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IN THE MATTER OF THE APPLICATION OF AEP  
OHIO TRANSMISSION COMPANY, INCORPORATED, FOR A  
CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY OF  
PUBLIC NEEDS FOR THE CONSTRUCTION OF THE GABLE  
SUBSTATION PROJECT

~~~~~

Case No. 14-1280-EL-BSB

~~~~~

Hearing before

NICK WALSTRA

Taken:

April 7, 2015

6:00 p.m.

Taken at:

Wells Township Community Center  
107 Steuben Street  
Brilliant, OH 43913

~~~~~

Court Reporter:

Katrina Dearborn

1           MR. WALSTRA: All right. Welcome  
2 everyone. We'll get started here.  
3 Thank you, everyone, for coming.

4           The Ohio Power Siting Board is  
5 assigned for public hearing in Case  
6 Number 14-1280-EL-BSB, being captioned:  
7 In the Matter of the Application of AEP  
8 Ohio Transmission Company, Incorporated,  
9 for a Certificate of Environmental  
10 Compatibility and Public Need For the  
11 Construction of the Gable Substation  
12 Project.

13          My name is Nick Walstra. I'm the  
14 administrative law judge assigned by the  
15 Power Siting Board to hear this case.  
16 With me in the room -- you may have met  
17 them already -- Matt Butler by the door  
18 and Derrick Collins. They're Power  
19 Siting Staff.

20          We'll also take appearances from  
21 the parties in the proceeding. On  
22 behalf of AEP?

23          MR. KUMAR: On behalf of AEP Ohio  
24 Transmission Company, my name is Ajay  
25 Kumar, and I'm representing the company,

1 along with Steven Norris, Matthew  
2 Satterwhite, and Yazen Alami. With me  
3 today I have Ron Howard, Todd Sides, and  
4 Brett Schneid. And then John Parsley --  
5 Jeff Parsley, sorry, and John Larson  
6 from the Larson Group. And we'll be  
7 available afterward for questions.  
8 Thank you.

9 MR. WALSTRA: Thank you.

10 The subject of today's hearing is  
11 limited to the application filed by AEP  
12 Transmission Company on November 6,  
13 2014.

14 The company is seeking to construct  
15 a 138 Kilovolt switching substation in  
16 Wells Township. The purpose of the  
17 substation is to avoid operating  
18 limitations, such as thermal overloads  
19 and voltage concerns in AEP Transmission  
20 Company's electric grid, including the  
21 communities of Cadiz, Carrollton and  
22 Brilliant.

23 The preferred site would be on  
24 about three acres of property currently  
25 owned by AEP Transmission Company.

1           The Power Siting Board staff filed  
2           a report in this case on March 23rd,  
3           2015. And after conducting an  
4           investigation and review, the staff gave  
5           a recommendation to allow the company to  
6           go forward.

7           Staff reports serve as a  
8           recommendation to the Board, but the  
9           Board still has a final decision -- the  
10          final decision. And there's an  
11          evidentiary hearing that's scheduled for  
12          April 23rd, 2015 at 10:00 a.m. at the  
13          Board's office in Columbus.

14          AEP's application and staff's  
15          recommendation are all available on the  
16          Power Siting web site under the case  
17          number I gave earlier, 14-1280-EL-BSB.  
18          I believe the staff has copies of their  
19          report over there.

20          The purpose of this hearing is to  
21          receive comments from you guys to hear  
22          what you guys have to say. This is  
23          not -- from this end, not a question-  
24          and-answer session. AEP Transmission  
25          Company said they would -- if you have

1           any questions, you can talk with them.  
2           But for right now, this is just for you  
3           guys to share your thoughts.

4           We do have a court reporter here.  
5           She is recording everything said today.  
6           It will be transcribed and then will be  
7           filed on the docket for this case. And  
8           the Board will review the comments that  
9           are given today before making their  
10          final decision.

11          Those wishing to speak have,  
12          hopefully, put their names down on the  
13          sign-up sheet. If you haven't and still  
14          want to -- you do want to testify, you  
15          can sign in over there. And we'll make  
16          sure you have your moment to speak.

17          For those who did sign in, I'll  
18          call the names forward as they were  
19          signed in, swear you in, and you can  
20          give your testimony.

21          So at this time, I'll call the  
22          first name. And I do apologize if I  
23          mispronounce anybody's names.

24          Melvin Latusik.

25          THE WITNESS: You got it right.

1           MR. WALSTRA: All right. Go  
2 forward. We do have a podium up here.  
3 Just give your name and address, and  
4 then I'll swear you in.

5           MR. LATUSIK: My name is Melvin  
6 Latusik, and I live at the County Road  
7 -- 1190 County Road 2, Brilliant, Ohio.  
8 And I own the property right next to  
9 where they're going to put this  
10 through. Our property line -- the  
11 property they bought --

12          MR. WALSTRA: Let me cut you off  
13 just so I can swear you in first.

14          MR. LATUSIK: Okay.

15                 - - - - -

16           MELVIN LATUSIK,

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

20          MR. WALSTRA: Thank you. Go  
21 forward. Go ahead.

22          MR. LATUSIK: I own the property  
23 adjoining the property that they have  
24 bought. And they approached me several  
25 months ago about buying the property on

1 my side of the fence, and I turned them  
2 down. They offered me \$30,000. And I  
3 called them up and they says, "well,  
4 what is it, the money?"

5 I says, "No, it's not money."

6 They said, "We'll give you 50,000."

7 I said, "I still don't want to sell  
8 it." I said, I don't want anything to  
9 do with power on my property or close to  
10 my property. Because my wife has just  
11 went through cancer treatment, lymph  
12 node cancer treatment. And whether it's  
13 caused by power or not -- because where  
14 I live on County Road 2, there is a  
15 power line running in back of my house.

16 Now, whether it is -- cancer was  
17 caused from that is unknown. And what  
18 did cause the cancer is unknown. But,  
19 thankfully, she did come through this  
20 okay. After taking the Chemotherapy  
21 treatments and the radiation treatments,  
22 everything is clear. But the doctors  
23 can't tell you what causes the cancer.  
24 But we asked them about the power lines,  
25 and they says, you know, we can't tell

1           you positively that power lines cause  
2           cancer. So, you know, anything can  
3           cause it. You know, it's just one of  
4           them things. Some people get it, some  
5           people don't.

6           But that's why I didn't want no  
7           more power on the -- you know, on my  
8           property. Them power lines was there  
9           when the property was bought and, you  
10          know, you can't do nothing about that.  
11          But as far as putting more stuff there,  
12          I am against that. And on -- where the  
13          corners of the property meet, there is a  
14          section line there -- section marker  
15          that's dated 1830. It's a square stone  
16          about that square (indicating) with a  
17          date on it and writing on the top of  
18          it. Kind of hard to read now. It's  
19          been there since 1830. But if they do  
20          put that there, I think that is a  
21          historical marker there on that property  
22          and hope they don't, you know, disturb  
23          that rock, which, you know, there is  
24          nothing I can do if they do disturb it.  
25          But if they -- where this is going to



1           be, it's going to be right on County  
2           Road 15. It's going to be an eyesore.  
3           And everybody coming down that road is  
4           going to see it. And that's why I  
5           didn't want it there. I didn't want to  
6           make people mad that live in the general  
7           area, that's why I told them no. And  
8           hopefully it will go along the alternate  
9           site over there where it's out of site,  
10          it's away from everybody, it's on a dead  
11          end road. And there is a few people  
12          that live down that road, but they're  
13          very few people. And there is a lot of  
14          people that travel County Roads 15 and  
15          17, and you're going to be able to see  
16          this.

17                That's about all I got to say about  
18          it. But I hope it goes at the alternate  
19          site. And because of the sight of it, I  
20          don't know exactly what this thing is  
21          going to look like, but surely it's  
22          going to be something. All of these  
23          transmission stations and everything  
24          is -- every one I've scene is just --  
25          you know, just an ugly site to look at.

1           And what does that do with property  
2           values in that area, either my property  
3           and the other people's property around  
4           that area. And there is a few other  
5           people here that will talk to you more  
6           about that, probably, because they're  
7           closer than I am. So we'll let them  
8           tell you about their property.

9           MR. WALSTRA: Thank you.

10          Greg Hunter?

11                       - - - - -

12                       GREG HUNTER,

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

16               MR. HUNTER: I reside right under  
17               him. I reside at 374 County Highway 17,  
18               less than a quarter mile from this  
19               preferred site.

20               I was given a copy of the staff  
21               report of investigation, Case Number  
22               14-1280-EL-BSB. And on page 18, it  
23               reads, fifth paragraph, third sentence  
24               down. First, relatively flat ground was  
25               cited as priority criteria, but the

1           applicant did not applicate slope  
2           calculations. Applicant stated that  
3           potential impacts, transmission lines  
4           were a siting criteria but did not  
5           attempt to qualify the impact beyond  
6           measuring the literal distances between  
7           candidate sites and the existing lines.

8           Fourth, the applicant failed to  
9           state precisely why the preferred site  
10          is more suitable than the alternative.

11          Now, this is your study? You're  
12          Commission, right?

13          MR. WALSTRA: The staff wrote the  
14          report, correct.

15          MR. HUNTER: And I ask, if this is  
16          what the committee found, why not go  
17          with the other site? There is not as  
18          much populous. It's going to have less  
19          of an impact. That -- that's all I am  
20          asking, why put it where they're  
21          proposing to put it. It's in the  
22          study.

23          That's all I have.

24          MR. WALSTRA: Thank you.

25          Margaret Otto?

1 THE WITNESS: Can I switch with  
2 him? Can he go first?

3 MR. WALSTRA: No problem.  
4 William Otto?

5 - - - - -

6 WILLIAM OTTO,

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

10 MR. OTTO: William Otto, 2167  
11 County Highway 15. I live directly  
12 across from the preferred site. That's  
13 what I look at every day.

14 I recently retired. And I talked  
15 to the people at the first meeting. I  
16 was concerned with quite a few things.  
17 One of the major things that I'm  
18 concerned with is the water runoff. I  
19 already get water runoff from that  
20 field. Everything that's over there  
21 that they are going to put the three  
22 sediment ponds in, it will eventually  
23 run onto my property, which is my  
24 pasture. And then it will also run on,  
25 eventually, Dillonvale.

1 I actually pay more taxes on my  
2 side of the road because my water runs  
3 to Dillonvale. The other site, the  
4 alternative site, that water runs to the  
5 Ohio River. So that's one of my big  
6 concerns because, come July and August,  
7 there is not going to be anything but a  
8 mosquito pond is all it's going to be.

9 Lighting. The lights are going to  
10 be terrible. Everybody is seeing --  
11 they are not -- I keep calling it a  
12 substation. It's a switching station.  
13 It's going to have lights over there. I  
14 have no lights where I'm at now.  
15 Stargazer.

16 Worry about the noise level. And  
17 one of my other big things I worry about  
18 is my property value. I was assured,  
19 Oh, no, who would buy a piece of  
20 property -- I own 62 acres. Who would  
21 buy that place with that thing sitting  
22 right across from it?

23 My other thing was -- and I got to  
24 say it -- the property that's -- that  
25 was purchased was purchased from the

1           Brightway Corporation. They are never  
2           going to see it. It's not going to  
3           bother them. And if you look at the  
4           map, you got all the yellow dots for the  
5           houses, as Greg Hunter says and Mel  
6           said, there is so many houses down where  
7           the preferred site is, and there is one  
8           house or two houses out where the other  
9           site is. And the one house, they got  
10          paid pretty good money for the property.  
11          So my thing is, let's go to the  
12          alternative site. He can look at it.  
13          He got paid for it.

14               And I would like to -- can I do  
15          something in writing and send it in?

16               MR. WALSTRA: Yes.

17               MR. OTTO: I already have it.

18               MR. WALSTRA: Thank you.

19               Do you want to go now?

20               MS. OTTO: Should I go now? All  
21          I'm going to -- well, I'll still say it.

22               My name is Margaret Otto.

23               MR. WALSTRA: Can I swear you in  
24          first?

25               - - - - -

1 MARGARET OTTO

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

5 MS. OTTO: My name is Margaret  
6 Otto. 2167 County Highway 15.

7 The reason why -- I mean, when we  
8 came to the first meeting of AEP, I  
9 didn't realize there were alt -- there  
10 was an alternate site. So the whole  
11 time we kept thinking, you know, what  
12 are we going to do? I can't possibly --  
13 I'm going to move. I'm not going to  
14 live across the street from something  
15 like this.

16 We moved from the city to the  
17 country. And for us, that was our  
18 choice, and I know things change, but  
19 it's like being -- when we found out  
20 that there is two sites, then we're  
21 like, okay, you know, it's a  
22 no-brainer. If you look around us and  
23 you see how many people this is going to  
24 affect directly with putting it on the  
25 first site as compared to the second

1 site, it's, to me, a no brainer. But  
2 that's just -- you know, that's how I  
3 look at it.

4 But also, like I say, you know, my  
5 husband just recently retired and, you  
6 know, we look forward to being able to  
7 do our own thing there. And now I'm --  
8 my thoughts were moving. And to me  
9 if -- since there is two sites, I just  
10 can't understand why you wouldn't  
11 automatically go to the site. And like  
12 with what Mr. Hunter said, probably when  
13 we read these books, we're going to find  
14 out there are bad things about -- on the  
15 hip side where they want to put it as  
16 compared to the other property. It's a  
17 little flatter. And when Brightway sold  
18 the property -- I have to say this,  
19 too. My husband always gets mad because  
20 he says this doesn't mean anything. But  
21 it does to me.

22 We actually tried to buy that piece  
23 of property over there. And we knew the  
24 people -- the person that owned that  
25 whole farm, Tara Bright. And he sat at



1 my kitchen table and told us it couldn't  
2 be sold, which, you know, because it was  
3 going into the Brightway Center, the  
4 foundation, when he passed away. None  
5 of the property was ever to be sold.  
6 So, you know, we kind of passed that off  
7 as we won't be able to purchase the  
8 property that used to be with our farm  
9 back in the original site -- the  
10 original days when that farm was first  
11 set up. But then when my daughter was  
12 looking for property and we questioned  
13 -- I questioned the Brightway people,  
14 could we possibly buy this exact land,  
15 and they told us -- that was four years  
16 ago -- no, you know, it's -- it's all  
17 sewed up in the Brightway Center.

18 So then I've come to find it got  
19 sold for a lot of money. And then it's  
20 going to -- they're going to put this on  
21 there. So that was another thing that  
22 really upset me, also. Added to my  
23 grief. But I did say to AEP that, oh,  
24 if you don't use that site, you know, we  
25 would buy it. Then I found out how much

1           they paid. I don't know that we can  
2           afford that. But it's still an option  
3           if I could come up with the money, trust  
4           me, I will buy that or find somebody who  
5           would, just to keep this so the  
6           Laguseys(ph.) can live where they live,  
7           we can live where we live. My friend  
8           here that came with me can sit on the  
9           deck -- she gets more upset over the  
10          lighting than I do. But just to say, I  
11          got my two cents in. I hope you could  
12          -- I rambled but -- but thank you for  
13          your time.

14                 MR. WALSTRA: Thank you.

15                 Bruce Clark?

16                 THE WITNESS: I don't wish to  
17          testify at this time.

18                 MR. WALSTRA: Brian Harvey?

19                 - - - - -

20                 BRIAN HARVEY,

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

24                 MR. HARVEY: My name is Brian  
25          Harvey. I live at 1116 Highland Street

1           here in Brilliant. I just want to say a  
2           couple things. I really don't have any  
3           questions. Although, this site doesn't  
4           -- this building doesn't directly impact  
5           me here in town, it does impact some  
6           constituents in our area here. I'm one  
7           of the township trustees here in Wells  
8           Township, as well as John Houston back  
9           there.

10                 I don't think anybody here is  
11           against progress. We all want -- we all  
12           know things have to, you know, be  
13           improved at all times. But I think the  
14           people here have legitimate concerns of  
15           where this is going to be built. Home  
16           values, obviously, you know, is going to  
17           be reduced. Are they going to be able  
18           to sell the property if they want to.  
19           Health risk. Noise levels. Potential  
20           for disasters right in their backyard.  
21           I just ask that AEP really take a good  
22           look at this. I think if there is a  
23           plan B, even if you had to go to plan C,  
24           I think you should really look at an  
25           area that's going to least impact

1 residents for, you know, at least a  
2 half-mile radius, if not a mile radius.  
3 Nobody wants this in their backyards.  
4 You wouldn't. Most people here  
5 wouldn't. So I just ask that you take  
6 into consideration the people here and  
7 their concerns. Thank you.

8 MR. WALSTRA: Thank you.

9 That's all I have on the list. Is  
10 there anyone else who wishes to  
11 testify?

12 Seeing none, this will conclude the  
13 public hearing. I really want to thank  
14 everyone for coming out, and thank those  
15 that did testify.

16 As I said, this is all being  
17 transcribed. And the Power Siting Board  
18 will review your comments before they  
19 make their decision. And the  
20 evidentiary hearing is April 23rd, at  
21 10:00 a.m. in Columbus.

22 MR. OTTO: Sir, can I ask you a  
23 question? Do you have -- the Siting  
24 Board has the final say?

25 MR. WALSTRA: Correct. No decision

1           has been made yet.

2           MR. OTTO: Right. I keep reading  
3           that. And you said something earlier  
4           about you have the final say.

5           MR. WALSTRA: The staff has made a  
6           recommendation. They did an  
7           investigation. But then the actual  
8           Power Siting Board, they don't --  
9           they're not -- they don't have to follow  
10          what the staff investigation and  
11          recommendation said. They make their  
12          own decision based on the evidence  
13          that's in front of them.

14          MR. OTTO: And that's when I get on  
15          line and looked at it, that's the  
16          people, right?

17          MR. WALSTRA: What do you mean?

18          MR. OTTO: When I get online and --  
19          you know, I got online and read about  
20          the Ohio Siting Board, they're the  
21          people -- I mean, it's a group of  
22          people.

23          MR. WALSTRA: It's a group of  
24          people, yeah, from different parts of  
25          the state, yes. They will make -- there

1           will be a hearing on the 23rd. Then  
2           they'll make their decision sometime  
3           after that.

4           That being said, thank you again  
5           for coming everybody, and have a good  
6           night.

7                       - - - - -

8           (Hearing concluded at 6:25 p.m.)

9                       - - - - -

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

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

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

17 IN WITNESS WHEREOF I have hereunto set my  
hand and affixed my seal of office at Cleveland,  
18 Ohio on this 20th day of April, 2015.

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*Richard D. Cook*

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

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 14-1280-EL-BSB**

Summary: Transcript Hearing held on April 7, 2015 in Brilliant, Ohio electronically filed by Ms. Katrina Dearborn on behalf of Dearborn Reporting Services