here with Black
12 Swamp Conservancy. Our mailing address
13 is P.O. Box 332, Perrysburg, Ohio. Zip
14 code 43552.

15 MS. SEE: I'm sorry. Tell me again
16 who you're representing.

17 MR. POWELL: Black Swamp
18 Conservancy.

19 MS. SEE: Go ahead with your
20 testimony.

21 MR. POWELL: Good evening. My name
22 is Mike Powell, and I'm here
23 representing Black Swamp Conservancy.
24 Black Swamp Conservancy is a regional,
25 non-profit land conservation

1 organization serving northwest Ohio. We
2 work to protect and preserve natural and
3 agricultural lands in northwest Ohio for
4 the benefit of future generations,
5 primarily through the use of
6 conservation and agricultural easements.
7 These easements are voluntary agreements
8 with landowners that bind to the land
9 and ensure that it stays in a natural or
10 agricultural state for perpetuity. The
11 Millers, owners of the historic
12 Peninsular Farms, granted the
13 Conservancy a separate conservation
14 easement, committing 615 acres of
15 natural habitat and agricultural lands
16 exclusively to conservation uses
17 forever.

18 I am here to speak to the enormous
19 natural and cultural value of Peninsular
20 Farms. It contains a unique mixture of
21 crop, wood, grass and wetlands that are
22 notable for their size, quality, habitat
23 diversity, and for their location within
24 the Sandusky River basin, including
25 substantial river frontage on both sides

1 of the river less than six miles from
2 Sandusky Bay. Peninsular Farms provides
3 a nationally recognized and important
4 stopover port for migratory birds during
5 the spring and fall migrations that pass
6 through northwest Ohio. Preservation of
7 this habitat is vital both from an
8 ecological standpoint and an economic
9 one, the flyway is the reason for the
10 success of the Biggest Week in American
11 Birding, a national event that brings
12 more the \$30 million to the region from
13 visiting birders during the peak of the
14 spring migration. The 2014 Biggest Week
15 concluded last week, and I personally
16 met visitors to the region from states
17 as far apart as Washington and Virginia.

18 In addition, Peninsular Farms
19 provides habitat to a number of
20 important resident species. An obvious
21 and visible example is the Bald Eagle.
22 Peninsular Farms contains two active
23 Bald Eagle nests, and its extensive
24 river frontage provides prime hunting
25 ground. The Alternate Route's

1 introduction of power lines crossing the
2 river, separate from a larger feature
3 like a bridge, represents a significant
4 collision hazard. The Preferred Route
5 not only concentrates the proposed lines
6 along the Ohio Turnpike, its relocation
7 of the existing distribution lines to
8 the same location will actually
9 ameliorate the negative impact of the
10 existing power lines to the Sandusky
11 Riparian Corridor. Natural habitat of
12 this size, diversity, and quality is
13 extremely rare in northwest Ohio, and
14 the Preferred Route will not only damage
15 that habitat far less than the Alternate
16 Route, it will actually improve it.

17 Peninsular Farms' value as a
18 cultural resource is also extraordinary.
19 It is the largest remaining tract of the
20 Whittaker Reserve, which the Wyandot
21 Tribe granted to James and Elizabeth
22 Whittaker in 1781. The Whittakers were
23 the first permanent white settlers in
24 what would eventually become the State
25 of Ohio. They established a trading

1 post, which was burned down by British
2 soldiers during the War of 1812, and are
3 buried on the property. Installation of
4 large transmission lines along the
5 Alternate Route would cause significant
6 damage to the historic character of the
7 property, which embodies an important
8 moment in our region's history.

9 Additionally, Peninsular Farms is
10 subject to a perpetual conservation
11 easement, filed of record on December
12 29, 2000, which states that "No power
13 transmission lines or communication
14 towers shall be erected, nor shall
15 interests in the Protected Property be
16 granted for this purpose." The
17 Alternate Route would require the taking
18 of a utility easement on the protected
19 property, and, as a result, violates
20 these terms. The Peninsular Farms
21 easement provides vital protection to an
22 enormously valuable asset, preserving it
23 for the benefit of future generations.
24 Violating this easement endangers the
25 property and does a grave disservice to

1 northwest Ohio's future citizens.

2 Finally, I would like to note that
3 Black Swamp Conservancy is not the only
4 party opposed to the Alternate Route for
5 the Hayes-West Fremont Transmission
6 Line. The Power Siting Board's Staff
7 Report of Investigation notes that the
8 Alternate Route represents significantly
9 greater environmental and cultural
10 impacts than the Preferred Route, and
11 recommends accordingly that the Board
12 find in favor of the Preferred Route.
13 The Applicant, following a meeting with
14 the landowner and representatives of
15 Black Swamp Conservancy, as well as
16 representatives of the region at large,
17 revised its plans to avoid damaging
18 Peninsular Farms. Public comment
19 overwhelmingly supports routes that
20 avoid Peninsular Farms, as do Ohio State
21 Representative Rex Damschroder, Port
22 Clinton Mayor Vincent Leone, and the
23 Danbury Township trustees. I strongly
24 urge you to heed these voices and find
25 in favor of the Preferred Route for the

1 Hayes-West Fremont Transmission Line.

2 MS. SEE: Do you have a written
3 statement that you can provide to the
4 court reporter?

5 MR. POWELL: Yes.

6 MS. SEE: Mr. Schmidt?

7 MR. SCHMIDT: No, Your Honor.

8 MS. SEE: Thank you very much
9 Mr. Powell.

10 Scott Rathfelder?

11 SCOTT RATHFELDER,

12 After having been first duly sworn, as
13 hereinafter certified, was examined and testified
14 as follows:

15 MS. SEE: Please state and spell
16 your name for the record and give us
17 your address.

18 MR. RATHFELDER: Scott Rathfelder,
19 S-C-O-T-T R-A-T-H-F-E-L-D-E-R, Sr.

20 MS. SEE: Your address?

21 MR. RATHFELDER: 3500 County Road
22 234, Fremont.

23 MS. SEE: Go ahead with your
24 testimony.

25 MR. RATHFELDER: Some of our main

1 concerns is the tile, and I would like
2 to know if there is a company that's
3 been hired to locate field tile before
4 you come through the property. And
5 also, if a tile is damaged, are they
6 going to at least fix the tile for us?
7 We do have poles that's running through
8 our property at this point, and so these
9 are going to be additional poles. And
10 of course it's difficult to farm around
11 them. And every year we have to take
12 care of the brush that's around them.
13 We've never seen an electric company
14 ever take care of that.

15 MS. SEE: I'm sorry. Repeat that
16 last part.

17 MR. RATHFELDER: I have never seen
18 the electric company come out and take
19 care of the brush along the poles.

20 Some of the other concerns is, when
21 the poles are installed, that it has an
22 impact on our ground. Not just for one
23 season, but for several years because of
24 packing of the ground and they damage
25 it -- the damage you cause coming

1 through our property.

2 Also, with having the poles, of
3 course, we have lost wages, not only for
4 myself, but my son that farms and then
5 me grandsons. And for those lost wages,
6 we're hoping for compensation such as,
7 you know, a percentage of, maybe, the
8 electricity that runs through that
9 property.

10 Also, on our piece of property,
11 Sara Williams -- it was a reserve. It
12 was given to her in the 1800s, so it is
13 part of a piece of historical property
14 that we have. That's it.

15 MS. SEE: Any cross-examination?

16 MR. SCHMIDT: No, Your Honor.

17 MS. SEE: Thank you,

18 Mr. Rathfelder.

19 Scott Rathfelder, Jr.?

20 MR. RATHFELDER: Pass.

21 MS. SEE: Don W. Miller.

22 DON W. MILLER,

23 After having been first duly sworn, as
24 hereinafter certified, was examined and testified
25 as follows:

1 MS. SEE: Please state and spell
2 your name for the record.

3 MR. MILLER: Don Miller, D-O-N,
4 M-I-L-L-E-R.?

5 MS. SEE: And your address?

6 MR. MILLER: 2716 Whittaker Drive.

7 MS. SEE: Go ahead with your
8 testimony.

9 MR. MILLER: Well, I came here to
10 speak for Peninsular Farms, but
11 Mr. Powell, I guess, said it a whole lot
12 better than I could. So there is no
13 point in repeating it.

14 I been in that farm conservation
15 easement about 14 years ago, I believe,
16 and I took a significant loss in
17 property value by doing that because I
18 felt that that farm should be preserved
19 for future.

20 At 87, I don't think I'll get a
21 whole lot more use out of that farm, but
22 I certainly want to preserve it as part
23 of our history and we need to preserve
24 it.

25 Everybody here says, "not in my

1 backyard." None of us want it in our
2 backyard. And I'm gratified that we are
3 the Alternate Route instead of the
4 Preferred Route, but there is still the
5 chance the line can come through our
6 property. Everyone hopes that it
7 doesn't go through their farm, that
8 means it does have to go through
9 somebody else's farm. And for that
10 reason, I would like to see the Power
11 Siting Board and the power company make
12 sure they do the least harm to the
13 property owners.

14 First of all, it should go on
15 existing right-of-ways and not through
16 open farmland. But if they're going to
17 go -- they follow the Turnpike, then
18 stay within three feet of the fence.
19 It's not going hurt the farms, I think.
20 I used to farm many years ago. I think
21 if it's going be 60 feet out in the
22 field, it may as well be 300 feet in the
23 field, because they have to farm around
24 it. And I would like to see them stay
25 close to the right-of-ways to the

1 Turnpike right-of-way.

2 MS. SEE: Any cross-examination?

3 MR. SCHMIDT: No. Thank you.

4 MS. SEE: Thank you, Mr. Miller.

5 MR. MILLER: Thank you.

6 MS. SEE: I think it's Matt

7 Fischer.

8 MR. FISCHER: That would be me, and

9 I'll pass.

10 MS. SEE: That concludes the list
11 that you signed when you came into the
12 hearing this evening. Is there anyone
13 that would like to offer testimony that
14 has not had the opportunity to do so?

15 Sir.

16 You'll go next.

17 Your name, please.

18 MR. KISTLER: Paul Kistler. I'm on
19 the list. I skipped the first part.

20 MS. SEE: Oh, you passed?

21 All right.

22 PAUL KISTLER,

23 After having been first duly sworn, as
24 hereinafter certified, was examined and testified
25 as follows:

1 MS. SEE: State and spell your name
2 for the record.

3 MR. KISTLER: Paul, P-A-U-L,
4 Kistler, K-I-S-T-L-E-R.

5 MS. SEE: And your address?

6 MR. KISTLER: 6115 Strucker Road,
7 Monroeville, Ohio. I put down the name
8 -- or the address of the farm on there.

9 MS. SEE: Okay. Is this your
10 property on here?

11 MR. KISTLER: Yes. It's on 1263
12 North County Road 232.

13 MS. SEE: Okay.

14 MR. KISTLER: And the Preferred
15 Route is the one that cuts right through
16 our farm.

17 MS. SEE: Go ahead with your
18 statement.

19 MR. KISTLER: My biggest concern
20 is, you know, obviously it cuts right
21 through our farm. But we were not
22 notified. This meeting here is the
23 first one we heard about. We want to
24 know why this goes on this way. And I
25 heard these other people talk about the

1 flags out in their field that shows the
2 way that the power lines are running,
3 and we have never seen any flags out in
4 our field. How far off the Turnpike are
5 you going to stay?

6 And my other concern is, why do you
7 jump across the Ohio Turnpike three
8 times. That can't be cheap. I don't
9 understand why you don't stay on one
10 side of the Turnpike the distance. So
11 that's what my biggest concerns are.

12 MS. SEE: Any cross, Mr. Schmidt?

13 MR. SCHMIDT: No, Your Honor.

14 MS. SEE: Thank you, Mr. Kistler.

15 Sir, please come forward.

16 ALAN WEICKERT,

17 After having been first duly sworn, as
18 hereinafter certified, was examined and testified
19 as follows:

20 MS. SEE: State and spell your name
21 for the record and give us your address.

22 MR. WEICKERT: Alan Weickert,
23 A-L-A-N, W-E-I-C-K-E-R-T.

24 I would just like to reiterate some
25 of the concerns that's already been

1 expressed by many of you. For the life
2 of me, I don't understand why these
3 power poles can't run on existing
4 property lines, between existing
5 property lines, as opposed to -- I mean
6 in the case I'm talking about the
7 Preferred and Alternate, because both of
8 those run through my property; both of
9 those. They're both 890 feet out in the
10 field. So that's basically -- this is a
11 long field. It's about 3,000 and about
12 1,500 feet wide. It will encompass
13 about six acres between the easement and
14 the space between the easement and
15 another easement from another power
16 company. So it is going to go through
17 the middle of the field. And the field
18 was just tiled in the last 15 years or
19 so. I want to ensure that if these
20 poles do go through that field, that the
21 tiles are fixed. And also, the
22 easement, when I acquired that property,
23 I enter through an easement on property
24 that somebody else owns. And since it's
25 such a large field, they're going to be

1 driving up over the field, literally, to
2 go put these poles in. I seen it happen
3 a few years back when the existing power
4 poles that AEP owns all blew over. And
5 I had trucks all over the field, rutts.
6 And it take years to get that ground
7 back to a reasonable tillage. But
8 anyhow, if they put those poles there,
9 my preference would be that they put an
10 easement or a driveway off State Route
11 19 so they can access those poles
12 directly as opposed to driving 1,500
13 feet across the field and 3,000 feet
14 down the length of the field. But I
15 would still like to see them move those
16 poles over to the property line so
17 they're not out in the middle of the
18 field. That's all.

19 MS. SEE: Any cross-examination?

20 MR. SCHMIDT: No, thank you.

21 MS. SEE: Okay. Thank you.

22 Is there anyone else that has not
23 had an opportunity to offer testimony?

24 Okay. These will be our last two
25 witnesses.

1 Sir, your name, please?

2 MR. WARNER: Dan Warner.

3 DAN WARNER,

4 After having been first duly sworn, as
5 hereinafter certified, was examined and testified
6 as follows:

7 MS. SEE: Please state and spell
8 your name for the record.

9 MR. WARNER: Dan Warner, D-A-N,
10 W-A-R-N-E-R. My wife spoke a little
11 earlier.

12 MS. SEE: Okay. And your address?

13 MR. WARNER: 3210 County Road 231,
14 Fremont.

15 MS. SEE: Okay. Go ahead.

16 MR. WARNER: I got just a couple
17 issues. A couple was touched on, one of
18 which I was hoping other people would
19 exaggerate on but didn't. I think what
20 we need to ask the Siting Board to only
21 approve this easement that goes through
22 as one proposed use, these poles, those
23 wires that's on those poles, no other
24 use. That's what's been proposed to
25 everyone at this point. I haven't seen

1 any of the paperwork. Communication is
2 a little on the bad side. I'm not
3 arguing, but that's ever since this
4 program started. Communication has been
5 a little rough.

6 I realize that the application has
7 been asked for, but I'm asking that you
8 don't allow this permit because of the
9 non stating of the one and only use of
10 this easement. They put these poles in,
11 the wires that they're talking about
12 putting on these poles, this is the only
13 time, only use that they're going to be
14 able to use that for; not come in, not
15 add new wires to the poles, not expand
16 the poles, not put taller ones in, not
17 use this easement for other uses. I
18 think that is an absolute given. I
19 don't see how you could accept this
20 without that being in there. But that
21 is what's being proposed to the people.
22 That's been discussed, talked about.
23 And a lot of people have been telling
24 they want them to sign paperwork in
25 their driveways of adding in this little

1 bit about we reserve the right to bring
2 in, you know, use larger poles, expand
3 the voltage and such. I think it has to
4 be only use of what was offered and
5 proposed to the public.

6 MS. SEE: Cross-examination?

7 MR. SCHMIDT: No, thank you.

8 MS. SEE: Thank you, Mr. Warner.

9 MR. WARNER: And another item was
10 that Mrs. Warner mentioned was, I have
11 asked that you talk to the Turnpike
12 Commission and I have had numerous
13 discussions with the Siting Board Office
14 about how far away that these poles will
15 be if you decide to go along the
16 Turnpike fence.

17 It seems to be there's some leeway
18 there. I've been told a couple
19 different things. And the part that
20 makes it difficult is, can we go and
21 look at other lines that was built in
22 other places. There is 30 to 60 feet,
23 the general place where they put those.
24 Being inside the property line is
25 totally worse. It's impacts the farm.

1 The expenses of taking care of that area
2 goes on for as long as those poles are
3 in existence. And I think you know that
4 needs to be something that the Siting
5 Board should insist on FirstEnergy
6 addressing in all of their easements;
7 the maintenance and care of that area,
8 the cost of that, the cost of the income
9 needs to be picked up as long as those
10 poles are there, not a one-time fee.

11 And that goes back to what was
12 mentioned earlier, it is in other
13 easements that you are involved with on
14 electricity transfer for some windmill
15 farms, that every so many years -- an
16 agreed upon number of years, the cost of
17 maintaining that area and the cost of
18 what you're losing as income needs to be
19 upgraded, not a one-time fee. That is
20 just -- it's not like we went to
21 FirstEnergy and said we want to sell you
22 30 feet of our property. What was
23 mentioned earlier, this is forced on to
24 us. And that cost should be picked up
25 from the transmission property as long

1 as those poles are there. Should not
2 be -- should not be picked up. If there
3 is a cost of maintaining that property,
4 you know, because it's almost -- the
5 size of equipment we farm with today
6 makes that property worthless. If it's
7 seeded and has to be mowed and taken
8 care of, that cost has to be taken care
9 of by the transmission company. You
10 know, it can't burn. It needs to be
11 taken care of like it's taken care of
12 today. And it needs to be taken care of
13 by the transmission company or the next
14 transmission company if they sell to
15 another entity, so they're not just
16 creating a hazard for whoever owns the
17 property 20, 30 years from now.

18 MS. SEE: Does that conclude your
19 testimony?

20 MR. WARNER: Yes.

21 MS. SEE: Any cross?

22 MR. SCHMIDT: No, Your Honor.

23 MS. SEE: Okay. Thank you very
24 much.

25 There was one other gentleman.

1 NEIL CARLSON,

2 After having been first duly sworn, as
3 hereinafter certified, was examined and testified
4 as follows:

5 MS. SEE: Please state and spell
6 your name for the record.

7 MR. CARLSON: Neil, N-E-I-L,
8 Carlson C-A-R-L-S-O-N. 320 County Road
9 294, Clyde, Ohio.

10 MS. SEE: Go ahead with your
11 testimony.

12 MR. CARLSON: Well, I don't know
13 many of you in this room at all, but I
14 have concerns for each of us. Three
15 years from now or four years from now
16 when this is started and completed, that
17 I feel all of us will be worse off
18 financially and possibly -- we don't
19 know, based on statistics and
20 research -- if health-wise will we be
21 better off. It's not going to do us any
22 better. But we may have harmful effects
23 in three to four years, not only on
24 ourselves, but the children. So for
25 that. that's why I chose to speak

1 tonight because, again, I don't have --
2 I only know a few people. But I know
3 everybody in this room is going be
4 negatively impacted, whether it's the
5 Preferred Route or the Alternate Route.

6 Personally, I'm on the Alternate
7 Route, but that doesn't make me feel any
8 better. Tonight, sitting through this,
9 because we haven't gotten any answers,
10 my neighbor and I have reached out a few
11 times via e-mail and via phone and have
12 not heard anything. The other thing is,
13 I'm not even sure that looking at the
14 map if they will encroach onto my
15 property line or not. It looks like it
16 will be across the street. So I don't
17 know -- we were trying to find out why
18 were we notified. If they're not coming
19 on my property, why were we notified?
20 So that kind of makes me believe that
21 there is going to be a negative impact
22 or they would not have notified my
23 neighbor and myself about that.

24 You know, the thing that is
25 confusing when we look at the maps, just

1 like everyone here stated, it does
2 bounce around a lot, the map, and I
3 don't understand why the right-of-ways
4 that are already existing or running
5 along the Turnpike isn't used more. I
6 would like to get answers on that.

7 That's the thing, too, for all of
8 us, is the unknown. I think the unknown
9 is fearful for people. And we just want
10 answers to know, is it going to be the
11 Preferred Route. Is it the Alternate
12 Route. And when will we find that
13 information out. And I think that's
14 probably why most of us came tonight, is
15 to find that information out. And we've
16 not gotten any response up to this
17 point.

18 Personally, I have three concern
19 personally. One is the visual
20 pollution, basically, that it causes. A
21 lot of us choose to live in rural areas
22 for a reason. We did not want to look
23 outside and see large towers, large
24 building and other types of visual
25 pollution. Everybody here has worked

1 hard to get what they have, their land,
2 their homes, and they don't want that
3 taken away from them. And I don't blame
4 them. So that's my first concern, not
5 my most certain.

6 Second thing is, property values.
7 The research that's done has shown that
8 property values can decrease anywhere
9 from five to 50 percent if you -- I
10 don't have a farm. That would even be a
11 greater impact. But it -- I understand
12 it takes you three times -- two to three
13 times longer to sell your home. People
14 don't want to live next to transmission
15 lines. So I would like to have some
16 information on that as far as if that
17 negatively impacts my property value.
18 I'm a homeowner with -- I have four
19 acres. But these folks have much more
20 to lose than I do. What compensation
21 would be made for that?

22 And lastly, and the most grave
23 concern that I have is from the health
24 aspect. I have three young children.
25 My neighbor has many grand children.

1 And there's kids on our street -- our
2 road that would -- these EMFs, how does
3 that impact us? Again, I know research
4 is 50/50, but 50/50 is not a good bet
5 when it come to my safety or my family's
6 safety. So I would like those concerns
7 addressed and answered tonight, if
8 possible. And if not, like I said,
9 we've reached out several times and have
10 not gotten any response, and we would
11 just like to know those answers to some
12 of those questions.

13 And, again, when will the Preferred
14 or Alternate Route be announced and so
15 we can brace for that impact. Thank
16 you.

17 MS. SEE: Any cross?

18 MR. SCHMIDT: No, Your Honor.

19 MS. SEE: Okay. Thank you.

20 Is there anyone else that wishes to
21 offer testimony tonight that has not had
22 an opportunity to do so?

23 MS. SEE: Do you?

24 TIM DABRUNZ,

25 After having been first duly sworn, as

1 hereinafter certified, was examined and testified
2 as follows:

3 MS. SEE: State and spell your name
4 for the record.

5 MR. DABRUNZ: Tim Dabrunz,
6 D-A-B-R-U-N-Z.

7 MS. SEE: I'm sorry. Spell that
8 for me again.

9 MR. DABRUNZ: D-A-B-U-R-N-Z, Tim,
10 T-I-M. 2017 Port Clinton Road,
11 Fremont.

12 MS. SEE: Go ahead with your
13 testimony.

14 MR. DABRUNZ: Our family farm is
15 the Alternate Route. And you want to
16 put power poles right through the middle
17 of our field. And, of course, we have a
18 small produce farm. It's only 35 acres,
19 and going go right through the middle of
20 the field.

21 I suggested that you go down the
22 property line or go half a mile down the
23 road to Route 20 and catch going over
24 Route 20.

25 Going through our field, I'm not

1 working under power lines, hauling and
2 picking vegetables table when you got
3 all these energy rays coming off the
4 field -- or off your lines because
5 that's -- we feed the people of Fremont
6 and the surrounding counties. We take
7 produce all over. And I can't farm
8 under power lines. Okay. That's it.

9 Basically, run down the property
10 line or go down the road farther.

11 MS. SEE: Any cross-examination?

12 MR. SCHMIDT: No, Your Honor.

13 MS. SEE: Thank you.

14 MR. DABRUNZ: Thank you.

15 GAYLEIGH MEHLENG,

16 After having been first duly sworn, as
17 hereinafter certified, was examined and testified
18 as follows:

19 MS. SEE: Please state and spell
20 your name for the record.

21 MS. MEHLENG: Gayleigh,
22 G-A-Y-L-E-I-G-H, M-E-H-L-E-N-G. I live
23 at 2330 North River Road in Fremont.
24 That's the Alternate Route. And my
25 question is -- okay. Go back a ways.

1 Why didn't anybody get notified about
2 when this was going to start? It was a
3 little ad in the newspaper this big.
4 Nobody even saw it. And I just think
5 that they could have come to us and had
6 a town meeting, what do you guys
7 propose, instead of having a bunch of
8 people that don't even live along this
9 route decide where the route is going to
10 go.

11 You know, I live out in the
12 country, and that's why I live out in
13 the country, because I'm concerned about
14 those rays, too. And they say, they
15 might affect you and they might not.
16 But I don't want to take that chance.

17 I stay healthy, and I want to stay
18 healthy for the rest of my life. I want
19 to live to 100, you know. And I don't
20 know why it can't follow Route 20 all
21 the way down or follow -- I mean,
22 cutting into all these farmer's lives,
23 do you know how many people are affected
24 by a little Siting Board of how many?
25 And you know, my first meeting when I

1 came to here, I said to these men, how
2 many of you live underneath these
3 lines? Not one of them. They don't
4 live near lines, and now they are making
5 us. Maybe it won't go right out my
6 bathroom window, because that's where it
7 was proposed to go, right out my
8 bathroom window. Maybe it won't go.
9 But it's going to go through my next
10 door neighbor's, my good neighbors, my
11 good friends. It's going to affect
12 their little baby, you know. I'm really
13 concerned about the health thing
14 mostly. But I'm concerned about
15 everybody, just like this other guy
16 said. And he said it all. But I just
17 want to get my two cents in there to
18 say, you know, why wasn't it made more
19 public that we could have all set down
20 and said, here's our ideas instead of no
21 matter what you do, this is what you're
22 going to get. You know, we don't have a
23 choice. We really don't. We can tell
24 you how we feel, but it's a bunch of
25 people from Columbus or wherever

1 deciding what we have to do for the rest
2 of our lives. So that's all.

3 MS. SEE: Any cross?

4 MR. SCHMIDT: No, Your Honor.

5 MS. SEE: Thank you.

6 That concludes the testimony
7 portion of the hearing tonight. I just
8 want -- that concludes the testimony
9 portion tonight, but I just want to
10 describe to you the next step in the
11 process.

12 As I mentioned earlier, there will
13 be an evidentiary hearing held in
14 Columbus where the parties that have
15 filed for intervention will offer
16 testimony, as well as the staff. And
17 you -- the Board will most likely see
18 this application on its agenda in
19 August. You can access the Board's
20 decision on their web site. Thank you
21 very much for coming out tonight.

22 - - - - -

23 (Hearing concluded at 7:45 p.m.)

24 - - - - -

25

1 The State of Ohio,)
) SS: CERTIFICATE
 2 County of Cuyahoga.)

3 I, Katrina L. Dearborn, Notary Public within
 4 and for the State of Ohio, duly commissioned and
 5 qualified, do hereby certify that the within-
 6 named witnesses were first duly sworn to testify
 7 the truth, the whole truth, and nothing but the
 8 truth in the cause aforesaid; that the testimony
 9 then given by him/her was by me reduced to
 10 stenotypy in the presence of said witnesses,
 11 afterwards transcribed on a computer, and that
 12 the foregoing is a true and correct transcript of
 13 the testimony so given by him/her as aforesaid.

9 I do further certify that this arbitration
 10 was taken at the time and place in the foregoing
 11 caption specified and was completed without
 12 adjournment.

11 I do further certify that I am not a
 12 relative, employee of, or attorney for any of the
 13 parties in the above-captioned action; I am not a
 14 relative or employee of an attorney for any of
 15 the parties in the above-captioned action; I am
 16 not financially interested in the action; I am
 17 not, nor is the court reporting firm with which I
 18 am affiliated, under a contract as defined in
 19 Civil Rule 28(D); nor am I otherwise interested
 20 in the event of this action.

17 IN WITNESS WHEREOF I have hereunto set my
 18 hand and affixed my seal of office at Cleveland,
 19 Ohio on this 23rd day of May, 2014.

19

20

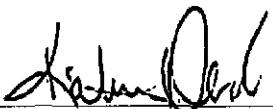
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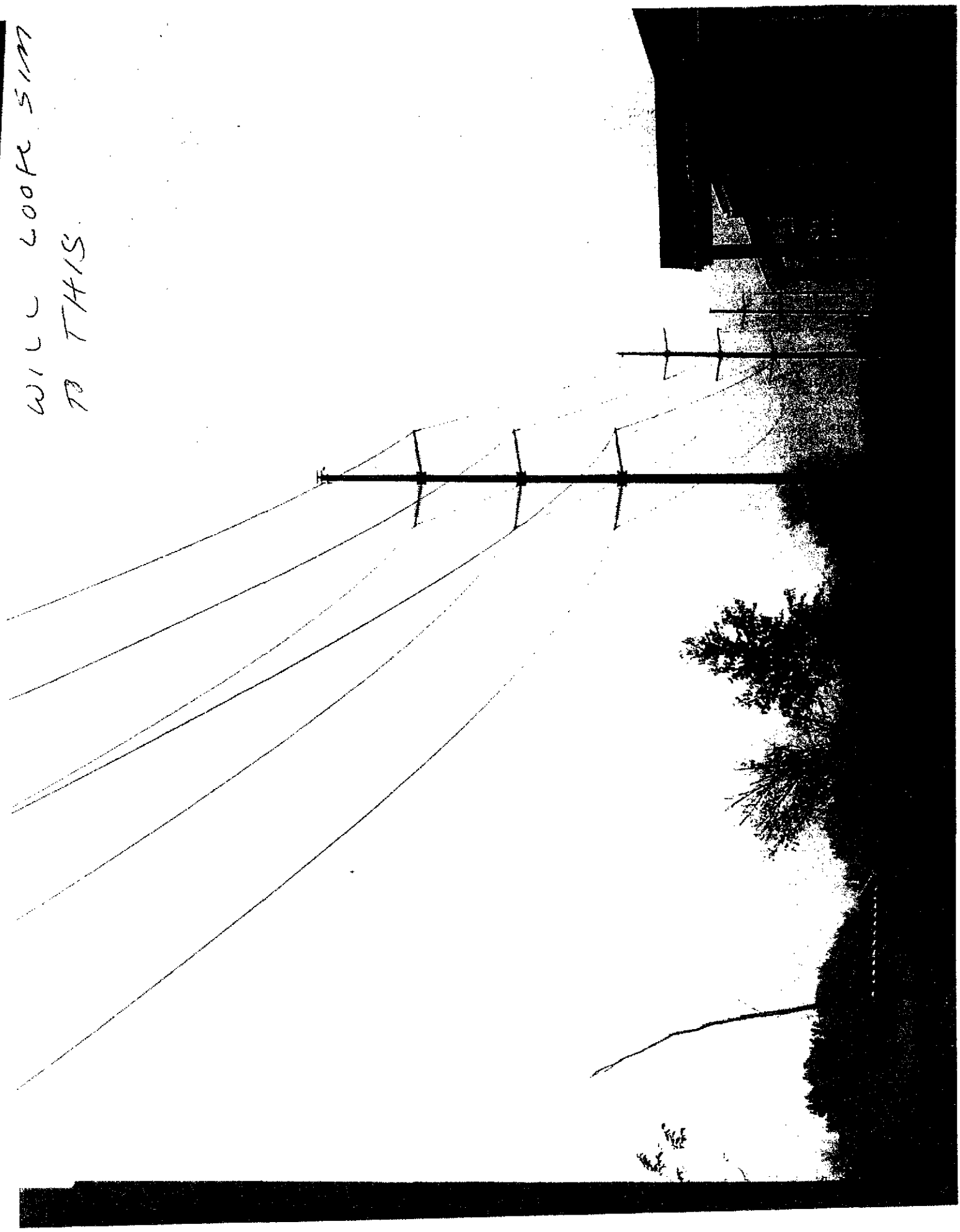
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 Katrina L. Dearborn, Notary Public
 In and for the State of Ohio.
 my commission expires 11-02-15.

JH-1

WILL LOOK SIM
TO THIS.



JH-2



