

BEFORE THE OHIO POWER SITING BOARD

- - -

In the Matter of the :  
Application of Duke Energy :  
Ohio, Inc. for a :  
Certificate of : Case No. 16-253-GA-BTX  
Environmental Compatibility:  
and Public Need For :  
The C314V Central Corridor :  
Pipeline Extension Project.:

- - -

PROCEEDINGS

Before Ms. Greta See, and Ms. Sarah Parrot,  
Administrative Law Judges, at the University of  
Cincinnati-Blue Ash, 9555 Plainfield Road, Muntz  
Hall, Room 119, Blue Ash, Ohio, called at 3:00 p.m.  
On Thursday, June 15th, 2017

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PUBLIC HEARING - BLUE ASH, OHIO

- - -

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On behalf of Duke Energy Ohio, Inc.

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On behalf of the Board of County  
Commissioners of Hamilton County.

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On behalf of Coprop Inc., RLB Inc.,  
10149 LLC.

Dinsmore & Shohl, LLP  
By Mr. Richard B. Tranter  
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On behalf of Kenwood Mall, LLC.

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On behalf of the City of Madeira.

APPEARANCES (Continued):

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Cincinnati, Ohio 45202

On behalf of BRE DDR Crocodile  
Sycamore Square LLC.

- - -

|    |                       |      |
|----|-----------------------|------|
| 1  | INDEX                 |      |
| 2  | - - -                 |      |
| 3  | WITNESSES             | PAGE |
| 4  | James O'Reilly        | 16   |
| 5  | Richard H. Finan      | 26   |
| 6  | Susan deRoos          | 31   |
| 7  | Christian J. Schaefer | 36   |
| 8  | Jimmy Stewart         | 38   |
| 9  | Patrick Ross          | 42   |
| 10 | Robert Bemmes         | 51   |
| 11 | Haynes C. Goddard     | 57   |
| 12 | Alan Ullman           | 63   |
| 13 | Charlene Schneider    | 70   |
| 14 | Adele Bell            | 76   |
| 15 | Charles Wiedenmann    | 82   |
| 16 | Sharon McBreen        | 86   |
| 17 | Edward Hirt           | 89   |
| 18 | Edward F. Gassert     | 90   |
| 19 | Bonnie Rack           | 98   |
| 20 | P.G. Sittenfeld       | 101  |
| 21 | Bess Sturgill         | 109  |
| 22 | Ann Feldman           | 112  |
| 23 | Justin Feldman        | 117  |
| 24 | Lindsey Young         | 121  |
| 25 | Diane Miller          | 128  |

INDEX (Continued)

- - -

|    | WITNESSES           | PAGE |
|----|---------------------|------|
| 1  | Donald Lindeman     | 131  |
| 2  | Robert J. Ashbrock  | 134  |
| 3  | Thomas C. Muething  | 137  |
| 4  | David Kirkendall    | 143  |
| 5  | Ray Warren          | 145  |
| 6  | Thomas S. Tucker    | 149  |
| 7  | Mary Rinsky         | 153  |
| 8  | Peg Conway          | 154  |
| 9  | Michael Washington  | 159  |
| 10 | Richard R. Schweet  | 160  |
| 11 | Ann Chisko          | 166  |
| 12 | Natalie Smith       | 170  |
| 13 | Gloria Kemp         | 174  |
| 14 | Wilson Frost        | 176  |
| 15 | Tim McDonald        | 180  |
| 16 | Leonid A. Turkevich | 183  |
| 17 | Mary Cleveland      | 187  |
| 18 | Joseph Janus, Jr.   | 192  |
| 19 | Janice Kennedy      | 197  |
| 20 | Todd Portune        | 200  |
| 21 | Susan Ullman        | 204  |
| 22 | Matthew Mercurio    | 211  |

INDEX (Continued)

- - -

|    | WITNESSES              | PAGE |
|----|------------------------|------|
| 1  | Kerry Baker            | 219  |
| 2  | Nancy Roy              | 224  |
| 3  | Sandy McClure          | 228  |
| 4  | Parker Smith           | 231  |
| 5  | Steve Bonem            | 233  |
| 6  | Patty Bonem            | 236  |
| 7  | Grace Severyn          | 241  |
| 8  | Paul Overly            | 244  |
| 9  | Jeanne Fisher          | 249  |
| 10 | Ethan Boger            | 252  |
| 11 | Elizabeth Rueve-Miller | 258  |
| 12 | Candice Overly         | 263  |
| 13 | Elizabeth Igoe         | 269  |
| 14 | Bobby Igoe             | 275  |
| 15 | Abbie Youkilis         | 277  |
| 16 | Scott Minor            | 282  |
| 17 | Robert Miles           | 285  |
| 18 | Roxanne Brett          | 289  |
| 19 | Mary Jane Bradley      | 293  |
| 20 | David H. Groth, M.D.   | 296  |
| 21 | Amber Bernard-Baas     | 299  |
| 22 | Kevin Laudat           | 302  |

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

|                          |        |
|--------------------------|--------|
| INDEX (Continued)        |        |
| - - -                    |        |
| WITNESSES                | PAGE   |
| John Beiting             | 306    |
| Greg Schwartzberg        | 308    |
| - - -                    |        |
| EXHIBITS                 | MARKED |
| Patrick Ross Exhibit 1   | 51     |
| Haynes Goddard Exhibit 1 | 63     |
| Bess Sturgill Exhibit 1  | 111    |
| Ann Feldman Exhibit 1    | 120    |
| Paul Overly Exhibit 1    | 249    |
| - - -                    |        |

1                                   Thursday Afternoon Session,  
2                                   June 15, 2017.

3                                   - - -

4                                   ALJ SEE: Good afternoon. I assume  
5                                   everybody is here for the Ohio Power Siting Board's  
6                                   Public Hearing. If not, you're in the wrong  
7                                   classroom. For those of us that it's been a while,  
8                                   this is the auditorium.

9                                   Good afternoon. My name is Greta See.  
10                                  We're here to have the Ohio Power Siting Board  
11                                  hearing for the Duke Energy Ohio pipe gas pipeline  
12                                  extension.

13                                 The Ohio Power Siting Board has scheduled  
14                                 for public hearing at this time and place Case No.  
15                                 16-253-GA-BTX, which is entitled In the Matter of the  
16                                 Application of Duke Energy Ohio, Incorporated for a  
17                                 Certificate of Environmental Compatibility and Public  
18                                 Need for the C314V Center Corridor Pipeline Extension  
19                                 Project.

20                                 As I indicated, my name is Greta See.  
21                                 Next to me is Sarah Parrot. We are the  
22                                 Administrative Law Judges assigned to this case by  
23                                 the Board.

24                                 In addition, when you came to the hearing  
25                                 today there are other Board members present. They



1 were seated at a table outside of this theater. They  
2 all have name badges like the one I am wearing. If  
3 you have questions about the Board's process, feel  
4 free to approach them.

5 They are available to answer your  
6 questions about the Board, about the Board's hearing  
7 process. Okay? They can also tell you how to access  
8 Duke's application and other documents filed in this  
9 case on the Board's website; or if you have a general  
10 question about utility service, other than the focus  
11 of today's application, they can answer that  
12 information -- that question for you as well.

13 If you have questions about Duke's  
14 Central Corridor Application, Duke representatives  
15 are in a room outside on the other side of the lobby,  
16 I believe it's Room 117, and they can answer those  
17 questions for you, or other questions you might have  
18 about your Duke utility service.

19 I note that there are a number of other  
20 parties that have filed for intervention in this  
21 case, I think as of today it's 20, and their request  
22 for intervention was granted this morning.

23 They represent residents of cities,  
24 villages, municipalities, and townships in the area  
25 of the proposed pipeline, as well as Commissions and

Boards, and a consumer advocacy organization, several commercial entities, located on either the preferred or the alternate route.

Each of the aforementioned parties represents its constituent's interest. The Staff of the Board is also a party in this matter.

As part of the Board's consideration of Duke's application, the Board conducts two hearings; this local public hearing and an evidentiary hearing to be held in Columbus at the Board's offices, and it is currently scheduled to start on July 12th. That's the current schedule.

The purpose of this public hearing is to receive comments from the public about the extension process. We emphasize that this is your opportunity to let the Board know how you would be affected if the proposed project is constructed and what you think about Duke's application.

Any questions you have about the -- about Duke's application, the project, or the Board process, should be addressed before you start -- come up to offer your testimony.

The hearing is being transcribed by a Court Reporter, so please speak clearly so that the transcript is accurate, and it accurately reflects

1 your testimony.

2 If you expect to be a witness at the  
3 adjudicatory hearing in Columbus, your testimony  
4 should be offered at that hearing, not at this public  
5 hearing.

6 Excuse me. Also, if you have a prepared  
7 written statement it would be helpful if you provided  
8 that statement after you offered your testimony to  
9 us. It will be given to the Court Reporter so that  
10 she can make sure that what she has in the transcript  
11 is accurate.

12 Only that portion of your testimony that  
13 you offer here at the public hearing becomes part of  
14 the transcript, the written statement itself does  
15 not.

16 If you have written comments from others  
17 who were unable to come to the hearing today, or did  
18 want to give testimony, we can take those statements  
19 as well. They will be included in the record of the  
20 case with other comments.

21 Most of you, when you arrived, you  
22 approached the two tables outside of the theater and  
23 you were asked if you wanted to offer testimony.  
24 Witnesses will be called forward in the order on the  
25 sign-up sheet.

1           When your name is called, if you decide  
2           that you do not want to testify you can just indicate  
3           that you pass and we'll move to the next witness.

4           The presiding Administrative Law Judges,  
5           myself or Ms. Parrot, will ask you to come forward,  
6           to swear or affirm that the information you're about  
7           to give is true, and you'll be asked to state and  
8           spell your name for the record, and to give us your  
9           address.

10           We'll be calling people down two at a  
11           time. You should come to the podium that is not  
12           occupied, there is a seat reserved for you to sit  
13           down, so that we can get as many people as want to  
14           offer testimony today on the record.

15           Okay. As previously stated, after you're  
16           sworn in, you give your testimony, counsel for the  
17           intervening parties and the Company, as well as Ms.  
18           Parrot and I, the Administrative Law Judges, may ask  
19           you questions about your testimony.

20           Once you finish, give us your -- if  
21           you're willing to, if you would give us your written  
22           statement about your testimony so we can make sure  
23           that the transcript is accurate.

24           We ask that you be considerate, because  
25           we're expecting lots of people who want to come in

1 and offer testimony, so please keep your statement,  
2 your testimony, to a reasonable period of time.

3 Are there any questions about how the  
4 hearing will proceed?

5 (No response.)

6 ALJ SEE: Okay. I'm going to ask one  
7 more time if there is counsel for any intervening  
8 party present; if so, they should be down front.  
9 Okay.

10 At this time I'd like to take appearances  
11 of the parties, starting with Duke.

12 MS. KINGERY: Thank you, your Honors. On  
13 behalf of Duke Energy Ohio, my name is Jeanne  
14 Kingery. I also would make the appearance of Amy  
15 Spiller, 139 East 4th Street, Cincinnati, Ohio.

16 And I would like to welcome everyone  
17 here. Duke Energy Ohio is glad that you're here, and  
18 we look forward to hearing your comments and your  
19 concerns and questions.

20 We have quite a number of people from  
21 Duke who are here present with us today. Some are in  
22 the room, some are in our separate room just outside  
23 the lobby, as Ms. See stated.

24 Most of the Duke representatives are  
25 wearing dark blue shirts that say "Duke Energy" on

1     them, and would be happy to take your questions about  
2     the pipeline.

3                 We also have customer service  
4     representatives here in case you have questions about  
5     other aspects of your Duke Energy Ohio service.  
6     Thank you.

7                 ALJ SEE:   Sir.

8                 MR. WAMPLER:  Good morning -- good  
9     afternoon, your Honors.  Jay Wampler on behalf of the  
10    Hamilton County Board of County Commissioners.

11                MR. BUCCIERE:  Good afternoon.  Kent  
12    Bucciery on behalf of 10149 LLC, Coprop, and there's  
13    one other that I'm here on.

14                ALJ SEE:  I'm sorry.  Repeat your name.

15                MR. BUCCIERE:  B-u-c-c-i-e-r-e.  I have  
16    three intervenors.

17                ALJ SEE:  Coprop, 10149 LLC, and the  
18    other is?

19                MR. BUCCIERE:  RLB.  I'm sorry.

20                MR. KNECHT:  Good afternoon, your Honors.  
21    Daniel Knecht on behalf of the City of Madeira.

22                ALJ SEE:  Mr. Knecht, that's C-o-n-n --

23                MR. KNECHT:  I'll make it easy.  It's  
24    actually K-n-e-c-h-t.  Thank you.

25                ALJ SEE:  Any other counsel present for

1 intervening parties?

2 MR. TRANTER: Good afternoon. Richard  
3 Tranter, T-r-a-n-t-e-r, with the law firm Dinsmore &  
4 Shohl on behalf of Kenwood Mall, LLC, also known as  
5 Hamilton Town Center.

6 ALJ SEE: Tranter?

7 MR. TRANTER: Tranter.

8 ALJ SEE: Okay.

9 MR. DETROY: Good afternoon. My name is  
10 Kevin Detroy spelled D-e-t-r-o-y. I'm here on behalf  
11 of BRE DDR Crocodile Sycamore Square, LLC. Thank  
12 you.

13 ALJ SEE: Any other counsel?

14 (No response.)

15 ALJ SEE: Okay. With that I'll call the  
16 first witness forward. Professor James O'Reilly.  
17 And let me apologize now. There will be times when I  
18 will destroy a name; please forgive me.

19 Sir, if you'd raise your right hand. Do  
20 you affirm that the information you're about to give  
21 is true?

22 MR. O'REILLY: I do.

23 ALJ SEE: State and spell your name for  
24 the record.

25 MR. O'REILLY: James T. O'Reilly,

O--R-e-i-l-l-y, 24 Jewett, J-e-w-e-t-t, Drive,  
Wyoming, Ohio 45215.

ALJ SEE: And, sir, if you could speak up  
just a little louder. And may need you to use the  
mic at the podium. And Richard Finan.

Go ahead with your testimony, Mr.  
O'Reilly.

- - -

JAMES O'REILLY

presented himself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. O'REILLY: Thank you, your Honor. I  
speak only as an individual scholar of the federal  
preemption process and of the natural gas  
transmission industry.

I respectfully ask the Board to recognize  
that it lacks jurisdiction over this interstate  
transmission project, and I urge the Board to dismiss  
the application as being federally preempted.

Preemption is the federal government's  
assertion of authority under the Natural Gas Act. I  
believe this Board should decline the application and  
send Duke back to Charlotte, North Carolina to file  
its interstate plans with the Federal Energy



1 Regulatory Commission.

2 This is one segment of an integrated  
3 project feeding gas into Kentucky, and the OPSB  
4 should recede. Duke's lawyers recognize that if they  
5 tell the Board that this gas was to stay in Ohio from  
6 this \$80 to \$100 million project, that the Securities  
7 & Exchange Commission could prosecute such a material  
8 and knowingly misleading statement.

9 So the true interstate plan here is  
10 somehow cloaked as an Ohio only project, and the  
11 Ohioans who fear its high risks are left with the  
12 tiny Ohio Public Utilities Commission pipeline office  
13 as their only protectors. So I urge this Board to  
14 decline jurisdiction of this interstate plan.

15 Why do we stop the process? Much of my  
16 36th textbook, "Federal Preemption of State & Local  
17 Government Laws" favored local safety solutions over  
18 federal ones. States are, after all, the  
19 laboratories of democracy. States have an interest  
20 in how residents' risks will be accommodated, but not  
21 here, not now.

22 Sadly we have the opposite situation  
23 because the State government is not acting to protect  
24 our people. Instead, the Staff's review of May 31st  
25 embraces Duke as a friend, and perhaps as a financial

1 supporter of political factions.

2 The Federal Energy Regulatory Commission  
3 process is superior to the superficial oversight  
4 which the May 31st Staff Report indicates might be  
5 delivered by the tiny pipeline safety staff. Is this  
6 being done for the benefit of Ohio ratepayers? No.

7 We recognize that Duke is not promising  
8 the gas will stay in Ohio. This 14 miles is a key  
9 component of an interstate pipeline, one which Duke  
10 is hoping can be built with the funds provided by  
11 ratepayers in Ohio, and then the excess capacity of  
12 this pipe can be filled with southbound methane gas  
13 not needed by the local customers, as a financial  
14 windfall for the shareholders of Duke.

15 Duke has filed an application which  
16 repeatedly refers to Kentucky and to its so-called  
17 "balance" strategy between Kentucky and Ohio. Duke  
18 tells the residents in its glossy brochure that this  
19 "transmission" line is needed.

20 Its Kentucky propane peaking plant in  
21 Erlanger, Kentucky is described as a key part of its  
22 interstate strategy. Demand at its Kentucky Gate,  
23 Foster Gate, is key; Kentucky growth is remarkable,  
24 and southwest Ohio gas use is flat. So this is not  
25 staying in Ohio.

1           The Ohio residents who read the May 31st  
2       Staff Report were gravely disappointed by the Staff's  
3       lack of objectivity because the report failed to give  
4       adequate analysis of safety, and the need for  
5       regulatory protection.

6           In my fifth textbook, "Federal Regulation  
7       of the Chemical Industry", my 11th textbook,  
8       "Emergency Response to Chemical Accidents", and my  
9       42nd textbook, the National Safety Council's  
10      "Accident Prevention Manual", have analyzed the great  
11      consequences of accidents.

12          The nine communities would just be one  
13      backhoe driver's mistake away from a fireball with  
14      serious fatal consequences. This is shallow, this is  
15      between 36 and 48 inches deep.

16          What is shallow here is both the pipe  
17      itself, and the claim that this gas is going to  
18      benefit Ohio residents at risk.

19          Today, Ohio's protection lags far behind  
20      the Pipeline & Hazardous Material Safety  
21      Administration of the U.S. Department of  
22      Transportation.

23          When you look at the budget lines in the  
24      Office of Budget and Management appendix for the last  
25      three biennial budgets, the growth of Ohio's pipeline

1 safety program has been zero, zero, and zero.

2 This is showing us how little the State  
3 wants to invest in saving lives of the people  
4 affected by this pipeline.

5 The Staff's review of the application  
6 seems quite passive about the risk of placing massive  
7 flows of methane close to the surface in a heavily  
8 populated, high consequence area.

9 What California learned from the San  
10 Bruno disaster, Ohio should not have to relearn in  
11 Reading or Amberley or Evendale.

12 We do not want to some day read a  
13 National Transportation Safety Board report of a  
14 disaster like occurred in San Bruno, California. So  
15 I encourage the Staff to read the Natural Gas Act.

16 Then read the glossy booklet for  
17 residents that Duke produced, and read closely the  
18 application for Ohio approval.

19 Undeniably, Kentucky is made the core  
20 recipient of this gas. None of the nine communities  
21 will receive this gas. This is a 14-mile segment of  
22 a larger interstate project for the movement of a  
23 huge amount of gas southbound to feed into Kentucky.  
24 There are zero distribution outlets along the 14-mile  
25 route.

1                   So the interstate status brings in the  
2   Public -- sorry -- the Pipeline & Hazardous Material  
3   Safety Administration of the U.S. Department of  
4   Transportation, and they would displace the  
5   inadequate state control with a robust federal  
6   control, especially expanding their analysis to the  
7   National Environmental Policy Act and its analysis of  
8   human risk.

9                   In my previous years as former chairman  
10   of the environment committee of the chamber of  
11   commerce, and since then as an active elected member  
12   of the regional council of governments, though  
13   speaking today only as an individual private citizen,  
14   I've observed that demand on this side of the river  
15   is weaker for the industrial use of methane gas. The  
16   commercial areas at Fairfax and Norwood, the end, and  
17   two types of pipelines here, they reduced over these  
18   years. So where is the methane going?

19                  Duke knows the gas is headed interstate.  
20   It's headed across the river to Kentucky, it's headed  
21   into Duke's KO pipeline in Kentucky, and ultimately  
22   perhaps to the export terminals and the chemical  
23   factories of Louisiana.

24                  Duke knows that the comprehensive  
25   delivery system is linking up this 14 miles with its

1 master plan for supplying Kentucky industry. That's  
2 a plan that brings this project under the Natural Gas  
3 Act. That federal statute preempts state controls.

4 When our legislative staff asked the PUCO  
5 Staff for a copy of Duke's master plan, the Staff of  
6 PUCO denied having a copy. It was a response that  
7 seemed quite odd for a North Carolina company that's  
8 famous for its interstate operations. Blueprints for  
9 the way this 14 miles connects to Kentucky exists  
10 somewhere. I urge the PUCO Staff to go back and ask  
11 again.

12 In my 46th textbook, "The Law of  
13 Fracking," I chronicle the geographical movement of  
14 this geological asset of gas. Pennsylvania and Ohio  
15 are just the starting line. Louisiana seems to be  
16 the end point.

17 These 14 miles seem to be the cheapest  
18 way for Duke to move its gas through southwest Ohio  
19 to feed into its Kentucky commercial usage. This is  
20 a transmission line, as Duke said numerous times,  
21 before the clumsy attempt to make it switch to some  
22 alternate description.

23 But throughout this, the Foster Station  
24 gate in Kentucky is cited, the term "balance" is  
25 used, the needs and growth in Kentucky are used.

1 This is an interstate pipeline. FERC and not the  
2 Ohio Power Siting Board is the proper regulator.

3 I'm going to skip for reasonable time of  
4 decision how risky it would be and what the PMHSA  
5 would do with this 14-mile segment.

6 I'll skip over that, but the most prudent  
7 savings is for us to upgrade by deferring, upgrade  
8 the safety of the public by letting the federal  
9 system step in and do what it does so well under the  
10 Natural Gas Act.

11 The tiny staff of pipeline safety  
12 employees within the Public Utilities Commission seem  
13 to have been passive. They seem to have acted very  
14 passively in at least the May 31 Staff Report.

15 We encourage you to allow FERC and PHMSA  
16 to do their job on this interstate project.  
17 Specifically what would they do differently? FERC  
18 would consider human safety factors under the 1972  
19 National Environmental Policy Act. Ohio does not.

20 The federal regulators of the Pipeline &  
21 Hazardous Material Safety Administration were told by  
22 Congress to prioritize interstate pipeline safety,  
23 and some would argue this political involvement here  
24 and the like, but Duke has really invested heavily in  
25 2015/2016 in east coast pipelines to carry that gas

1 from one state to the other.

2 They filed these in the Federal Energy  
3 Regulatory Commission process. They know where their  
4 gas is going, and now they are in a situation that we  
5 told people Kentucky is where it's going.

6 Duke's lawyers would not allow its  
7 engineers to make the statement that this gas would  
8 stay in Ohio. They would not allow them to make the  
9 statement that Duke would forego the profits on the  
10 carriage of gas either for Duke's own account or that  
11 of others, through these high consequence suburban  
12 areas.

13 As of today Duke has never gone on the  
14 record disclaiming its intention to profit by moving  
15 this gas from Ohio into Kentucky. Duke has never  
16 gone on the record asserting the reality that this  
17 gas will move through Reading, Amberley and elsewhere  
18 without stopping.

19 Duke is paid to deliver gas to the  
20 southern states, and that's what they are doing. But  
21 I would encourage the Board to ask Duke, under oath,  
22 will this massive project carry gas into interstate  
23 commerce or not.

24 Because the Securities & Exchange  
25 Commission watches what the public is told about



1 hundred million dollar investments by publicly traded  
2 corporations, Duke's rate of return on this pipe  
3 capacity as interstate carrier is something they  
4 cannot afford to deny.

5 To summarize quickly, we of Hamilton  
6 County have sufficient gas to meet demand. We need  
7 safety, we need risk reduction, we need federal  
8 preemption.

9 The multiple references by Duke to its  
10 Kentucky need, it's foster station, it's Erlanger  
11 peaking plant, has given us the foundation.

12 But using the Natural Gas Act and using  
13 the Federal Energy Regulatory Commission system,  
14 preemption would come into place, would remove this  
15 Board from this jurisdiction over that interstate  
16 movement, would render the cost of this proceeding  
17 irrelevant.

18 Please recognize the true intent of Duke,  
19 refer the case to the Federal Energy Regulatory  
20 Commission, and I urge you to please dismiss the  
21 application. Thank you.

22 ALJ SEE: Just a moment. Duke, any cross  
23 examination for this witness?

24 MS. KINGERY: No. Thank you.

25 ALJ SEE: Any other counsel have

1 cross-examination for this witness?

2 MR. WAMPLER: No, your Honor.

3 ALJ SEE: I need counsel of the other  
4 parties to indicate whether or not there is  
5 cross-examination.

6 MR. BUCCIERE: No.

7 MR. KNECHT: No.

8 MR. TRANTER: No.

9 MR. DETROY: No.

10 ALJ SEE: Your statement, if you could  
11 provide it.

12 Before Mr. Finan begins, Susan deRoos.  
13 Ms. deRoos, if you could step to this podium, please.

14 Mr. Finan, if could you raise your right  
15 hand. Do you affirm that the information you're  
16 about to give is true?

17 MR. FINAN: I do.

18 ALJ SEE: Thank you. Please state and  
19 spell your name for the record, and provide us your  
20 address.

21 - - -

22 SENATOR RICHARD H. FINAN  
23 presented himself as a public witness, and being  
24 first duly sworn, testified as follows:

25 DIRECT TESTIMONY

1           MR. FINAN: My name is Senator Richard H.  
2     Finan. My address is 3457 Sherbrooke Drive,  
3     Evendale, Ohio, and I currently serve as the Mayor of  
4     the Village of Evendale.

5           The Village of Evendale has written a  
6     14-page response with exhibits to the proposed agreed  
7     pipeline plan. Therefore, the summary will only  
8     highlight some of our concerns for the situation.

9           First of all, the Village of Evendale  
10    questions the very need for the new distribution  
11    line. The prime reason cited by Duke is to eliminate  
12    a peaking power plant which is old.

13          The plant is to handle the addition of  
14    propane when peak loads occur on very cold days, yet  
15    we are told that, at one of the meetings, the cost to  
16    renovate this plant would be 10 to \$15 million. The  
17    plant could be upgraded. I fail to see why, then,  
18    it's necessary to build an entire pipeline at that  
19    cost to fill this need.

20          Further, Duke says in its materials that  
21    the new pipeline will increase the supplies by ten  
22    percent. Yet they indicate they have excess capacity  
23    today of nearly 10 percent.

24          The market is also flat, as the previous  
25    gentleman pointed out. Why do they need more gas if

1     that's the situation?

2                 Next the Village of Evendale disputes the  
3     route selected by this Commission. Glendale Milford  
4     Road, particularly, has houses, churches, a school,  
5     our municipal complex, including a service building.

6                 Start with the service building. Over a  
7     year ago we determined that we needed to upgrade our  
8     facilities, renovate our facilities. We had  
9     architects hired, architects have designed a plan, we  
10    were about to begin.

11                We will not be able to do that because  
12    our service building will be surrounded by the Duke  
13    pipeline as it comes up Glendale Milford Road. It's  
14    a rather bizarre arrangement. It will go up, over,  
15    up, over, and up.

16                The building is also the site for our  
17    traffic control system for the entire village. The  
18    system which runs down the north side of Glendale  
19    Milford Road, exactly the route of the pipeline.

20                Also attached is a letter -- I'm sorry, a  
21    letter from the Trosset family who have donated a  
22    protected wildlife, wild flower preserve to the  
23    Village on Glendale Milford Road. This would be  
24    eliminated.

25                In addition, there are trees over 100

1 years old in the path of the pipeline which would be  
 2 left -- which are left from a tree farm that existed  
 3 there many, many years ago. When people built  
 4 houses, they simply kept the trees and they have  
 5 continued to grow there. These also would be  
 6 eliminated.

7 There are additional problems with this  
 8 site that we have outlined in our other brief. If  
 9 there must be a pipeline, why not down I-71? The  
 10 highway is almost parallel to the route of the orange  
 11 line that was preserved. This is in our brief, but I  
 12 have another copy of it here for you.

13 The federal rules do permit such an  
 14 activity. The Ohio Department of Taxation -- or  
 15 Department of Transportation has previously allowed  
 16 in other places such as I-74, a gas pipeline, and  
 17 I-71 in Warren County, just north of here, a  
 18 telecommunications line to be built in the  
 19 right-of-way of that particular highway.

20 However, if I-71 is impossible, why not  
 21 put it in the public right-of-way instead of through  
 22 people's front yards? That -- the torn-up streets  
 23 would be a short disruption, but a minor disruption  
 24 compared to the long-term affect that this would have  
 25 on the private property on Glendale Milford Road.

1           Please read our brief in full, and we  
2 believe it will show you what a great place Evendale  
3 is to live now. We hope to keep it that way. Thank  
4 you.

5           ALJ SEE: Is there any cross-examination  
6 for this witness?

7           MS. KINGERY: No, your Honor.

8           MR. WAMPLER: No.

9           MR. BUCCIERE: No.

10          MR. TRANTER: No.

11          ALJ SEE: There's one more counsel that I  
12 was waiting to confirm. Any cross-examination for  
13 this witness?

14          MR. DETROY: No.

15          ALJ SEE: Thank you very much. Before we  
16 move to Ms. deRoos, Chris Schaefer.

17          Ms. deRoos --

18          MS. DEROOS: "deRoos."

19          ALJ SEE: I'm sorry, deRoos. Okay.  
20 Please raise your right hand. Do you affirm that the  
21 information you are about to give is true?

22          MS. DEROOS: I do.

23          ALJ SEE: State and spell your name for  
24 the record.

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SUSAN DEROOS

presented herself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MS. DEROOS: Hello. My name is Susan  
deRoos. The last name is spelled d-e-R-o-o-s.

ALJ SEE: And your address?

MS. DEROOS: I'm a resident of Evendale,  
Ohio. My home is located at 3738 Monets Lane. That  
residence is within 1,000 feet of the proposed green  
route. May I begin?

ALJ SEE: And Ms. deRoos, you refer to it  
as the green route. Do you know if that is the  
alternate?

MS. DEROOS: That's the alternate.

ALJ SEE: Thank you. Go ahead.

MS. DEROOS: At this time I would like to  
take a few minutes to highlight some of the keys  
points regarding the application, and why we request  
the Ohio Power Siting Board to reject both of Duke's  
proposed routes.

My first point is regarding the seemingly  
lack of discipline to the OPSB process, the lack of  
full disclosure to the public, and the poor level of  
due diligence by all parties.

I've spent a significant amount of time reviewing Duke's application. It is critical that we use data to investigate and evaluate Duke's application.

Unfortunately, as some of you may already be aware, the website containing documentation regarding the case has experienced occasional problems which made documents unavailable to the public.

As an example, on June 14th, when trying to view Duke's amendments and supplements, I repeatedly received the error message "Docketing Information System - Error Page. System has encountered a problem, please try again." The full application as revised and amended should be made available to the public, instead of having to piece together multiple documents.

As another example, on June 12th, Duke made a motion for waiver requesting that the Board waive specific compliance with regards to the delivery of notices to affected landowners.

Duke's inability to follow and comply with simple notification raises our doubts that they will comply with more significant items moving forward. I would ask that this waiver be denied.



1           The availability of documentation and  
2       lack of process discipline are just two examples as  
3       to why I would ask the Board to grant the motion for  
4       continuance of adjudicatory hearing as submitted by  
5       the communities effected.

6           My second point addresses the need for a  
7       new route and right-of-way. Duke has clearly stated  
8       that the need and plan to replace/upgrade their  
9       current Line A in the near future.

10          Since they already have the right-of-way  
11       along Line A, and will be incurring the expense of  
12       construction to upgrade that line, why not install  
13       parallel lines to reduce construction costs and  
14       reduce environment and community impact? Wouldn't  
15       this approach also allow for the removal of a  
16       propane-air peaking plant?

17          My third point addresses the probable  
18       environmental impact. Throughout the Duke documents  
19       and the OPSB Staff Report there are numerous  
20       inconsistencies, errors, and omissions regarding  
21       environmental impact.

22          To just give you a few examples, Page 29  
23       of the OPSB Staff Report shows the select demographic  
24       characteristics of county and project areas. The  
25       table does not differentiate the two routes, but

1 shows the median household income of both routes  
2 combined.

3 The same information broken out for each  
4 route may paint an entirely different picture. This  
5 demonstrates the incomplete and possibly misleading  
6 information.

7 There is no explanation detail provided  
8 as to why the preferred route pipe equipment will  
9 cost \$20.6 million more than the pipe that's just one  
10 mile longer than the alternate route.

11 There is no explanation or detail on why  
12 the preferred route structures and improvements will  
13 be \$4.3 million more for a pipe, again, that is just  
14 one mile longer to the alternate route.

15 Without the detail of the \$24.9 million  
16 delta for just one more mile of pipeline, the OPSB  
17 Staff Report cites among their reasons for  
18 recommending the alternate route that, quote, the  
19 alternate route is shorter in length, would cost  
20 significantly less. Once again, demonstration of the  
21 low level of due diligence of the data provided by  
22 Duke.

23 My fourth point is regarding the overall  
24 community impact of the proposed pipeline route. The  
25 citizens, the taxpayers, Duke customers, and

1 communities along these routes have not been  
2 convinced of the need, benefit, or environmental  
3 impact for the safety of these pipeline routes.

4 We believe Duke's 30-foot wide permanent  
5 right-of-way and construction workspace of, quote, up  
6 to 80 feet wide will have significant environmental  
7 impact.

8 We have walked these routes, not just  
9 looked at pictures as Duke's application method  
10 states. We have observed a number of houses,  
11 businesses, parks, churches, medical facilities, and  
12 schools that would be impacted.

13 The OPSB Staff Report clearly states,  
14 quote, the project will result in both temporary and  
15 permanent impacts to the project area. Yet the OPS  
16 Staff Report seems to find it acceptable to choose  
17 what in their mind is the lesser of two evils.

18 In summary, there are numerous areas of  
19 this project that require a deeper due diligence, and  
20 better understanding of the impact to our  
21 communities.

22 For the sake of time I will submit  
23 another document via email to the OPSB that outlines  
24 many more detailed errors, omissions and concerns  
25 regarding the application and the Staff Report.

1 We ask that the OPSB reject both pipeline  
2 routes as submitted in the application documents.

3 Thank you for your time.

4 ALJ SEE: Thank you. Any cross for this  
5 witness?

6 MS. KINGERY: No. Thank you, your Honor.

7 MR. WAMPLER: No, your Honor.

8 MR. BUCCIERE: No, your Honor.

9 MR. KNECHT: No, your Honor.

10 MR. TRANTER: No.

11 ALJ SEE: Thank you.

12 Before Mr. Schaefer, can I call forward  
13 Jimmy Stewart?

14 Mr. Schaefer, if you'd raise your right  
15 hand. Do you affirm that the information you're  
16 about to give is true?

17 MR. SCHAEFER: Yes.

18 ALJ SEE: Please state and spell your  
19 name.

20 - - -

21 CHRISTIAN J. SCHAEFER  
22 presented himself as a public witness, and being  
23 first duly sworn, testified as follows:

24 DIRECT TESTIMONY

25 MR. SCHAEFER: Christian,

1 C-h-r-i-s-t-i-a-n, J., S-c-h-a-e-f-e-r. I'm  
2 Councilman in the Village of Evendale. I live at  
3 3406 Sherbrooke Drive, Evendale, Ohio.

4 In addition to what Ms. deRoos said and  
5 the testimony of Mayor Finan, just to point out what  
6 you're doing and what this plan is going to do to  
7 Evendale, is we already have one pipeline that needs  
8 to be replaced.

9 Between the two of them, 20 percent of  
10 the houses of Evendale are going to be -- have their  
11 yards torn up. That's 20 percent of them, and that's  
12 a terrible burden for our community.

13 The second thing that was not covered is  
14 that we had a school that wanted to relocate into  
15 Evendale, but once they learned of the Staff Report  
16 that routes that were preferred by your Staff, the  
17 school decided not to relocate, and it was a private  
18 school for the gifted children.

19 And so what we have is the pipeline puts  
20 a lot of economic development on hold, 20 percent of  
21 our residents may have their yards torn up, and it  
22 simply is unacceptable to the Village of Evendale.

23 It seems to make more sense to run it in  
24 the existing right-of-ways like Interstate 71 and Red  
25 Bank Road to get right to where they want to go, and

1 for whatever reason doesn't want to do that, ODOT  
2 doesn't want to do that. Thank you.

3 ALJ SEE: Any cross-examination for Mr.  
4 Schaefer?

5 MS. KINGERY: No thank you, your Honor.

6 MR. BUCCIERE: No, your Honor.

7 MR. KNECHT: No.

8 ALJ SEE: Patrick Ross.

9 Mr. Stewart, if you could raise your  
10 right hand. Do you affirm that the information  
11 you're about to give is true?

12 MR. STEWART: I do.

13 ALJ SEE: State and spell your name for  
14 the record, and give us your address.

15 MR. STEWART: Jimmy Stewart, J-i-m-m-y,  
16 S-t-e-w-a-r-t. 42995 School Lot Road, Albany, Ohio  
17 45710.

18 ALJ SEE: Go ahead with your testimony.

19 - - -

20 JIMMY STEWART

21 presented himself as a public witness, and being  
22 first duly sworn, testified as follows:

23 DIRECT TESTIMONY

24 MR. STEWART: Thank you. Thank you for  
25 having me. Members of the Ohio Power Siting Board,

1 my name is Jimmy Stewart. I'm president of the Ohio  
2 Gas Association.

3 The Ohio Gas Association is Ohio's  
4 natural gas trade organization composed of over 30  
5 local distribution companies, cooperatives, and  
6 municipalities, municipal governments, as well as the  
7 majority of Ohio's intra and interstate transmission  
8 companies.

9 Collectively, a number of companies of  
10 the gas association serve more than 3.6 million Ohio  
11 customers, and maintains and manages approximately  
12 50,000 miles of distribution and transmission  
13 pipelines throughout the State. The same pipelines  
14 that we drive and walk over every day.

15 I am here today to express our support of  
16 Duke Energy's Central Corridor Pipeline project.  
17 This newly proposed pipeline would enable Duke Energy  
18 to retire aging propane peaking plants,  
19 simultaneously decreasing reliance on natural gas  
20 from a single source in the southern part of the  
21 company's system that has reached its capacity.

22 Pipeline safety is of the utmost  
23 importance to our association and to our members.  
24 Duke's Central Corridor plan specifically allows for  
25 aging infrastructure that's near the end of its

1 useful life to be replaced with newer, safer  
2 structures that will provide better reliability to  
3 consumers.

4 We're strongly in favor of replacing  
5 these sometimes decades old pipes with newer models  
6 that are equipped with the most modern technology,  
7 including the ability to be inspected remotely.

8 In addition to the safety upgrades, there  
9 is the economic advantage as well. Improving the  
10 reliability of existing natural gas delivery  
11 throughout the region is crucial to the daily  
12 activities of both the residents and businesses.

13 We have to have a reliable delivery  
14 system with sufficient capacity for homes and  
15 businesses and et cetera to operate properly on water  
16 sources to be heated, stoves to be cooked, and other  
17 sources dependent on natural gas, otherwise they  
18 don't function properly. And also to allow for  
19 future economic development should that occur.

20 Furthermore, completion of the project  
21 would allow -- could allow for -- could allow for  
22 natural gas vehicles and stations to be fully  
23 supported in southwest Ohio.

24 That would allow for cleaner burning  
25 natural gas to be used for transportation uses like



city buses and refuse collection such as the City of Columbus has done, and other cities around the State have done.

In closing, the Ohio Gas Association urges your support for Duke Energy's Central Corridor Project. Thank you for your time and consideration, and I'd be happy to answer any questions.

ALJ SEE: Any cross-examination for this witness?

MS. KINGERY: No thank you, your Honor.

MR. WAMPLER: No, your Honor.

MR. BUCCIERE: No.

MR. KNECHT: No.

MR. TRANTER: No.

MR. DETROY: No.

ALJ SEE: Before we start with Mr. Ross, Robert Bemmes.

MR. BEMMES: "Bemmes".

ALJ SEE: Mr. Ross, please raise your right hand. Do you affirm that the information you are about to give is true?

MR. ROSS: Yes.

ALJ SEE: State and spell your name for the record, and give us your address.

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PATRICK ROSS

presented himself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. ROSS: Patrick Ross, R-o-s-s, 1143  
Fuhrman Road, F-u-h-r-m-a-n, Reading, Ohio, 45215. I  
apologize, I'm recovering from a cold.

The City of Reading received the Staff  
Report of Investigation completed by the Power Siting  
Board on Monday, June 5th. After reviewing this, the  
City of Reading remains adamantly opposed to the  
pipeline extension, in particular the route was  
chosen through Reading.

We have yet to see any evidence how this  
pipeline will be positive and benefit our community  
or the entire region. I have written two letters on  
May 4th, 2016 and June 28th, 2016, to the Siting  
Board, and Duke was also given copies of these  
letters, expressing our opposition and issues we have  
with the route as it goes through Reading. Our  
concerns were not taken into account by Duke in  
choosing the route location.

There are several reasons the City is  
opposed to the route chosen through Reading, which we  
will expand on further. I've attached several

1 pictures that were taken in locations where the route  
2 will go through Reading.

3 Number 1: The location to residential  
4 areas. There is no reasonable explanation why the  
5 route through Reading would go so close to  
6 residential areas in the City of Reading.

7 The residential areas chosen are not  
8 homes with 100 foot or even 50 foot setbacks. Some  
9 of the setbacks from the right-of-way are nonexistent  
10 in a few locations, and just a few feet in others.

11 I have highlighted and attached pictures  
12 of homes where no matter where the 20-inch pipeline  
13 is located, it would basically be right next to these  
14 homes.

15 Not knowing the exact layout of the pipe,  
16 I stood in the center of the road, took pictures, and  
17 measured to the front of the structure, not the  
18 property line.

19 The measurements we took were at 1552  
20 West Street, 41 feet; the corner of Market Street and  
21 West Street, 44 feet; 1411 Market Street, 35 feet; 19  
22 West Mechanic Street, 28 feet; 105 East Mechanic  
23 Street, 28 feet; and the corner of Third Street and  
24 Vine Street, 22 feet.

25 ALJ SEE: Mr. Ross, before you continue,

1 you're discussing pictures that you have taken. Do  
2 you have copies of those pictures?

3 MR. ROSS: I do, yes.

4 ALJ SEE: Do you have a copy for the  
5 ALJs, and do you have a copy to give to counsel so  
6 that they can see them?

7 MR. ROSS: I have two copies. And I  
8 emailed this to the Siting Board already.

9 ALJ SEE: Okay. And those were the two  
10 referenced -- the May --

11 MR. ROSS: No, this was just sent last  
12 week.

13 ALJ SEE: Do you happen to know what  
14 date?

15 MR. ROSS: No, but I already received  
16 confirmation that you have it.

17 ALJ SEE: Okay. Let me have a copy of  
18 the pictures, please.

19 MR. ROSS: They are not in order.  
20 There's more in there as well.

21 ALJ SEE: Are they labeled with the  
22 address that you referenced?

23 MR. ROSS: Yes, they are. There's other  
24 locations I took pictures of.

25 ALJ SEE: Could you provide counsel for

1 Duke with a copy of the pictures that you are  
2 discussing? Go ahead with your testimony.

3 MR. ROSS: At the corner of Third and  
4 Vine Street, it is only a total of 48 feet between  
5 the houses as the homes have zero setbacks.

6 Regardless of how one feels about the  
7 pipeline, it's unreasonable to place a line that is  
8 not a service line this close to homes in our  
9 community. I have asked Duke to provide any other  
10 locations where pipelines are this close to homes,  
11 and have not yet been provided that information.

12 It also must be pointed out that the  
13 majority of the homes that Duke has chosen to place  
14 this pipeline next to in Reading are in low and  
15 moderate income areas. In fact, I think the  
16 residents of Reading are the only places where it's  
17 low to moderate income on the census track.

18 It feels like Duke may be aware of this  
19 and is taking advantage of these residents as they do  
20 not have the financial resources to fight this, and  
21 so who better off can be sued.

22 We fail to see why they chose a route  
23 through a very congested, narrow residential area.  
24 If deemed necessary, there are many better options,  
25 such as the side of the highway.

Future development. Page 32 of the report says, "The applicant reviewed land use planning documents for the townships and municipalities along the project and did not discover any conflicts."

This is extremely careless work by Duke or an outright lie. I have written two letters to Duke and the Siting Board on May 24th and June 28th of last year, and have told Duke representatives in person on several occasions that the route intersects property owned by the City of Reading that we're counting on for major future development. This site, which I have pictured, is at the end of Third Street. It's just an open lot right now.

This is home to the Reading Life Sciences Complex Expansion. This site was part of the State of Ohio's Jobs Ready Site Grant. The city received over \$2 million from the State of Ohio, and matched nearly \$1 million of local dollars to make this site fully jobs ready for high paying pharmaceutical jobs.

The Reading Life Sciences Complex Expansion is strategically located on a 14-acre site adjacent to the existing 50-acre Reading Life Sciences campus, which is home to 1,000 research and support jobs, including employers such as Patheon,

1 Nitto Denko Avecai, Standard Textile, and UC Reading  
2 Campus.

3 If this pipeline is constructed it would  
4 completely make the site undevelopable for end users.  
5 Over the last year we have been working with a very  
6 serious end user to bring in 100 million dollar  
7 capital structure and 200 jobs to the site. Having  
8 seen preliminary concepts, the pipeline would  
9 completely ruin this and any future opportunities.

10 It was very frustrating reading the  
11 investigation report as Duke knew full well of this  
12 site and its importance to not only Reading's future  
13 development, but the entire county and state.

14 Number three, current businesses  
15 negatively impacted. Many of our large employers  
16 have written letters to the Siting Board opposing the  
17 pipeline. I spoke with General Tool, Aluchem, and  
18 Hydroforce, companies all directly adjacent to the  
19 route.

20 Having walked and visualized the route  
21 location, these companies would see a negative impact  
22 to their bottom line. The route crosses between  
23 General Tool and Aluchem on a narrow road (see  
24 picture). Right there, which she's looking at.

25 In speaking with representatives, the day

1 I actually took the pictures a guy from Aluchem came  
2 out, had no idea there was a pipeline there. I  
3 thought it was interesting that a major business was  
4 unaware of the pipeline going down there, and I asked  
5 them if they could afford the construction and he  
6 said no, that road -- all their shipments go directly  
7 back that road in and out, so they can't afford --  
8 they could not have even one day of construction.  
9 There's only one way in and out of their business.

10 This is the same with Hydroforce, which  
11 is on West Street. There's only one road in and out  
12 of this business and other businesses there, and he  
13 said, you know, he can't afford having one day of not  
14 being able to take trucks back there, otherwise they  
15 will go to his competitors.

16 Patheon and Avecia, which are towards the  
17 south of Reading, would be impacted as well as the  
18 pipeline intersects their property.

19 For security reasons I was not permitted  
20 to photograph the site, but was told by site security  
21 that there are large underground tanks in the direct  
22 vicinity of where the pipeline is being routed. It's  
23 also where a majority of their hundreds of employees  
24 enter and park on the site.

25 These companies are very major employers



1 for our city. Any disruption or loss of business  
2 would negatively impact them, our city, and our  
3 residents.

4 And four, loss to recreation. The City  
5 of Reading Community Pool, Haffey Fieldhouse,  
6 Veteran's Memorial Stadium, and youth soccer and  
7 softball fields are immediately adjacent to the route  
8 as it goes to West Street. The report says the  
9 interruptions would be temporary.

10 The city cannot accept any loss of access  
11 to these facilities. We made Duke aware of this,  
12 that there is only one road that accesses all these  
13 properties, and still Duke chose to put the pipeline  
14 in this location.

15 There is no option to schedule  
16 construction around these activities and events as  
17 they are usually year round.

18 The Haffey Fieldhouse, this is used year  
19 round for basketball, volleyball, senior citizen  
20 activities, badminton, preschool open gym, movie  
21 nights, and many other fundraisers and organization  
22 events.

23 At the stadium, it is used from February  
24 through June for high school track and field, and  
25 July through November for little league and high

1 school football and high school soccer. And the  
2 community uses the track year round for wellness and  
3 exercise.

4 The community pool is open from May  
5 through September, and the Rohm & Hass Fields are  
6 used for youth softball and soccer from March to the  
7 end of October.

8 We have voiced our concerns and  
9 opposition as a city and in unison with other  
10 communities and organizations. Duke has not proven  
11 first and foremost how it will have a direct positive  
12 impact on our city and region.

13 Without this, we cannot accept all of the  
14 negative impacts this pipeline will have. We  
15 strongly urge you to reject the pipeline routes as  
16 applied for, and if the need arise -- arises that is  
17 shown it is necessary, we would encourage a route  
18 that does not directly impact in a negative way our  
19 residents, businesses, and organizations.

20 ALJ SEE: Any cross-examination for Mr.  
21 Ross?

22 MS. KINGERY: No, your Honor.

23 MR. WAMPLER: No.

24 MR. BUCCIERE: No.

25 MT. KNECHT: No.

1 MR. TRANTER: No.

2 ALJ SEE: The pictures that Mr. Ross  
3 provided will be marked as Patrick Ross Exhibit 1,  
4 and they consist of 14 pictures.

5 (EXHIBIT MARKED FOR IDENTIFICATION.)

6 ALJ SEE: Haynes Goddard. Mr. Goddard, I  
7 need you to step to the other podium.

8 I believe Mr. Bemmes is coming forward to  
9 the podium to my right. Mr. Bemmes? I'm sorry.

10 If you'd raise your right hand, please.  
11 Do you affirm that the information you're about to  
12 give is true?

13 MR. BEMMES: Absolutely.

14 ALJ SEE: State and spell your name for  
15 the record.

16 MR. BEMMES: Robert Bemmes, "B" as in  
17 boy, e-m-m-e-s.

18 ALJ SEE: And your address, sir?

19 MR. BEMMES: 1914 Hunt Road, Reading,  
20 Ohio.

21 ALJ SEE: Go ahead with your testimony.

22 - - -

23 ROBERT BEMMES, MAYOR  
24 presented himself as a public witness, and being  
25 first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. BEMMES: Thank you. You know, I'm here today as the Mayor of the City of Reading. You know, on behalf of our council, myself, and the citizens of Reading, I want to thank Jim O'Reilly for his testimony, and wish that it would be repeated several times before this is over.

We want to thank Dick Finan, Ms. deRoos for their testimony. We have a lot of the same feelings. And I want to thank our safety service director here as well.

But I'm here as the Mayor of Reading because I'm deeply concerned with the route that is proposed through Reading for a 20-foot in diameter high-pressure natural gas pipeline.

No one wants a high-pressure natural gas pipeline within feet of their home. And for Mr. Stewart, I would say to him, too, you know -- and this is from Duke to our residents. They want to go through front yards where people have ten feet or less.

And Patrick told you, our safety service director, in some areas there's no front yard. I don't think Mr. Stewart would want it within 10 or 15 feet of his grandparents' home, his parents' home, or

1 his children or grandchildren's home, no one,  
2 especially when there are alternate routes that have  
3 been discussed here today.

4 You know, I was at the Ohio Municipal  
5 meeting close to a year ago, representatives of over  
6 12 communities, when I-75 was offered as a route to  
7 Duke Energy. They should be well aware of that, and  
8 should have been before it was suggested.

9 We have not gotten one reasonable reason  
10 why they would not go down I-71. And the members of  
11 the Ohio Department of Transportation, being public  
12 servants, should very willingly and happily help with  
13 this project if it keeps this pipeline further away  
14 from people's homes. Again, no reason has ever been  
15 given to us not to take this route.

16 You know, this pipeline -- I'm sorry, I'm  
17 skipping because of things that have been read  
18 before. But again, no benefit to any of us in  
19 Hamilton County has been shown.

20 You know, again, just as Mr. O'Reilly  
21 said, and up to a year ago, other legal experts in  
22 this field have said the same thing, that this gas is  
23 going right across the river and right down to the  
24 Gulf of Mexico and sold to the highest bidder and we  
25 won't get a drop of it.

1           And at this point I have no reason, no  
2 legitimate reason, not to believe these people any  
3 more than believing Duke reps at this stage. We're  
4 not sure for the multiple risk to us that there's  
5 going to be any benefit at all. And again, this  
6 comes from very well educated people.

7           And, you know, this route through Reading  
8 violates Duke's own minimum safety standards. You  
9 know, they want it within 10, 15 feet or less of  
10 front doors, and it's from their reps.

11           You know, I was embarrassed at a meeting  
12 a year ago that I went to that Duke held in Blue Ash,  
13 and residents are attacking me as I go to the door  
14 saying they are going to put this through our front  
15 yards. I said they wouldn't do that, they will go  
16 underneath the road.

17           And they said well, step right up here to  
18 the Duke reps that are saying it's going through our  
19 front yards. You know, all the people are terrified.  
20 Like I say, they are going to be knocking on their  
21 front doors, they operate the backhoe to dig the  
22 hole.

23           And again, you know, I grew up in  
24 construction. My dad was a builder. You know, he  
25 was brought up by an uncle who was a builder. You

1 know, this is the most ludicrous thing I have ever  
2 heard of in my over 50 years in construction.

3 You just don't take high-pressure gas  
4 lines within feet of people's homes, much less  
5 businesses and athletic fields, when there are better  
6 routes. You know, we simply don't understand.

7 You know, we were told in other states  
8 there's 300 foot setback requirements from homes. In  
9 Reading, again, they are going right up to their  
10 front doors. And a growing number of people in  
11 Reading, again, think that we're being picked upon  
12 because of the lower incomes and the less ability to  
13 fight it, and that's to me just absolutely,  
14 positively wrong.

15 You know, it's -- I'm not going to read  
16 any further. It's just something that shouldn't  
17 happen. You know, the need hasn't been proven to us.  
18 The risk to us outweighs the potential being no  
19 benefit to us.

20 It's harmful to our businesses and will  
21 be, as our city manager said as it's being  
22 constructed, to our youth and high school students,  
23 our senior citizens for their fitness, and it would  
24 be devastating for our future economic development,  
25 as well. It could be crushing to us.

1           You know, we're a city with no reserve  
2 funds. You know, just like most of the residents in  
3 Reading, at City Hall we live hand to mouth. If a  
4 business shuts down for a day it's harmful to us,  
5 much less if it goes through our 14-acre Life Science  
6 property that we're hoping will bring us \$300,000 a  
7 year.

8           That money goes to police, fire, EMS, and  
9 public works protection. We're already on the roads,  
10 we can't take anymore, and our residents don't  
11 deserve this as well. Thank you very much.

12           ALJ SEE: Any cross?

13           MS. KINGERY: No thank you.

14           MR. WAMPLER: No, your Honor.

15           MR. BEMMES: I have a communication as  
16 well from a handicap resident. Who would get this?

17           ALJ SEE: Comments go to this young lady  
18 out front. I'm sorry, any cross-examination?

19           MR. BUCCIERE: No.

20           MR. KNECHT: No.

21           MR. TRANTER: No.

22           MR. DETROY: No. Thank you.

23           ALJ SEE: Alan Ullman.

24           Mr. Goddard, when you're ready, please  
25 raise your right hand. Do you affirm that the



1 information you're about to give is true?

2 MR. GODDARD: I do.

3 ALJ SEE: State and you spell your name,  
4 and give us your address.

5 MR. GODDARD: Haynes, H-a-y-n-e-s, C.,  
6 Goddard, G-o-d-d-a-r-d. Address is 2869 Ridgewood  
7 Avenue, that's Columbia Township, 45213.

8 ALJ SEE: Go ahead with your testimony.

9 - - -

10 HAYNES C. GODDARD

11 presented himself as a public witness, and being  
12 first duly sworn, testified as follows:

13 DIRECT TESTIMONY

14 MR. GODDARD: I'm going to refer to  
15 attachments to this. I'll give this to you so you  
16 can see it.

17 Good afternoon, and thank you for coming  
18 into Cincinnati to hear our testimony. These  
19 comments are entirely my own and are not associated  
20 with the University of Cincinnati or any other  
21 organization.

22 I am Professor Emeritus in the Department  
23 of Economics at the University of Cincinnati, where  
24 I've taught from 1969 to 2010. Of the many courses I  
25 taught the most relevant to this issue was my

graduate course in benefit-cost analysis, and project evaluation, which I taught for many years.

And if I might make a professorial comment, the OPSB Staff evaluation of this application is so weak that had it been submitted as a final term project in my class it would have been given a failing grade.

Economic analysis is much broader than financial analysis, as it includes all costs and benefits, not just those that occur in markets and are measured by market prices. And critically important in this present case, need is not a word that economists use, as it is not measurable and can easily be used to mean whatever a person or group wants.

Indeed, in this case, given the large surplus of fracking gas from the Marcellus shale deposits in northeastern Ohio, looking for transport out of that region, it's an easy economic hypothesis that Duke has a want to transport more gas through its Ohio territory into Kentucky from which they can generate a revenue stream funded by end users and shippers, and have Ohio ratepayers fund the pipeline costs.

While the OPSB is charged with the --

1 charged to assess the need for this gas pipeline,  
2 tellingly nowhere that I can find has the OPSB or any  
3 other source defined the need in this context, it is  
4 only what Duke tells it. Given the importance of the  
5 OPSB, this is a glaring deficiency on the board of  
6 this body.

7 I have three specific conclusions to  
8 offer, my own investigation, Duke's open houses, and  
9 the Staff Report, and these are as follows:

10 One, Duke asserts need but provides no  
11 evidence of that need. Duke has repeatedly said that  
12 its propane-air peak shaving plant represents old  
13 technology and needs to be closed. That is Duke's  
14 basic argument for its application.

15 Duke ignores the fact that propane-air  
16 plant construction is an active and modern industry.  
17 Several firms in the U.S. currently fabricate and  
18 install these plants, so replacement is a realistic  
19 option.

20 In fact, Duke has already replaced a  
21 major part of the East End peaking plant -- and  
22 that's the attachment I gave you -- and EN  
23 Engineering has advertised this fact online, so I  
24 refer you to that printout.

25 This means that Duke is spreading

1 misleading information. Duke says that it needs a  
2 new transmission line to replace the A Line as well,  
3 but it's already been replacing it piecemeal, and  
4 they could continue to do that.

5 Conclusion: I believe that Duke's  
6 purported need is unfounded and unsubstantiated.

7 Second point. The OPSB Staff Report  
8 fails to present any independent analysis. Duke  
9 apparently has not released its amply referenced Gas  
10 System Master Plan to the OPSB.

11 In response to a legislative request that  
12 I made through the office of State Representative  
13 Denise Driehaus, the OPSB stated that Duke had not  
14 filed it with them. With this master plan the OPSB  
15 cannot -- I should say without this plan, the OPSB  
16 cannot properly assess Duke's assertion of the need.

17 This then appears to be a major  
18 deficiency in the Staff Report. The Staff  
19 reflexively accepts Duke's word without any  
20 independent verification.

21 The Staff fails to examine the nature of  
22 the environmental health risk to people - burns due  
23 to the thermal fluxes from a pipeline in the case of  
24 a breach or fire. The risks to the public in the  
25 high consequence areas around the pipeline are not

1 examined at all.

2 The OPSB Staff has not adequately  
3 fulfilled its duty to conduct a quality analysis for  
4 the Board and the taxpayers and voters of Ohio.

5 Third point. Human health and safety is  
6 completely ignored by Duke and OPSB, and in fact its  
7 proposed pipeline placements maximize the probability  
8 of death and injury from a pipeline failure and  
9 excavation errors. Nothing in the statutory language  
10 governing this case prevents examination of safety.

11 This high pressure line is to be placed  
12 in high population density corridors, as we have  
13 heard. This increases the risk of injury and death  
14 due to explosion and fire from mistakes made during  
15 the excavations around the properties, and in streets  
16 for various repairs such as water and sewer leaks.

17 An examination of the opposition website  
18 NOPEcincy.org shows that NOPE has computed the  
19 probability of death as a function of distances and  
20 exposures to the thermal flux from a fire. I had a  
21 reference in the document that you have. Duke and  
22 the OPSB Staff should have done this.

23 By its failure to discuss health and  
24 safety, the OPSB does a great disservice to the  
25 residents of Cincinnati and Hamilton County. Neither

1 the OPSB nor its Staff seem to understand that when  
2 we speak of environmental impacts, we mean the  
3 environmental media.

4 We live in these media; the air, the  
5 water, and the land. The fire hazard occurs on the  
6 land and in the air and so it automatically involves  
7 safety. This is totally ignored by the Staff Report.

8 So in sum I find that Duke's argument  
9 about its propane-air plant is faulty, and it has not  
10 established need; that the OPSB Staff Report is  
11 deficient, and that the OPSB fails to understand or  
12 assess the safety consequences of Duke's proposal.

13 So I ask -- implore you to do a better  
14 job. Our health and safety depend upon it. Thank  
15 you.

16 ALJ SEE: Is there any cross-examination  
17 for this witness?

18 MS. KINGERY: No, your Honor.

19 MR. WAMPLER: No, your Honor.

20 MR. BUCCIERE: No, your Honor.

21 MR. KNECHT: No.

22 MR. TRANTER: No.

23 MR. DETROY: No.

24 ALJ SEE: Thank you. I am going to mark  
25 the attachments to the testimony that you gave me as

1 Haynes Goddard Exhibit 1.

2 (EXHIBIT MARKED FOR IDENTIFICATION.)

3 ALJ SEE: Charles Schneider.

4 MS. SCHNEIDER: Charlene.

5 ALJ SEE: I am so sorry.

6 MS. SCHNEIDER: That's okay, my father  
7 was Charles. I am named for him.

8 ALJ SEE: Mr. Ullman, if you'd raise your  
9 right hand. Do you affirm that the information  
10 you're about to give is true?

11 MR. ULLMAN: I do.

12 ALJ SEE: Please state and spell your  
13 name for the record.

14 MR. ULLMAN: I have some attachments.

15 ALJ SEE: Okay.

16 MR. ULLMAN: Yes. Alan Ullman,  
17 U-l-l-m-a-n, 4341 Berryhill Lane, Blue Ash. I will  
18 refer to three different attachments that are  
19 figures, and I have copies.

20 ALJ SEE: Please provide counsel for Duke  
21 with a copy, please.

22 - - -

23 ALAN ULLMAN

24 presented himself as a public witness, and being  
25 first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. ULLMAN: I am Alan Ullman, a resident of Blue Ash, and I have come forward today to express my consternation with the natural pipeline proposal and the evaluation process.

As a retired scientist with a Ph.D. in Analytical Chemistry, I'm used to dealing with facts and documentation, yet Duke's application, PUCO Case 16-253-GA-BTX, is short on both.

In over 343 pages of text, figures, tables, and maps, there's no explanation or documentation of the statement that the propane-air peaking plants, quote, are reaching the end of their useful life, unquote, and yet this is a key reason Duke gives for the pipeline.

A two-minute search of the Internet using the phrase, quote, propane-air peaking, resulted in multiple links to manufacturers of such plants; for example, Standby Systems, reference 1, Superior Energy Systems, reference 2, TransTech Energy, reference 3, a report by a U.S. National Lab assessing such a system for the City of Anchorage, reference 4, and related information.

Even a more in-depth search did not find anything remotely implying that peaking plants were,



1     quote, outdated, unquote.

2                 On the other hand, the Duke application  
3     explains the use of various computer models for  
4     different scenarios of gas use and for route  
5     selection. Computer modeling is an excellent method  
6     of trying to predict a future outcome, especially  
7     when there's no practical way to perform an actual  
8     experiment.

9                 However, models are critically dependent  
10    on the algorithm used and on the input data. In both  
11    cases the input data is not described in detail or is  
12    purely subjective.

13                Using numerical values to weight route  
14    selection attributes allows the model to generate a  
15    numerical score, but that score is no better than the  
16    arbitrary input values.

17                The real test of any model is in its  
18    validation. No validation is presented in the Duke  
19    application. So in order to understand how well  
20    Duke's past models have predicted the future, I went  
21    back to previous Duke forecasts filed with PUCO;  
22    references 5, 6, and 7.

23                Each of the documents list actual natural  
24    gas sales for previous years and predicts sales for  
25    the next 11 years. By comparing the predicted and

1 actual sales from the past three forecasts, I found  
2 six overlapping data points.

3 Similarly, I compared Peak Design Day  
4 Actual Gas Usage with Predicted Gas Usage. The  
5 results are shown in the attached Two Tables, but to  
6 summarize, Duke over forecasts the annual volume of  
7 gas it will need, in one case, 2010, by over a  
8 hundred percent. Similarly, the forecasts for Peak  
9 Design Days were also way over the actual amount  
10 used.

11 In addition to over forecasting its need  
12 for gas, the data showed declining volume of gas  
13 actually sold by Duke, in Figure 1. From 2003 to  
14 2013, Duke's reported total gas sales dropped more  
15 than half.

16 A few days ago, in reference to safety  
17 concerns, Sally Thielen of Duke was on WCPO-TV  
18 Channel 9, reference 8, here in Cincinnati and  
19 stated, "We have that infrastructure in place - in  
20 larger diameter, higher-pressure pipeline - that goes  
21 along a university, a hospital, in a densely  
22 populated neighborhood, near a shopping mall. It's  
23 not any type of infrastructure that we're not already  
24 comfortable constructing and operating safely."

25 I was not aware of any similar sized

1 natural gas pipeline in the I-275 beltway, so I did  
2 some research. While many Duke Energy Ohio documents  
3 are unavailable to the general public, I found,  
4 quote, Characteristics of Existing Gas Transmission  
5 Lines, unquote, on pages 3-2 to 3-4 of my reference  
6 6.

7 Ms. Thielen is right, there are some  
8 large diameter high-pressure lines, however, the only  
9 24-inch, 500 psi or higher ones I found in the  
10 reference are in Butler or other lower population  
11 density counties. Other lines listed either have a  
12 smaller diameter or lower pressure.

13 Her comment that they are, quote,  
14 operating safely, unquote, is satisfying, but it  
15 doesn't address the biggest safety concern I have -  
16 the inadvertent rupture of a line by a contractor  
17 doing his or her job.

18 In the high-density population areas  
19 along the two proposed routes, there will be road  
20 construction, electrical, water and sewer work, not  
21 to mention homeowners doing things on their property.

22 An experienced contractor for a utility  
23 company accidentally hit a gas line in Columbus, Ohio  
24 in December 2016. The resulting explosion and fire  
25 destroyed a Domino's pizza restaurant, reference 9.

Accidents can and will happen. Gas lines can leak. In 2013 there were over 300 gas leaks, reference 10, in the City of Cincinnati, probably all small, low pressure lines entering homes or in appliances, but what if?

Finally, it appears the Ohio Power Siting Board has not thoroughly investigated the claims made by Duke in its application. My own brief investigation has not substantiated the case for need that the law requires.

Peaking plant technology is not outdated; in fact, Duke modernized its Ohio peaking plant just a few years ago. Demand for natural gas is not increasing, as evidenced by Duke's own sales figures and common sense: Furnaces are more efficient than ever, and the population in the area is declining.

I urge the OPSB to reject this project as an unnecessary cost and risk to the community.

ALJ SEE: Any cross-examination for this witness?

MS. KINGERY: No. Thank you, your Honor.

MR. JAY WAMPLER: No, your Honor.

MR. BUCCIERE: No, your Honor.

MR. KNECHT: No.

MR. TRANTER: No.

1 MR. DETROY: No.

2 ALJ SEE: Adelle Bell.

3 MS. SCHNEIDER: I only brought one copy  
4 because I didn't know I should bring more.

5 ALJ SEE: And this is going to pertain to  
6 your --

7 MS. SCHNEIDER: That's what I'm going to  
8 talk about. I did bring this, perhaps the audience  
9 could see because it's bigger.

10 ALJ SEE: Share it with -- and we'll give  
11 that back.

12 Okay. Ms. Schneider -- hold on for just  
13 a second.

14 Ms. Bell.

15 Ms. Schneider, if you'd raise your right  
16 hand. Do you affirm that the information you're  
17 about to give is true?

18 MS. SCHNEIDER: I do.

19 ALJ SEE: State and spell your name for  
20 the record, and give us your address.

21 MS. SCHNEIDER: Charlene,  
22 C-h-a-r-l-e-n-e, Schneider, S-c-h-n-e-i-d-e-r. My  
23 address is 6771 Prairie View Drive, Maineville, Ohio  
24 45039.

25 ALJ SEE: And Ms. Bell -- I'm sorry,

1 Ms. Schneider, you provided us with a picture, and  
2 you're willing to part with it?

3 MS. SCHNEIDER: Yes. But not this one,  
4 you can't have that one.

5 ALJ SEE: Okay.

6 - - -

7 CHARLENE SCHNEIDER  
8 presented herself as a public witness, and being  
9 first duly sworn, testified as follows:

10 DIRECT TESTIMONY

11 MS. SCHNEIDER: My name is Dr. Charlene  
12 Schneider. I'm a psychologist by profession, and  
13 work and live in Maineville. So why you ask do I  
14 care about a pipeline running through the central  
15 part of Hamilton County?

16 I first learned about the proposed  
17 pipeline when my son mentioned it was planned to go  
18 through his backyard. His treeline on Bluewing  
19 Terrace would be removed.

20 At first I was concerned about his  
21 property value and the beauty of their backyard.  
22 Then I grew concerned about the privacy and safety of  
23 my little granddaughters whose bedrooms face the  
24 backyard.

25 Without the treeline their bedroom would

1 be exposed to the far parking lots of the UC Blue Ash  
2 campus, a place where it would be easy for a predator  
3 to loom.

4           Shortly after the announcement of Duke's  
5 initial plans for the pink line, which was supposed  
6 to go through my son's back yard, my son had a life  
7 threatening health crisis. I felt so helpless.

8           Paying attention to what was going on  
9 with the pipeline was a way I thought I could help  
10 his family while they were overwhelmed with health  
11 issues.

12           As the good research scientist that I am,  
13 I read everything I could get my hands on about  
14 building large natural gas transmission lines.  
15 Immediately I learned that losing trees and privacy  
16 were the least of my worries for my son's family.

17           Pipelines of the magnitude being  
18 discussed are quite dangerous because of leaks,  
19 failures, and ruptures. If there were to be an  
20 accident -- and there are accidents, two per day I  
21 read, my family could burn to death in a matter of  
22 seconds, especially with the pipeline only 30 feet  
23 from their back door.

24           Well, the pink line was scrapped. But  
25 the orange line still runs past schools that my

1     granddaughters either currently attend or will attend  
2     in the future.

3             It will be within feet of the Irish  
4     dancing school where my precious little granddaughter  
5     and hundreds of other girls like her take Irish dance  
6     lessons.  If there is an accident near any of the  
7     schools -- and there are many schools on either route  
8     -- children will surely die.

9             Either route will run very near places my  
10    family shops and plays and lives their lives.  We all  
11    shop and eat or go to the movies around the Kenwood  
12    Mall.  We shop at Menards and Wal-Mart on Reading  
13    Road.

14            My son received medical treatment at the  
15    Jewish Hospital on the orange line.  My  
16    daughter-in-law had surgery at the surgery center  
17    just off the green line in Evendale.  People under  
18    anesthesia will not be able to escape a fire from a  
19    pipeline accident.

20            I asked a Duke employee at the open house  
21    last winter at the Crown Plaza Hotel if he feels safe  
22    with this pipeline in his grandchildren's backyard.  
23    He said he definitely would.  I suspect this was a  
24    disingenuous response.  If he really meant it, I  
25    suggest Duke reroute the pipeline right behind his



1 grand kids' house.

2 In addition to safety concerns, I have  
3 learned from my research that Duke has done an  
4 inadequate job of proving that this pipeline is even  
5 needed. There is no growth predicted in the number  
6 of customers Duke will service in the foreseeable  
7 future in this area.

8 They said they cannot meet the demand for  
9 the coldest days of the year without an 85 to 100  
10 million dollar pipeline project because they need to  
11 retire old peaking plants.

12 But research shows these peaking plants  
13 are not obsolete technology, and they can be replaced  
14 for a fraction of the cost of using -- of using and  
15 building this big pipeline. They also can do a  
16 better job of using their curtailment system. They  
17 also could help their customers learn to conserve gas  
18 usage.

19 Duke has a reputation of over building  
20 their infrastructure. The line that runs through  
21 Warren County in the area out where I live, I've been  
22 told it's called the C314, is routed -- is purported  
23 to run at 22 percent of capacity on peak days.

24 Will Duke spend 85 to 100 million  
25 dollars, a cost which will be forwarded to their

1 customers, to run this gigantic transmission line  
2 through the middle of Cincinnati suburbs and only use  
3 22 percent of that capacity on peak days also?

4 Duke has given conflicting information at  
5 their open house meetings about whether this proposed  
6 line is a transmission or a distribution line.

7 Since there are no taps proposed anywhere  
8 along the line, it does not seem like it will be  
9 distributing natural gas along the way to all of the  
10 customers who will be paying for this pipeline.

11 In fact, the customers are absorbing all  
12 of the cost, financially, and environmentally, and  
13 putting their way of life and their very lives at  
14 risk, and Duke gets all the benefit.

15 Clearly this is a pipeline Duke wants. I  
16 am not at all convinced it's a pipeline that people  
17 of Hamilton County need.

18 If there is even a small risk that my  
19 bright and beautiful granddaughters and their mom and  
20 dad might be severely injured or killed because of a  
21 pipeline accident on this line, Duke had better see  
22 to it that all of their facts line up, for what is  
23 needed, why it is needed, and can prove beyond a  
24 doubt there is not a less dangerous way to address  
25 their supposed need.

1 I am counting on the Ohio Power Siting  
2 Board to do their due diligence, and hold Duke  
3 accountable for proving the need for this proposed  
4 pipeline, and having researched fully every possible  
5 alternative solution to avoid going through a high  
6 consequence area where, just coincidentally, my  
7 family happens to live.

8 As a PS, I'd like to say, when I first  
9 got involved this was clearly all about my family.  
10 But I'm quite aware that because I'm self-employed  
11 and I can make my own schedule, I can be here today.

12 I bet there are a lot of grandmas and  
13 moms who can't be here today because they are  
14 working, and I would like to say I would speak up on  
15 their behalf as well, even if my family were no  
16 longer involved in this.

17 ALJ SEE: Any cross-examination for this  
18 witness?

19 MS. KINGERY: No, your Honor.

20 MR. WAMPLER: No, your Honor.

21 MR. BUCCIERE: No, I don't.

22 MR. KNECHT: No.

23 MS. SCHNEIDER: I have a copy of my  
24 statement.

25 ALJ SEE: If you could provide it to the

1 young lady in the blue.

2 Before Ms. Bell goes forward with her  
3 testimony, I'd like to call the 12th witness,  
4 Dr. Charles Wiedenmann. I know. Wiedenmann.

5 MR. WIEDENMANN: Wiedenmann. You did it  
6 right the first time.

7 ALJ SEE: Wiedenmann.

8 MR. WIEDENMANN: Most people don't.

9 ALJ SEE: First, Ms. Bell, if you'd raise  
10 your right hand. Do you affirm that the information  
11 you're about to give is true?

12 MS. BELL: I do.

13 ALJ SEE: Please state and spell your  
14 name for the record and give us your address.

15 MS. BELL: Adele, A-d-e-l-e, Bell,  
16 B-e-l-l. I live at 7145 Dunn Road, and that's  
17 Cincinnati 45230.

18 ALJ SEE: Go ahead with your testimony.

19 - - -

20 ADELE BELL

21 presented herself as a public witness, and being  
22 first duly sworn, testified as follows:

23 DIRECT TESTIMONY

24 MS. BELL: I am here as an individual and  
25 I would like to speak about the need for natural gas.

1 I believe that the need for natural gas is decreasing  
2 due to the increasing development in Ohio of  
3 renewable energy sources, specifically wind, solar,  
4 and water or hydroelectric.

5 Ohio already has a number of wind farms,  
6 and they are slated to have potential projects, which  
7 are before the Board, to more than double the wind  
8 energy capacity of those.

9 For example, Amazon -- yes, the giant  
10 online retailer -- has a wind farm in Ohio that  
11 became operational last year and they have another  
12 wind farm that is under construction, but will be  
13 completed by the end of this year.

14 And according to the National Renewable  
15 Energy Laboratory, Ohio has the potential to generate  
16 enough energy from land-based wind farms to power  
17 2.4 million average American homes annually.

18 Of all the counties in Ohio, Hamilton  
19 County has the most number of solar PV installations  
20 and ranks fifth in terms of solar capacity. Also, in  
21 2016 there were three new hydroelectric plants on the  
22 Ohio River which were declared in full commercial  
23 operation, and a fourth is expected to do so this  
24 year.

25 Now, with all that energy generation with

1 the renewables, and more projects are in the works  
2 for that, because they are not going to sit back and  
3 let other industries, you know, languish even though  
4 in the Congress, the Ohio Congress had passed a bill  
5 putting a freeze on the renewable energy portfolio  
6 standards, they are still going to march forward.  
7 And so all that generation, power generation will  
8 increase and that means that the need for the natural  
9 gas will decrease.

10 And I know this sounds like apples and  
11 oranges that I'm comparing because it's electricity  
12 versus the natural gas, but I believe too, and part  
13 of this is because of my experience, that with the  
14 burgeoning supply of electricity, more and more  
15 people will replace whatever natural gas appliances  
16 they have with the electricity because the costs will  
17 be lower, but also the associated costs with the  
18 generation of electricity is also going to be lower.  
19 Because right now, currently, the associated costs  
20 such as the -- the delivery costs for natural gas  
21 right now are about three times the costs of the  
22 transmission -- the distribution of electricity.

23 So, in my case, I have a gas furnace. I  
24 used to have a gas water heater. For the actual gas  
25 and the actual electricity, I paid about the same

1 price although the units were different. However, I  
2 only use the gas furnace for heat during the winter.  
3 So during the summer months the only thing that I  
4 used was the gas water heater.

5 So some months I would pay, like, say,  
6 \$1.67 for the actual gas that I got, but I had to pay  
7 \$36 for it to be available and for it to be delivered  
8 to my house.

9 I eventually replaced my gas water heater  
10 with an electric hybrid which was much more energy  
11 efficient and it also saved me that money to the  
12 point where I could actually call Duke and shut off  
13 my gas supply for the summer and save the delivery  
14 costs. And then even with the reconnection fee that  
15 I would have in the fall, I still saved enough to pay  
16 for my electric water heater in six years and now  
17 those savings will just be a bonus.

18 But as far as providing heat, you know,  
19 for the gas furnaces, which is a subject people were  
20 talking about. Many people do not understand the  
21 fact that if you have a gas furnace and the power  
22 goes out, you have no heat. A gas furnace does not  
23 run on gas alone; it requires electricity to operate.

24 And this is also something that they have  
25 to do, you know, when people start understanding all

1 the differences about using gas versus using  
2 electricity and so forth, they have to understand  
3 this part of it.

4 And when I got my new gas furnace 10  
5 years ago, I was told it was 94 percent efficient.  
6 Well, the first three months of operation I used more  
7 energy, more gas, and more electricity in running  
8 that new furnace, which was supposed to be 94 percent  
9 efficient, than I did with my old one.

10 And it was only after, you know,  
11 constantly going back to the company and saying, you  
12 know, something is wrong here, that they told me that  
13 the furnace had a blower motor which was much less  
14 efficient than my old one and that lowered the  
15 overall efficiency of my furnace to about 86 percent.

16 So like what I said, if people understand  
17 the, you know, about these issues, then they will  
18 tend to save money by replacing their gas appliances  
19 and going electric.

20 ALJ SEE: Any cross-examination for this  
21 witness?

22 MS. KINGERY: No. Thank you, your Honor.

23 MR. WAMPLER: No, your Honor.

24 MR. BUCCIERE: No.

25 MR. KNECHT: No.



1 MR. TRANTER: No.

2 MR. DETROY: No.

3 ALJ SEE: Before we move to the next  
4 witness, I'd like to make people aware of a couple of  
5 options if you want to make your position known to  
6 the Board, because I'm aware that some people may  
7 need to leave. If you did not want to offer  
8 testimony, remember you can still file comments with  
9 the Ohio Power Siting Board, and you can mail those,  
10 you can go on the Commission's website and send those  
11 comments in. They will become part of the docket in  
12 this case.

13 Or, if you agree with the testimony in  
14 support of the project, or in opposition to the  
15 project, and you did not want to offer testimony  
16 today, as you leave, there are sheets on the Board's  
17 tables outside and you can sign those, indicating  
18 that while you didn't offer testimony, you agree or  
19 disagree with the testimony that has been offered and  
20 wish to register your support for, or opposition to,  
21 the proposed project. Okay? So keep that in mind.

22 Regina Eisenberg? Regina Eisenberg? Is  
23 she present?

24 Sharon McBraun?

25 MS. McBREEN: McBreen.

1 ALJ SEE: McBreen. Please come forward.

2 Mr. Wiedenmann, if you could please raise  
3 your right hand. Do you affirm that the information  
4 you're about to give is true?

5 MR. DETROY: Yes.

6 ALJ SEE: Please state and spell your  
7 name and give us your address.

8 MR. WIEDENMANN: Charles Wiedenmann,  
9 W-i-e-d-e-n-m-a-n-n. My address is 4171 Weathered  
10 Oaks Lane, Hamilton, Ohio 45011.

11 ALJ SEE: Thank you. Go ahead with your  
12 testimony.

13 - - -

14 CHARLES WIEDENMANN  
15 presented himself as a public witness, and being  
16 first duly sworn, testified as follows:

17 DIRECT TESTIMONY

18 MR. WIEDENMANN: Your Honors, I want to  
19 thank you for the opportunity to address you  
20 regarding this critical infrastructure upgrade  
21 project.

22 I have followed this pipeline saga on the  
23 news, in our Cincinnati newspapers, and I have read  
24 and researched this project the last 9 months.

25 Unfortunately, a necessary safety project

1 has become a circus because I believe Commissioner  
2 Portune and Council Member Sittenfeld are playing  
3 politics and stirring up the "not in my backyard"  
4 individuals. I believe they should be ashamed of  
5 their actions. I believe all they're doing is  
6 promoting themselves for their political,  
7 self-serving interests at a potential expense of  
8 families and being able to heat their homes.

9 I respect a lot of politicians. In fact,  
10 although I disagree with them, this is one of the  
11 finest legislators we ever had in the State of Ohio  
12 and it was an honor working with him 30 years ago.  
13 But I'm very concerned about the politics of this  
14 situation.

15 The Ohio Power Siting Board Staff has  
16 already determined the need for this project. I've  
17 heard some criticism of them today, but I refer you  
18 to the May 31st, 2017 report, Investigative Report,  
19 starting at page 28 which brings forward the need for  
20 this project. It talks about the need for the  
21 project. They based their need review on rules and  
22 regulations for the safety of the community.

23 It is a shame that "not in my backyard"  
24 obstructionists and politicians are trying to  
25 undermine the established process that has been in

1 place for decades.

2 As a former 27-year school administrator,  
3 school superintendent, as well as 12 years working  
4 with one of the largest Ohio design firms, I find the  
5 opposition and politics in this issue appalling.

6 I believe the uninformed, nonfactual  
7 information and innuendo circulating are just tactics  
8 that a small number of self-serving residents and  
9 politicians are using to cloud this vital issue. The  
10 real fact is the absolute need to build this for  
11 families to be able to heat their home.

12 I hope the residents of Hamilton County  
13 wake up and support this project for the benefit of  
14 the region and their own communities. I also hope  
15 the residents sniff out the politicians, like  
16 Mr. Portune and Mr. Sittenfeld, who refuse to look at  
17 the big picture.

18 My final comment is that I hold a Ph.D.,  
19 so I have the ability to read and analyze reports you  
20 have produced. I have done my homework. I'm  
21 currently battling cancer, a non-curable cancer, so I  
22 spend my time on things that are of interest to me.  
23 I am not a resident of Hamilton County, but I have an  
24 infrastructure project in my backyard as well.

25 Anyone is qualified to tell the truth, to

1 do the research, and see the real meaning of this  
2 critical infrastructure project as stated in your  
3 Investigative Report. I applaud Duke Energy for  
4 being proactive and safety conscious, unlike what I  
5 see from politicians in government in regard to  
6 roads, bridges, and water systems.

7 I want to publicly thank Duke Energy. I  
8 also want to thank the Siting Board for your time and  
9 professionalism and the thoroughness of your  
10 employees and their reports. Thank you.

11 ALJ SEE: Any cross-examination for this  
12 witness?

13 MS. KINGERY: No. Thank you, your Honor.

14 MR. WAMPLER: No, your Honor.

15 MR. BUCCIERE: No.

16 MR. KNECHT: No.

17 MR. TRANTER: No.

18 MR. DETROY: No.

19 ALJ SEE: Thank you very much.

20 MR. WIEDENMANN: Thank you very much.

21 ALJ SEE: Calling witness No. 15. Edward  
22 Hirt? Edward Hirt?

23 MR. HIRT: Yes, ma'am.

24 ALJ SEE: Ms. McBraun.

25 MS. McBREEN: "McBreen."

1                   ALJ SEE: Ms. McBreen, if you'd raise  
2 your right hand. Do you affirm that the information  
3 you're about to give is true?

4                   MS. McBREEN: I do.

5                   ALJ SEE: State and spell your name for  
6 the record and give us your address.

7                                   - - -

8                                   SHARON McBREEN  
9 presented herself as a public witness, and being  
10 first duly sworn, testified as follows:

11                                  DIRECT TESTIMONY

12                   MS. McBREEN: My name is Sharon McBreen,  
13 M-c, "B" like in boy, r-e-e-n, and I live at 5642  
14 Candlelite Terrace.

15                   My husband and I own four homes in the  
16 City of Reading. One is at 918 Third Street which  
17 will be -- the pipeline will be close to it. We  
18 lease four single-family homes to families so  
19 that, you know, they can raise their families there.  
20 And someday I plan on returning to live in the City  
21 of Reading where I grew up.

22                   In my opinion, this pipeline, if  
23 installed, should be installed along a public  
24 thoroughfare that already exists. Was that option  
25 ever considered? If the pipeline simply followed

1 I-71, the entire process, it seems to me, would be  
2 simplified. Alongside an interstate there's always  
3 grassy areas and it's already public land. It is a  
4 reasonable distance from people's homes, schools,  
5 playing fields, et cetera. Wouldn't it be better to  
6 dig in open areas rather than an area owned by  
7 private citizens?

8 My mom, six of my siblings, numerous  
9 nieces, nephews, great nieces, and great nephews, all  
10 live in the City of Reading. There are schools,  
11 parks, doctors offices, businesses, and private homes  
12 in Reading. Why would you disrupt a city and its  
13 citizens and business owners when the pipeline could  
14 simply follow I-75, I-71, a railroad track, something  
15 like that?

16 Why is there a need for this pipeline  
17 anyway? Would the new pipeline benefit those whose  
18 lives you are disrupting or would it benefit Duke  
19 electric?

20 Please find a way to make the pipeline  
21 follow an already-existing public route. This is the  
22 United States of America; land of the free, home of  
23 the brave. Please do not disrupt private citizens  
24 for the profit of a corporation. Thank you.

25 ALJ SEE: Any cross?

1 MS. KINGERY: No, your Honor.

2 MR. WAMPLER: No, your Honor.

3 MR. BUCCIERE: No.

4 MR. KNECHT: No.

5 MR. TRANTER: No.

6 MR. DETROY: No.

7 ALJ SEE: Edward F. --

8 MR. GASSERT: Gassert.

9 ALJ SEE: Thank you. Thank you for that  
10 save.

11 MR. GASSERT: Sorry about that.

12 ALJ SEE: Could you pronounce your last  
13 name, please?

14 MR. GASSERT: Gassert.

15 ALJ SEE: Gassert.

16 MR. GASSERT: "Gas" with an "ert."

17 ALJ SEE: Mr. Hirt, if you could raise  
18 your right hand. Do you affirm that the information  
19 you're about to give is true?

20 MR. GASSERT: Yes, I do.

21 ALJ SEE: State and spell your name for  
22 the record and provide your address.

23 MR. HIRT: Edward Hirt, 1689 Trillium  
24 Court, Cincinnati, Ohio, Reading, 45215.

25 ALJ SEE: Go ahead with your testimony.



1 MR. HIRT: Thank you.

2 - - -

3 EDWARD HIRT

4 presented himself as a public witness, and being  
5 first duly sworn, testified as follows:

6 DIRECT TESTIMONY

7 MR. HIRT: Thank you very much for  
8 listening to my comments. I'm just making a comment  
9 that I am not an engineer, I'm not in academia, but  
10 I'm a citizen of Reading by choice. I've been  
11 Reading -- my wife and I have been Reading residents  
12 for 45 years. And I'm a retired plumber; we can live  
13 anywhere we want. I choose -- we choose to live in  
14 Reading because of what Reading is.

15 This pipeline is going to disrupt a lot  
16 of people. And it really doesn't bother me a lot,  
17 but it does. I live on the hilltop. I'm safe, I get  
18 no floods, I get no gas main leaks. But there's a  
19 lot of people in the valley that are going to be  
20 hurt. A lot of people can't afford to be hurt. My  
21 neighbors, my friends, my kids. My kids live in  
22 Reading. My grandkids live in Reading. They came  
23 back to Reading because of what Reading is.

24 If anyone disrupts this pipeline, you got  
25 a whole bunch of areas, Formica, all the way down

1 following Mill Creek, and you don't go by anyone's  
2 house. I don't know why you want to disrupt the  
3 small businesses. You put them out of business a few  
4 days, a few weeks, we're going to be a ghost town. I  
5 don't want you to mess up my town because I love  
6 Reading. That's all I've got to say.

7 ALJ SEE: Any cross?

8 MS. KINGERY: No, your Honor.

9 MR. WAMPLER: No, your Honor.

10 MR. BUCCIERE: No, your Honor.

11 MR. KNECHT: No.

12 MR. TRANTER: No.

13 MR. DETROY: No.

14 ALJ SEE: Bonnie Rack.

15 Mr. Gassert, please raise your right  
16 hand. Do you affirm that the information you're  
17 about to give is true?

18 MR. GASSERT: I do.

19 ALJ SEE: State and spell your name for  
20 the record and give us your address.

21 MR. GASSERT: Edward Gassert,  
22 G-a-s-s-e-r-t. 3703 Moorhill Drive.

23 - - -

24 EDWARD F. GASSERT  
25 presented himself as a public witness, and being

1 first duly sworn, testified as follows:

2 DIRECT TESTIMONY

3 MR. GASSERT: I've been a resident for 46  
4 years, and an original member of the Evendale Fire  
5 Department when it was formed in 1959, and served my  
6 last 20 years as Fire Chief. So I want to talk to  
7 you -- I retired in '86 -- about response times.

8 First of all, I'll tell you that  
9 approximately 70 percent of the people who live on  
10 Glendale Milford Road and just north of it are senior  
11 citizens, many with life-threatening and serious  
12 health issues. Plus, there's an elementary school  
13 and three churches within the proposed construction  
14 area.

15 The present response time for this area  
16 is 4 to 5 minutes now depending on the traffic and  
17 the time of day, with a travel distance of 3/4 of a  
18 mile.

19 During preconstruction, cutting and  
20 hauling off trees, relocating utility poles, removing  
21 concrete sidewalks, driveways, removing debris and so  
22 on, this will cause traffic delays and congestion, to  
23 say nothing of the inconvenience to the residents  
24 affected.

25 During the construction and the

1 restoration of property, we are probably looking at  
2 7- to 12-months minimum. Although, Duke has quite a  
3 bit -- says it's quite a bit less time, but I've been  
4 around construction sites to know that this is not  
5 true.

6 With residents watching their property  
7 devalue; thousands of dollars of landscaping, trees,  
8 and improvements in their homes and their village is  
9 being destroyed.

10 We already have a 16-inch pipeline  
11 extending through the village, crossing at 3520  
12 Glendale Milford Road, extending through the Griffin  
13 property and continuing through the residential  
14 areas. It goes from north through south of town.

15 Also in the area, just west of 3360  
16 Moorhill Drive, the end of my street, it has been  
17 said that there is a small leak in the pipeline  
18 presently. The neighbors were told that it would be  
19 fixed sometime after the construction is complete.

20 That's interesting and discouraging,  
21 isn't it, to know that you have a 16-inch pipeline  
22 that they claim has a small leak. What is a small  
23 leak? Anything that comes out of the darn pipe  
24 that's not supposed to is not a small leak. That's a  
25 leak. That's a hazard. That's a threat.

1                   Should their leak be -- should the leak  
2                   there be in the proposed high-pressure gas line it  
3                   will travel around various gas lines during the  
4                   summer months, as the ground dries out and pulls  
5                   tight it will leave a gap around the pipeline as they  
6                   go into the houses.

7                   Now, you get a pipe leak, gas leak around  
8                   that and it will enter into the house, through the  
9                   lines, into the basements of homes. It only has to  
10                  take one spark and we'll have a catastrophe on our  
11                  hand, a great loss, an explosion, and a great loss of  
12                  property -- life and property.

13                  Throughout this project, emergency  
14                  response times will increase from 4 to 5 minutes to  
15                  at least 12 to 15 minutes. The distance Evendale  
16                  will have to respond to now will be 2 to 3 miles  
17                  through the City of Sharonville, via Reading Road,  
18                  Creek Road, Thornview, Sharondale, et cetera. They  
19                  will have to pass through a business district, two  
20                  elementary schools, a church, a recreation center and  
21                  park, and through the most-congested street in  
22                  Sharonville and that is Thornview where they park on  
23                  both sides of the street.

24                  Even using the Sharonville Fire  
25                  Department as a backup will only provide one or two

1 minutes less in their response time, if they are  
2 available, because they must have to move through the  
3 same traffic pattern.

4 Glendale Milford Road is also the main  
5 transportation route for paramedic units responding  
6 from the cities of Reading, Lockland, Wyoming,  
7 Woodlawn, Lincoln Heights, Glendale, and Sharonville,  
8 and Evendale of course.

9 In other words, every community within  
10 the Millcreek Valley district area will be affected  
11 by the response when we try to respond to Bethesda  
12 North or Jewish Hospitals. Now I ask you: Would you  
13 want that delay time when they have to jockey around  
14 on different streets to get you or your children to  
15 the hospital? No, I think not.

16 In conclusion, I just want to tell you  
17 that the pipeline has no value of any kind to, or --  
18 value of any kind to, or at any time provide any  
19 service to Evendale or any of the surrounding  
20 communities. It will just uproot our lives, destroy  
21 our properties, inconvenience people too numerous to  
22 mention who use this thoroughfare as they access  
23 their place. A more rural route would be better  
24 suited for the pipeline. I cannot understand why the  
25 line -- this line would not better serve anyone --

1 everyone if it was installed on the west side of I-71  
2 going down where there's nothing to be bothered.

3 When they destroy all the property and  
4 put the grass back in, because that's all they're  
5 going to allow you to have, some of these -- some of  
6 the pipeline, 50 feet that they want, will be in the  
7 front rooms of some of the houses along the street  
8 because it's setting in, I was told by the Fire  
9 Chief, 7 feet inside from the curb, 7-foot. So if  
10 you don't have any additional distance from that, it  
11 will be right up to the front door and sometimes  
12 inside the front doors of the houses.

13 When they go to restore that, all they're  
14 going to leave is some grass and that won't be done  
15 until they're completely done, and I kind of estimate  
16 my own, I believe it would be about two years versus  
17 one year.

18 But since it's going to be right-of-way  
19 and they're responsible, it's going to be their  
20 right-of-way. We can't plant a bush or a tree on it.  
21 Are they going to cut the grass? Are they going to  
22 trim the lawn? Are they going to move the snow off  
23 the driveway the first 50-foot? Because it's theirs;  
24 not ours. I don't think so. I think once they get  
25 going, in fact probably the grass gets put in, you

1 probably wouldn't let them in your yard anyway.

2 I also added, I passed on my résumé to  
3 let you know my background in fire service starts at  
4 age 12. I was a junior firefighter and I remained a  
5 firefighter until I entered the Navy, and my job in  
6 the Navy was firefighting in which I also retired  
7 from the Navy as a Chief. I was a Damage Controlman  
8 which is firefighting, atomic, chemical, and  
9 biological warfare. I also taught at Cincinnati  
10 State for 15 years; hazardous materials and asbestos.

11 My background will show that I am  
12 qualified to speak on hazards and that I predict if  
13 this goes through either one of the routes they're  
14 using through one of these communities that it's  
15 going to end up being a disaster coming in the  
16 future. Because of my age I may not see it, but I  
17 hope it never happens afterwards. I feel that if I'm  
18 in the ground I'll feel it though because I'll be  
19 close enough to it.

20 So I -- I -- as you can tell, I'm totally  
21 opposed to this thing for safety reasons. It just --  
22 if I could speak to the old Chief Sitting Bull, I  
23 think he would tell Duke that they speak with forked  
24 tongue.

25 ALJ SEE: Any cross for this witness?



1 MS. KINGERY: No, your Honor.

2 MR. WAMPLER: No, your Honor.

3 MR. BUCCIERE: No.

4 MR. KNECHT: No.

5 MR. TRANTER: No.

6 MR. DETROY: No.

7 ALJ SEE: The 18th witness is Patty  
8 Kreitinger. Is Ms. Kreitinger present?

9 MR. SITTENFELD: I -- Patty Kreitinger  
10 and I are switching places per the direction of the  
11 people outside.

12 ALJ SEE: And, sir, you are?

13 MR. SITTENFELD: My name is P.G.  
14 Sittenfeld.

15 ALJ SEE: If you could step to this  
16 podium and you will go right after Ms. Rack. You can  
17 sit. Have a seat.

18 Ms. Rack, if you could raise your right  
19 hand. Do you affirm the information you're about to  
20 give is true?

21 MS. RACK: Yes.

22 ALJ SEE: State and spell your name for  
23 the record and give your address.

24 MS. RACK: My name is Bonnie Rack. I'm  
25 at 1506 Riesenberg Lane in Reading, 45215.

1 B-o-n-n-i-e R-a-c-k.

2 - - -

3 BONNIE RACK

4 presented herself as a public witness, and being  
5 first duly sworn, testified as follows:

6 DIRECT TESTIMONY

7 MS. RACK: I'm here as a resident of  
8 Reading, as the Volunteer President of the VYO which  
9 is the Valley Youth Organization, and the Volunteer  
10 President of Saints Peter and Paul Academy in  
11 Reading.

12 Starting with my family, my mom, all of  
13 my five girls, all of my 14 grandchildren live  
14 within. One of my daughters and her family within  
15 10 feet, at 105 Mechanic, of this proposed route, and  
16 the rest of them less than a 1/4 mile of some part of  
17 this proposed pathway through the City of Reading.  
18 Then I have six brothers and 46 of their family  
19 members all that live less than a 1/4 mile from this  
20 proposal through the City of Reading.

21 Then my VYO kids. We have 28 baseball  
22 and softball teams this year. That's 364 children;  
23 kindergarten through 8th grade. Some that play on  
24 fields within 15 feet of West Street where this is  
25 proposed. The other VYO fields are just yards away.

1 I consider all these my children.

2 During the winter, the Valley -- the VYO  
3 Haffey Fieldhouse is just 40 yards from West Street,  
4 from this proposal, where we always have 30 to 35  
5 basketball teams of children playing and practicing  
6 at this facility.

7 VYO has been providing a safe place for  
8 kids to grow, play, learn, learn good sportsmanship  
9 and give back to their community since 1946. I  
10 brought a book so the people making these decisions  
11 can look at all these teams, children, parents,  
12 grandparents that play where they're proposing this  
13 route. There are other options.

14 Sorry.

15 VYO started in 1946, and us providing  
16 that many years of a safe place for children would  
17 change with this proposal. The effect of making a  
18 decision to bring a pipeline through Reading and  
19 through families, through yards, through homes,  
20 through play fields is unconscionable.

21 With Saints Peter and Paul Academy, the  
22 school I'm involved with, less than 1/4 mile from  
23 your proposed route, it's another unacceptable fact  
24 for our students and our staff.

25 Of all three of these proposals, the

1 green route goes closest to homes, businesses, and  
2 schools than any of the other proposals. The green  
3 route is closer. To consider a proposal to go  
4 through such a populated area within a few feet of  
5 people's homes, ball fields, stadiums, businesses is  
6 unacceptable and I believe criminal.

7 There are other options and I pray that  
8 this Board will make the right decision for people.  
9 I see no reason why this could not go down the I-71  
10 corridor and not be so close.

11 Life is not about politics; it's about  
12 people. Our community would be completely changed by  
13 this. We will not stand for it.

14 And because I want to provoke and request  
15 help from everyone, I'm going to publicly request  
16 prayer and hope and intervention from a higher power.  
17 And I hope this higher power influences everyone that  
18 has any influence, vote, or anything on the decision  
19 to do this to communities like ours. So Jesus, Mary,  
20 and Joseph, pray for all of us. Thank you.

21 ALJ SEE: Any cross-examination?

22 MS. KINGERY: No, your Honor.

23 MR. WAMPLER: No, your Honor.

24 MR. BUCCIERE: No.

25 MR. KNECHT: No.

1 MR. TRANTER: No.

2 MR. DETROY: No.

3 ALJ SEE: Bess Stargill -- Sturgill.  
4 Ms. Sturgill.

5 Mr. Sittenfeld, please raise your right  
6 hand. Do you affirm that the information you're  
7 about to give is true?

8 MR. SITTENFELD: Yes, I do.

9 ALJ SEE: State and spell your name for  
10 the record and give us your address.

11 MR. SITTENFELD: My name is P.G.  
12 Sittenfeld. P period, G period, S-i-t-t-e-n-f-e-l-d.  
13 I live at 100 East Central Parkway, Cincinnati, Ohio  
14 45202. Although, my wife will be very surprised if  
15 everyone comes and visits us there, so limit the  
16 visitors.

17 ALJ SEE: Go ahead with your testimony.

18 MR. SITTENFELD: Thank you.

19 - - -

20 P.G. SITTENFELD

21 presented himself as a public witness, and being  
22 first duly sworn, testified as follows:

23 DIRECT TESTIMONY

24 MR. SITTENFELD: I do have prepared  
25 remarks, but I do want to make three very quick

1 comments. I'm very grateful for the four of you  
2 taking the time to be here and doing your job with  
3 professionalism.

4 I would be remiss if I did not express my  
5 disappointment that I imagine some of the people here  
6 share, that not a single member of the Ohio Power  
7 Siting Board took the time to be here today. Again,  
8 that's certainly not directed at the four of you, but  
9 I trust you'll pass it along to some of your  
10 colleagues.

11 Second. Just to briefly address the  
12 gentleman a few minutes ago who kindly visited us  
13 from Hamilton, and who I quote, described the  
14 people -- I'm used to it -- but describe the people  
15 in this room as uninformed and self-serving.

16 Let me personally say as an elected  
17 official, this is exactly what an informed and  
18 engaged citizenry looks like, and I'm grateful for  
19 all of you who took the time to be here.

20 Finally, because I know there are so many  
21 speakers before them, and I do have succinct,  
22 prepared remarks, I do want to thank, among the other  
23 elected officials who are here tonight, Hamilton  
24 County Commissioner Denise Driehaus, and State  
25 Representative Brigid Kelly, for their commitment to

1 this issue, so thank you.

2 I'm here in my individual capacity among  
3 those who are deeply concerned about this pipeline  
4 project. I recognize that by law the Ohio Power  
5 Siting Board cannot take safety into account. A law  
6 that, frankly, I disagree with. So let me simply say  
7 now, even if it is not the most relevant aspect of  
8 this testimony from your perspective, part of the  
9 reason the constituents that I represent are  
10 overwhelmingly opposed to this project is because of  
11 public safety concerns.

12 This includes the reach of the blast zone  
13 which impacts very dense residential communities, as  
14 well as institutions such as recreation centers,  
15 eldercare facilities, churches, and hospitals.  
16 Bluntly, these constituents and stakeholders feel  
17 that Columbus is not listening to them.

18 On the issue of public safety and more in  
19 line with the considerations that you're weighing,  
20 the need for this pipeline simply has not been  
21 demonstrated. While our city attorneys and  
22 experts -- while our city attorneys and experts will  
23 argue the technical details of what constitutes need  
24 on our behalf in the adjudicatory hearings, the need  
25 has not been demonstrated to me as an elected city

1 leader, and I have sat with Duke executives in my  
2 office in Cincinnati City Hall, and as a Chair of the  
3 City Hall committee that oversees this issue, and it  
4 certainly hasn't been demonstrated to most community  
5 members who feel even more in the dark.

6 I do not say this lightly about Duke's  
7 failure to demonstrate the need for this project. I  
8 have applauded Duke on past occasions for being a  
9 good corporate citizen, a key employer, and an  
10 important part of our tax base. And I certainly  
11 understand the hard work and tough decisions involved  
12 with replacing aging infrastructure.

13 However, in this instance, Duke has  
14 failed at basic tasks of transparency and open  
15 communication. Duke must prove to us the need to  
16 site this pipeline through densely-populated parts of  
17 our city and county, and that there are no viable  
18 alternatives to get natural gas to our region.

19 Duke must prove to us that this is  
20 unequivocally needed only for our region and not for  
21 crossing the river or traveling from eastern Ohio  
22 shales further south. Duke must prove to us that  
23 it's absolutely necessary that they put at risk our  
24 homes, schools, churches and, most importantly, human  
25 lives.



1           They have to prove to us that we need to  
2 bear the risk that if an errant contractor hits an  
3 accidental spot in the ground, hundreds if not  
4 thousands of lives could be lost, along with millions  
5 of dollars in personal property damage. By the way,  
6 none of which Duke would have to bear a penny of  
7 liability for.

8           Duke must prove to us that it is  
9 absolutely necessary for us as a community to bear  
10 the burden of the impact of declining property values  
11 and losses from businesses who choose to not relocate  
12 into our communities.

13           Duke must prove to us that they need to  
14 unduly burden our taxpayers and ratepayers in this  
15 region. For example, a senior citizen on a fixed  
16 income, using limited natural gas herself, who will  
17 still foot the bill for this project and see her  
18 bills increase.

19           Duke must prove to us that this will not  
20 have adverse impacts on our local environment.  
21 Running through older residential neighborhoods in  
22 southwest Ohio means that hundreds, if not thousands,  
23 of mature trees will be impacted, among other things.

24           Bluntly, Duke's credibility on the issue  
25 of need has already been strained. At the public

1 meetings, community members were given vague,  
2 contradictory, and even changing answers, and because  
3 Duke has been so secretive and not forthcoming about  
4 larger master plans, including concerns about the  
5 future of the A Line.

6           Moreover, we were initially told, all of  
7 us were initially told that the initial scale of this  
8 project was a 30-inch, 720 psi pipeline was a must.  
9 And then after the community raised its voice, so  
10 kudos to everyone in this room, after the community  
11 raised its voice, we were presented with a smaller  
12 option. Clearly, Duke's definition of "must" and  
13 "need" is already a moving target.

14           What we really -- by way of concluding,  
15 what we really want to convey to you today is that we  
16 are not just lines on a map and this is not just  
17 about a set of Ohio Revised Code criteria. People  
18 are here because we are concerned about the heart of  
19 our communities where our lives unfold.

20           The green line runs through a massive  
21 sports complex and recreation center where hundreds  
22 of children are spending their summer at the Official  
23 Cincinnati Reds Summer Baseball Camp. What if that  
24 was your child playing on a baseball field on top of  
25 a potentially explosive line?

1           The green line also runs alongside  
2 several of the Jewish community's religious  
3 institutions. As a member of the Board of the Jewish  
4 Community Relations Council, I do worry about someone  
5 wanting to do harm to that community using a  
6 purposeful explosion of a high-profile line like this  
7 one.

8           The orange line runs right by a large  
9 hospital, a major shopping mall, and right in front  
10 of the school where I was a kid from kindergarten  
11 through 12th grade. Our friends, as you heard from,  
12 in Reading, Evendale, and Blue Ash, as well as  
13 others, can tell you stories about their communities  
14 too.

15           We speak with one voice and we join with  
16 thousands of residents, the vast majority of whom are  
17 not in this room tonight, and we join as well with  
18 business owners, everyday Ohioans, technical experts,  
19 and in unified fashion we say that this project is  
20 an unfair burden on our communities. There is a  
21 reason that projects like these are typically sited  
22 in low-impact -- low-impact, unpopulated areas.

23           Unless Duke, which they have not done  
24 yet, can prove beyond any shadow of a doubt that  
25 there is absolutely no other alternative to support

1 real, not manufactured, demand in Hamilton County,  
2 and not demand in northern Kentucky and not in North  
3 Carolina, we implore you to say no to this project in  
4 its current scale, scope, and siting. Thank you very  
5 much.

6 ALJ SEE: Any cross-examination for this  
7 witness?

8 MS. KINGERY: No, your Honor.

9 MR. WAMPLER: No, your Honor.

10 MR. BUCCIERE: No.

11 MR. KNECHT: No.

12 MR. TRANTER: No.

13 MR. DETROY: No.

14 MR. SITTENFELD: Thank you.

15 ALJ SEE: The 20th witness is Ann  
16 Eldman -- Feldman. Ms. Feldman?

17 MS. FELDMAN: Yes.

18 ALJ SEE: Ms. Sturgill.

19 MS. STURGILL: Yes.

20 ALJ SEE: Please raise your right hand.  
21 Do you affirm that the information you're about to  
22 give is true?

23 MS. STURGILL: Yes.

24 ALJ SEE: State and spell your name for  
25 the record and give us your address.

1 MS. STURGILL: My name is Bess Sturgill.  
2 B-e-s-s S-t-u-r-g-i-l-l. I'm at 1548 West Street,  
3 Reading, Ohio 45215.

4 ALJ SEE: Go ahead.

5 - - -

6 BESS STURGILL  
7 presented herself as a public witness, and being  
8 first duly sworn, testified as follows:

9 DIRECT TESTIMONY

10 MS. STURGILL: I come to you as a Reading  
11 resident, a Girl Scout leader, a softball coach, a  
12 Kiwanis member, and the President of the Reading  
13 Central Elementary PTO. I am very involved in the  
14 Reading community, especially with the children, and  
15 as such I have children who ask me about the  
16 pipeline. They ask, "What is it? Where will it be?  
17 Will it hurt me or my house or my pets?"

18 How do I answer these children? Should I  
19 tell them of the explosions, burning blacktop, homes  
20 reduced to rubble? Or should I tell them that the  
21 pipeline, with all its risks, will compromise their  
22 homes, schools, athletic fields, parks, pools, and  
23 entire neighborhood?

24 I was trained as a librarian and I know I  
25 have very strong researching skills, but with all of

1 my experience I have not been able to find an answer  
2 for the children when they ask "Why does this  
3 pipeline need to come through our neighborhood?"

4 What have I been able to find? This is  
5 an unprecedented volume of high-pressure gas going  
6 through our neighborhood. This means Duke does not  
7 know how the pipeline will perform. The off-gassing  
8 issues are unstudied in such urban areas. Basically,  
9 Duke has no idea if this pipeline will be safe. So  
10 how do I talk to the children? What do I tell them?

11 What I really want to ask you to think  
12 about when making this decision is: What if this was  
13 your neighborhood? What if this was your house?  
14 What if it was your child or grandchild whose school,  
15 park, home, community was impacted? Would you --  
16 what would your decision be? Please don't forget the  
17 people your decisions will impact. Thank you very  
18 much. And I have a couple pictures --

19 ALJ SEE: I'm sorry, what was the last  
20 part?

21 MS. STURGILL: I had a couple pictures of  
22 the teams that I coach, so you can have them.

23 ALJ SEE: Are you willing to part with  
24 them?

25 MS. STURGILL: Do what?

1 ALJ SEE: Are you willing to part --

2 MS. STURGILL: Oh. Yes, yes. I brought  
3 them because I wanted -- and I also have a letter  
4 that my 9-year old daughter wrote to send with you as  
5 well.

6 ALJ SEE: Okay. The pictures I will  
7 take.

8 MS. STURGILL: Okay.

9 ALJ SEE: If you could give your  
10 daughter's comments.

11 MS. STURGILL: She was very excited, but  
12 it got to be a little too long. Thank you.

13 ALJ SEE: Your pictures, she will also  
14 take. Any cross-examination for Ms. Sturgill?

15 MS. KINGERY: No, your Honor.

16 MR. WAMPLER: No, your Honor.

17 MR. BUCCIERE: No, your Honor.

18 MR. KNECHT: No.

19 MR. TRANTER: No.

20 MR. DETROY: No.

21 ALJ SEE: I have three pictures and we  
22 will mark them all as one, and it will be Bess  
23 Sturgill Exhibit 1.

24 (EXHIBIT MARKED FOR IDENTIFICATION.)

25 ALJ SEE: Ms. Feldman. First let me ask,

1 which Ms. Feldman are you? Are you Ann Feldman?

2 MS. FELDMAN: Yes, I am Ann.

3 ALJ SEE: And I believe --

4 MR. FELDMAN: Justin.

5 MS. FELDMAN: Justin is my husband.

6 ALJ SEE: Ah, okay. You also wanted to  
7 offer testimony, Mr. Feldman?

8 MR. FELDMAN: I do.

9 ALJ SEE: I couldn't read your  
10 handwriting there. Sorry about that.

11 Mr. Feldman, you can step down to the  
12 other podium.

13 ALJ SEE: Would you raise your right  
14 hand, Ms. Feldman. Do you affirm that the  
15 information you're about to give is true?

16 MS. FELDMAN: Yes, I do.

17 ALJ SEE: State and spell your name for  
18 the record.

19 MS. FELDMAN: My name is Ann, A-n-n  
20 Feldman, F-e-l-d-m-a-n. I live at 1415 Market  
21 Street, Reading, Ohio. I'm on the green line.

22 ALJ SEE: Go ahead.

23 - - -

24 ANN FELDMAN

25 presented herself as a public witness, and being



1 first duly sworn, testified as follows:

2 DIRECT TESTIMONY

3 MS. FELDMAN: I have lived in my home for  
4 40 years. My husband and I raised our children here.  
5 We are retired here. My front yard is a garden.  
6 From my porch to the street, it's flowers. I have 12  
7 flowering, blooming, fruit-bearing trees in my front  
8 yard. My side and back yard, more trees, more  
9 flowers, a vegetable garden, multiple birdbaths, bird  
10 feeders, animal habitats. It is a wildlife habitat.  
11 If this pipeline goes through, my front yard will be  
12 grass. I don't use pesticides, herbicides, GMOs.  
13 All totally organic and natural.

14 (Microphone turns off.)

15 ALJ SEE: Just a moment.

16 Okay.

17 MS. FELDMAN: I don't use pesticides,  
18 herbicides, or any GMO products.

19 If this pipeline goes through, my front  
20 yard -- my porch actually it will be, it won't be  
21 grass -- it will be grass. They will put poison  
22 down. They won't care about my natural habitat. And  
23 it will seep into my yard and it will be one more  
24 place that is not safe for people, animals, birds,  
25 insects, or plants.

1           The other thing -- the next thing I want  
2 to talk to you about is guinea pigs. If this goes  
3 through, me and everybody else who sits within range  
4 of this pipeline will be a guinea pig for Duke. This  
5 is the first time they have put this size of a  
6 pipeline with this much pressure and this much gas in  
7 a very densely populated area.

8           There are a lot of things that they don't  
9 know and you need guinea pigs for that. They don't  
10 know what the venting gases are going to do to  
11 people, how it will affect our environment, what the  
12 results will be a few years from now. They don't  
13 know what affect the other buried utilities near  
14 their pipeline will have on it. Could it cause  
15 leaks? Could it cause explosions? They don't know.

16           They don't know about the traffic that's  
17 going to travel over this line. There's a lot of  
18 traffic on our roads in Reading. It will be dense.  
19 Big trucks, heavy trucks on the road. Once again,  
20 cracks, leaks, explosions. Not a good thing.

21           Yet, I want to also say that Duke is not  
22 a good corporate neighbor. The only people they  
23 notified are the people who own property on the  
24 pipeline. If you rent, they didn't tell you about  
25 it. If you live in back -- my neighbor in back of

1 me, they weren't told. They'll be just as affected  
2 as I am, but they're not told. I don't feel this is  
3 good neighborly conduct.

4 And I want to talk -- now I want to talk  
5 to you about money. That's what a lot of people are  
6 concerned about. The value of my property goes down,  
7 my insurance goes up. And the very, very worst thing  
8 is I and every other person who buys their gas from  
9 Duke will pay for this pipeline; that seems awfully  
10 unfair.

11 Next I want to say that when I was in  
12 school, a very long time ago, I was taught that this  
13 is a country of the people, by the people, and for  
14 the people. I don't see that in this decision. This  
15 is of, by, and for Duke. The people in this area  
16 don't need or want this pipeline. Duke doesn't need  
17 this pipeline, but they want it because of the  
18 potential profit involved for them.

19 When this is all said and done, and the  
20 dust is settled and everybody has gone on their way,  
21 and the people like you have made these decisions,  
22 not you specifically, do they want to be  
23 considered -- and people will talk about it, and they  
24 will because this is just the beginning -- do they  
25 want them to say "Wow, that Board did a really good

1 job. They looked out for the people they were  
2 supposed to represent. They looked out for them  
3 financially, for their health and welfare."

4 Or, do you want to hear, "Wow, Duke did a  
5 really good job. They looked out for Duke's present  
6 and future corporate profit. They really have their  
7 eye open for Duke." I don't think that's what we  
8 really want. I don't really, in my heart, believe  
9 that. I believe that our country is of, by, and for  
10 the people, not for the corporation.

11 I was going to end there, but  
12 serendipitously last night I heard on the television  
13 President Trump said that every child in this country  
14 deserves to grow up in a safe and -- I forgot the  
15 other one -- safe and peaceful area. Can Duke  
16 guarantee that this is safe? There are too many  
17 things about it that don't say "safe" to me. If  
18 President Trump asked them, could they say "Sure. No  
19 problem"? Thank you for listening to me.

20 ALJ SEE: And would Jacqueline Diaz come  
21 forward.

22 MS. DIAZ: I'm going to pass, your Honor.

23 ALJ SEE: Okay. The 23rd witness is  
24 Lindsey Young.

25 Mr. Feldman, would you raise your right

1 hand, please.

2 MR. FELDMAN: Yes.

3 ALJ SEE: Ma'am, if you could just have a  
4 seat. We're working on the mic, and if it's ready  
5 when it's your turn, you'll step to this one; if not,  
6 you'll go here.

7 Do you affirm -- Mr. Feldman, do you  
8 affirm that the information you're about to give is  
9 true?

10 MR. FELDMAN: Yes, to the best of my  
11 knowledge.

12 ALJ SEE: Okay. State and spell your  
13 name for the record and give us your address.

14 MR. FELDMAN: Justin, J-u-s-t-i-n,  
15 Feldman, "F" as in Frank, e-l-d-m-a-n. 1415 Market  
16 Street in Reading, 45215.

17 Thank you, your Honor. Are we ready?

18 ALJ SEE: Go ahead.

19 - - -

20 JUSTIN FELDMAN

21 presented himself as a public witness, and being  
22 first duly sworn, testified as follows:

23 DIRECT TESTIMONY

24 MR. FELDMAN: My wife wanted to say one  
25 point, and I have another and questions I have. I've

1 sent multiple emails to the OPSB. I've received  
2 replies back that were basically canned or formed  
3 letters that didn't really even address my real -- I  
4 had sincere concerns about these things. I never got  
5 a clear answer.

6 And one of the things that bothers me  
7 that no one won't give me an answer, including the  
8 Duke representatives at every meeting I've been to,  
9 where are the -- somewhere on the high-pressure  
10 pipeline there have to be vents. There has to be a  
11 way for gas to escape if there's a problem with  
12 over-pressure. Nobody seems to know where that's  
13 going to be. Where are the vents going to be and  
14 what environmental impact will these vents have?

15 We're going through a densely-populated  
16 area. If these let off methane and the temperature  
17 in the atmosphere is right, it's going to float along  
18 the ground and we're going to be breathing this. I'd  
19 like an answer to that from somebody that can answer  
20 it. I'm sure no professional.

21 My other concern, I guess is the right  
22 word, is Duke claims this pipeline was necessary to  
23 rebuild methane -- the propane peaking plants or to  
24 replace them and that's -- they claim they're  
25 obsolete, they're outdated, and they need to be torn

1 down.

2           What I've been told and what I've learned  
3 in my own research is that's simply not true and that  
4 there are three companies in the United States that  
5 rebuild these plants or manufacture new plants and  
6 install them. Parts are available. There's -- and I  
7 know I'm repeating other gentlemen and other people  
8 who have said this, but it's basically they're still  
9 an industry standard.

10           I want to finish up by saying isn't it  
11 the purpose of the PUCO, at least when I was a young  
12 man, it was to protect the consumer against  
13 monopolized companies that have control of an  
14 industry and they can take advantage of their  
15 consumers.

16           Well, why is the OPS -- OPSB considering  
17 allowing this pipeline when they could -- it's going  
18 to be 100 million, 80 to 100 million dollars of our  
19 money in southwestern Ohio. We're going to pay for  
20 this line; we don't need it. All they need to do is  
21 rebuild those peaking plants it looks to me like for  
22 about 15 million. Why would we pay that extra money?  
23 Why shouldn't there be -- the burden be on all of the  
24 Tri-State if they're talking about northern Kentucky,  
25 which another gentleman mentioned. And if it is

1 going to northern Kentucky, why isn't the federal  
2 government involved?

3 And just if I could finish, why -- I  
4 don't understand why the PUCO and the Ohio Power  
5 Sitting -- Siting Board is allowing this to happen to  
6 us when it's their primary job, I believe, to protect  
7 us. It looks like everybody that's got any power is  
8 taking care of each other and the little people are  
9 just getting squished out. That's pretty much all I  
10 got to say. Just please do your job; protect us.

11 ALJ SEE: Any cross for Mr. Feldman?

12 MS. KINGERY: No, your Honor.

13 MR. WAMPLER: No, your Honor.

14 MR. BUCCIERE: No, your Honor.

15 ALJ SEE: Before we move on, Ms. Feldman  
16 gave us a picture of her garden. I want the record  
17 to reflect that that picture will be marked as Ann  
18 Feldman Exhibit 1.

19 (EXHIBIT MARKED FOR IDENTIFICATION.)

20 ALJ SEE: Annie Hess.

21 MS. STURGILL: She had to leave. She  
22 left her -- her -- I'm sorry, her --

23 ALJ SEE: She left comments with --  
24 out --

25 MS. STURGILL: She left them at the front



1 desk.

2 ALJ SEE: Okay. Thank you.

3 Diane Miller. If you would step forward,  
4 Ms. Miller. And if you could step to the other  
5 podium.

6 Ms. Young, if you'd raise your right  
7 hand. Do you affirm that the information you are  
8 about to give is true?

9 MS. YOUNG: Yes, I do.

10 ALJ SEE: Please state and spell your  
11 name for the record and also state your address.

12 MS. YOUNG: Hi. I'm Lindsey Young.  
13 L-i-n-d-s-e-y. Last name Y-o-n-g -- Y-o-u-n-g. My  
14 address is 10351 Arborhill Lane, Evendale, Ohio  
15 45241.

16 - - -

17 LINDSEY YOUNG

18 presented herself as a public witness, and being  
19 first duly sworn, testified as follows:

20 DIRECT TESTIMONY

21 MS. YOUNG: I am here representing my  
22 family of six and all the families and children along  
23 the pipeline routes. I am representing the Evendale  
24 PTA as well. My children who go to Evendale  
25 Elementary which is right along the pipeline.

1 I have looked into this and I am unsure  
2 about the need for this pipeline and, most  
3 importantly, its safety for myself and my children,  
4 my house. You can see on my statement page 1 there  
5 it's a picture of my family and my house which is  
6 only about 580 feet away from the pipeline.

7 And the picture on the bottom, you can  
8 see we live at the end of a cul-de-sac on Glendale  
9 Milford Road. So if there were to be an emergency at  
10 Glendale Milford Road, we would have no way to  
11 evacuate because there's a steep hill behind our  
12 house and no other way out. So that is a major  
13 concern for me and the 11 houses on my street which  
14 include elderly and children.

15 On the next page you can see a picture of  
16 Evendale Elementary School. It's a picture of the  
17 fourth grade which includes my son. This includes  
18 275 students and 65 staff members approximately which  
19 would be at risk every single day as the school is  
20 less than 500 feet away from the proposed pipeline  
21 route, the green, the alternate route. So this is a  
22 concern. My children will be spending almost their  
23 entire lives within 500 feet of this pipeline as well  
24 as many Evendale families, so we are very concerned.

25 I am a teacher myself and we are trained

1 what to do in the schools for dangerous situations  
 2 like fires, tornadoes, lockdowns, and even active  
 3 shooter situations. And just for comparison sake,  
 4 active shooter situations only occur on average,  
 5 between 2007 and 2013, 16.4 times a year. And from  
 6 2010 on there was 470 incidents. Not just in  
 7 schools, but it's something we are concerned about as  
 8 teachers and parents. So why add this additional  
 9 worry to our ever-growing list of worries for  
 10 ourselves and our children?

11 This pipeline, when I've read about this,  
 12 that since 2010 there have been 4,215 pipeline  
 13 incidents which is a much, much larger concern than,  
 14 for instance, the active shooter situation. And I'm  
 15 not really sure how you would even train staff  
 16 members and personnel to deal with this sort of  
 17 situation when some of these would be -- 230 of those  
 18 were explosions, 635 fires, 100 fatalities, 470  
 19 injuries, over \$3.4 billion of damages. So this, as  
 20 a parent, is a major concern for me and as a  
 21 resident.

22 Additionally, in our school district the  
 23 Princeton City Schools, Stewart Elementary School,  
 24 which is much larger, is on both proposed pipelines  
 25 and over 500 people there. In addition to those, I

1 read on the website that there are 24 other schools,  
2 preschools, daycares along the route. And I know  
3 from Evendale Elementary most of the parents were not  
4 able to be here today, so I am representing all of  
5 them and those other 24 schools, preschools, and  
6 daycares as well because those children cannot  
7 represent themselves.

8 There are also an additional 62 nursing  
9 homes, hospitals, hospice centers, places of worship,  
10 parks, recreation facilities, and hotels within a  
11 quarter-mile of these routes according to the OKI  
12 Regional Planning Database, so these are all  
13 concerns.

14 And, you know, some other people have  
15 referenced some of the incidents that have happened  
16 and the one that is most concerning is the one from  
17 San Bruno, California, which was also in a  
18 residential area, and there was an explosion that  
19 caused 8 deaths, 58 injuries, 38 destroyed homes, 120  
20 damaged homes, and 10 acres of brush burned. This --  
21 it took 60 to 90 minutes for them to even turn off  
22 the gas and 200 firefighters to fight this  
23 eight-alarm fire.

24 And like someone said earlier, the  
25 Evendale Fire Department is also within this risk

1 zone and the Police Department. The resulting crater  
2 in that neighborhood was 167 feet wide by 20 feet  
3 wide and 40 feet deep. This is not okay for anywhere  
4 in Hamilton County.

5 On the next page are three of my  
6 pictures. You can see Glendale Milford Road which is  
7 beautifully lined with trees, landscaping, and  
8 well-maintained public areas. I would like for you  
9 to not ruin our neighborhoods by digging this. You  
10 can see in the second picture what it looks like when  
11 you dig to put a pipeline of this magnitude in. And  
12 I can't even imagine how Glendale Milford Road will  
13 remain open during this. And how on earth will I  
14 leave my house, get to school, get to work.

15 And then in the next picture you can see  
16 the bus stop which is less than 65 feet away,  
17 basically right on top of the pipeline where my kids  
18 will be standing every single day. And I don't  
19 understand why there isn't a setback law in Ohio.

20 On page 4 you can see how this affects an  
21 Evendale Community member like myself. There's a  
22 picture of the pool there with almost 200 children  
23 swimming on the Evendale swim team. As of right now  
24 they are there for a swim meet and not to mention all  
25 those 200 children and their families and then the

1 opposing team.

2           There's a picture of my son there by the  
3 childcare center where at least 25 preschoolers  
4 attend daily for childcare and preschool classes.

5           The soccer fields unfortunately are right  
6 on top of the pipeline. So when we're going to watch  
7 a game, we're severely at risk if something were to  
8 happen.

9           There are over 100 people a day that  
10 workout at the facilities there; you can see that.  
11 There are hundreds of children and adults who play  
12 sports. You can see that they are all in that red  
13 zone, the entire recreation facility. And then there  
14 are over 225 children a day attending the summer  
15 programs right now as we speak.

16           On the next page you can see the shelter  
17 house where the Boy Scouts meet on the top corner.  
18 That is less than 200 feet away from this. And the  
19 new memorial that they just built, constructed to  
20 honor our veterans, fire, and police, is also within  
21 that zone.

22           And at the bottom, the Evendale Cultural  
23 Arts Center where 1,500 people on average a month go  
24 for different lessons and activities. So all these  
25 people, thousands of people are affected by

1 this pipeline going right through our community.

2 So, in conclusion, I am concerned, as  
3 many others have already stated, about the need for  
4 this high-pressure, high-capacity pipeline that will  
5 go through our densely-populated city here in  
6 Hamilton County.

7 And I want to make sure that Duke is  
8 responsible with our taxpayer money and, most  
9 importantly, our safety. As a property owner, I am  
10 also concerned about this negatively affecting my  
11 property value. And as a parent and a teacher, I'm  
12 concerned for the safety of all children who cannot  
13 advocate for themselves.

14 I don't know why we should add this one  
15 more worry to the list, this ever-growing list  
16 of things that parents need to worry about every day.

17 Duke has not proven to me why this is  
18 needed. If this really is the best and only way to  
19 accomplish -- I would like to know if this really is  
20 the best and only way to accomplish Duke's goals.

21 Thank you for taking the time to listen  
22 to me and review my statement. Please consider all  
23 families like mine who want to rest easy each night  
24 as you make a decision that will critically affect  
25 each and every one of us. And ask yourself would you

1 want this 20-inch pipeline running through your  
2 neighborhood. Thank you.

3 ALJ SEE: Any cross?

4 MS. KINGERY: No, your Honor.

5 MR. WAMPLER: No, your Honor.

6 MR. BUCCIERE: No, your Honor.

7 ALJ SEE: Don Lindeman.

8 Ms. Miller, if you would step forward,  
9 please. Please raise your right hand. Do you affirm  
10 that the information you're about to give is true?

11 MS. MILLER: Yes.

12 ALJ SEE: State and spell your name for  
13 the record and state your address.

14 MS. MILLER: Diane, D-i-a-n-e, Miller,  
15 M-i-l-l-e-r. 8814 Blue Ash Road. I am on the orange  
16 line.

17 - - -

18 DIANE MILLER

19 presented herself as a public witness, and being  
20 first duly sworn, testified as follows:

21 DIRECT TESTIMONY

22 MS. MILLER: I am a veteran who is a  
23 lucky veteran who got a home and I've been living in  
24 this home for 33 years and I've been remodeling it to  
25 retire. I am now that senior citizen, retired



1 person, that Mr. Sittenfeld was talking about.

2 So I was very upset at the meeting that  
3 we had, I think it was over at the Marriott, where  
4 the CEO of Duke said that 65 percent of these lines  
5 are industrial content. Are we all industrial? No.  
6 We're home -- we're homes.

7 So I wanted to list everything that was  
8 in -- within a mile of my neighborhood to prove that  
9 I'm not industrial. So we've got all my neighbors  
10 and a lot of them are senior citizens like me,  
11 physicians, physical therapists, veterinarians,  
12 churches, schools, banks, pharmacies, grocery stores,  
13 hardware stores, libraries, post office, pet supply  
14 stores, YMCA, restaurants, retail stores,  
15 hairdressers, gas station, parks. That is not  
16 industrial.

17 Okay. The other thing that I have not  
18 heard anybody bring up is we have had earthquakes  
19 here. Anybody remember those? Okay. My question  
20 is: At what Richter scale magnitude was this  
21 20-inch, 500 to 600 psi pipeline rated before it  
22 ruptures? Okay? So again, the need for the supply  
23 line.

24 And the other thing is we will have to  
25 pay for it, for this dangerous pipeline. I feel like

1 I'm digging my own grave and jumping into it and I'm  
2 forced to pay for it.

3 And, of course, property value will  
4 decrease. And I was told at one of these meetings,  
5 "Oh, no, that will not affect your property value."  
6 So thank you for listening.

7 ALJ SEE: Cross-examination?

8 MS. KINGERY: No. Thank you, your Honor.

9 MR. WAMPLER: No, your Honor.

10 ALJ SEE: Bob Ashbrook.

11 Mr. Lindeman.

12 MR. LINDEMAN: "Lindeman."

13 ALJ SEE: Lindeman. Please raise your  
14 right hand. Do you affirm that the information  
15 you're about to give is true?

16 MR. LINDEMAN: Yes.

17 ALJ SEE: State and spell your name for  
18 the record.

19 MR. LINDEMAN: Don Lindeman,  
20 L-i-n-d-e-m-a-n.

21 ALJ SEE: And state your address.

22 MR. LINDEMAN: 313 Rainbow Ridge,  
23 Reading, 45215.

24 ALJ SEE: Go ahead with your testimony.

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DONALD LINDEMAN

presented himself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. LINDEMAN: Thank you for allowing  
citizens affected by this pipeline project to voice  
their concerns today. I have not written over 40  
books and I am not a college professor or a doctor,  
but I certainly appreciate the ones that have come  
here to testify. They're very knowledgeable and I  
appreciate their thoughts.

I am an at-large councilman and I  
represent the citizens of Reading. I don't believe  
that the Ohio Power Siting Board should rule on this  
application from Duke that they -- it's not the  
proper jurisdiction.

This is an interstate gas project, that  
as Professor James O'Reilly so eloquently and  
factually stated in his comments, this pipeline is a  
project feeding interstate gas supplies into Kentucky  
and therefore OPSB should recede and allow the  
federal regulations to be applied. A complete copy  
of Professor O'Reilly's comments are attached. Thank  
you.

Duke Energy does not need this pipeline.

1 They want it to enable gas from fracking up north to  
2 move into the southern states. Nine communities  
3 along this route will not receive gas from this line.  
4 We will pay for this project but we will not be the  
5 main beneficiary.

6 In addition, attached I have -- you will  
7 also find a statement from the City of Reading  
8 Administration and Council addressing the following.  
9 Patrick Ross was very eloquent in his speech and that  
10 is also enclosed here.

11 The points are the close proximity to the  
12 residential properties. It's been spoken to here  
13 about how close this pipeline could be.

14 The drawbacks to future development. He  
15 mentioned the fact that we have \$3 million invested  
16 in 14 acres and there are people that are -- were  
17 looking at it. They're very hesitant to move  
18 forward. They're afraid of this pipeline. I would  
19 be, too.

20 And then, additionally, the negative  
21 impacts to the current businesses that we have in  
22 Reading.

23 Immediately adjacent to the route is the  
24 community pool, Haffey Fieldhouse that Ms. Rack was  
25 speaking about with all the children that have the

1 activities of softball, baseball, football,  
2 basketball, volleyball. Veterans Memorial Stadium;  
3 there may be two- or three-thousand people there on a  
4 Friday night; it's very close to that. Youth soccer  
5 and softball fields. And many more you will see in  
6 the attachments that are attached here as Exhibit B.

7 And, of course, your decision affects  
8 many families just like mine. I have three children  
9 and eight grandchildren. I hope that your decision  
10 will take into consideration these families and  
11 families such as yours and that you do the right  
12 thing. And that's all I have. Thank you.

13 ALJ SEE: Any cross-examination?

14 MS. KINGERY: No, your Honor.

15 MR. WAMPLER: No, your Honor.

16 ALJ SEE: Tom Muething.

17 MR. MUETHING: "Muething."

18 ALJ SEE: Muething.

19 Mr. Ashbrook, if you can raise --

20 MR. ASHBROCK: "brock."

21 ALJ SEE: "Ashbrock"?

22 MR. ASHBROCK: Yes.

23 ALJ SEE: Thank you. Could you raise  
24 your right hand. Do you affirm that the information  
25 you're about to give is true?

1 MR. ASHBROCK: I do.

2 ALJ SEE: State and spell your name for  
3 the record and state your address.

4 MR. ASHBROCK: Robert J. Ashbrock,  
5 A-s-h-b-r-o-c-k. I live at 221 Walnut Street,  
6 Reading, Ohio 45215.

7 ALJ SEE: Go ahead with your testimony.

8 - - -

9 ROBERT J. ASHBROCK  
10 presented himself as a public witness, and being  
11 first duly sworn, testified as follows:

12 DIRECT TESTIMONY

13 MR. ASHBROCK: Thank you very much for  
14 having me here as well. I will not repeat much of  
15 what you've already heard. I, too, am an elected  
16 official for the City of Reading, serving the council  
17 at large. My colleague, Don Lindeman, preceded me  
18 and mentioned to you many of the concerns that you've  
19 also heard from other Reading citizens.

20 I think I would simply just take this  
21 opportunity to add a little context to some of what  
22 you have heard regarding the density of the  
23 population and the affected area within our  
24 community.

25 The Staff Report I believe makes mention

1 of the fact that there are 166 homes within 100 feet  
2 of the proposed green pipeline. By my count, 113 of  
3 those homes are within a very small area of the City  
4 of Reading, comprising about 5 city blocks. So it's  
5 of great importance within that particular low- and  
6 moderate-income area that has been described to you  
7 earlier.

8 One street in particular is -- is of  
9 great importance. Third Street exists as a 30-foot  
10 paved surface within a 50-foot right-of-way. 30-foot  
11 paved street is flanked by a small treelawn on each  
12 side and 5-foot sidewalk. That occupies essentially  
13 the entire 50-foot right-of-way.

14 As has previously testified, many of the  
15 homes fronting on Third Street are setback zero.  
16 And, in fact, there are several encroachments into  
17 the public right-of-way. The Applicant's request for  
18 an 80-foot construction easement could not possibly  
19 be satisfied physically because of the constraints of  
20 the site.

21 So I would direct you to page 46 of the  
22 Staff Report and the five bullet items that appear  
23 there in the middle of the page.

24 The Applicant has established criteria  
25 that consists of the following:

1           A minimum of 15 -- the pipeline to be  
2 placed a minimum of 15 feet between the pipeline  
3 centerline and existing structures. That condition  
4 can't be met.

5           Bullet point No. 3. Along all other  
6 roads such as this -- because it talks about  
7 interstates as a separate thing -- but along all  
8 other roads such as this public road, the placement  
9 should be outside of the right-of-way.

10           So, once again, this route should have  
11 been rejected summarily by virtue of the fact that it  
12 can't comply with the Applicant's own criteria.

13           I point this out, in part, because they  
14 say further that the Applicant adjusted the routes  
15 based on a windshield survey of the area. I question  
16 whether or not such a survey was ever made.

17           And I would certainly wish the Siting  
18 Board, who have been reportedly absent from this  
19 particular hearing, but if they had been in this area  
20 it would be very instructive for them to take a short  
21 ride down the hill and follow that path along Third  
22 Street and see how it's an impossible situation to  
23 pursue.

24           So I would ask, once again, as have  
25 others, that the Staff Report be rejected and that



1 Duke go back to the drawing board. Thank you.

2 ALJ SEE: Cross-examination?

3 MS. KINGERY: No, your Honor.

4 MR. WAMPLER: No, your Honor.

5 ALJ SEE: David Kirk -- Kirkendale?

6 MR. KIRKENDALL: "Kirkendall."

7 ALJ SEE: Mr. Muething, if you could  
8 raise your right hand. Do you affirm that the  
9 information you're about to give is true?

10 MR. MUETHING: I do.

11 ALJ SEE: State and spell your name for  
12 the record.

13 MR. MUETHING: Thomas Muething. The name  
14 is spelled M-u-e-t-h-i-n-g. 3415 Section Road,  
15 that's Amberley Village, Ohio 45237.

16 ALJ SEE: Go ahead with your testimony.

17 - - -

18 THOMAS C. MUETHING, MAYOR  
19 presented himself as a public witness, and being  
20 first duly sworn, testified as follows:

21 DIRECT TESTIMONY

22 MR. MUETHING: As the Mayor of Amberley  
23 Village, which is one of the municipalities that is  
24 directly affected by Duke's proposed pipeline, I have  
25 been involved with this proposal for the past 15

1 months. I have attended Duke's public meetings,  
2 submitted letters to the Ohio Power Siting Board, and  
3 researched matters on my own, and have had numerous  
4 meetings with affected residents and businesses.

5 During this entire time the one thing  
6 that has remained very consistent is Duke's apparent  
7 disdain for the public and their concerns. I want to  
8 cite personal examples:

9 At the public meeting on June 15th, 2016,  
10 in Blue Ash, Ohio, I went there with very specific  
11 questions related to the shutdown valves on the  
12 pipeline. As someone who worked in the international  
13 oil and gas industry for 25 years, I expected people  
14 involved in a project like this to be able to answer  
15 my questions. However, I was shuffled from person to  
16 person, and after 45 minutes I left the meeting  
17 completely frustrated. Interestingly, I spoke to  
18 others in the parking lot who had the very same  
19 experience. I have also spoken to people who had  
20 similar experiences at other public meetings during  
21 this process.

22 Duke continued to exhibit their disdain  
23 for the public in their filing on September 13th,  
24 2016, when they requested the OPSB waive any further  
25 public information sessions. I appreciate the OPSB

1 denying this request; however, Duke continued this  
2 disdain when they scheduled the additional session at  
3 a venue that was much too small especially with  
4 respect to parking.

5 My most recent example relates to  
6 Amberley Village's intervention in the process and  
7 the Village's discovery request. On page 14, Section  
8 2-3, General Purpose of the Facility, of Duke's  
9 Amended Application filed on January 20th, 2017, the  
10 following statement is made: "Construction of the  
11 proposed Project will allow Duke Energy Ohio to  
12 conduct the required inspections and will support  
13 replacement of Line A while continuing to supply  
14 natural gas to residential and industrial customers  
15 in the area."

16 Clearly, the replacement of Line A is an  
17 integral part of the need for the new pipeline as  
18 shown by the statement. Because Line A goes through  
19 the middle of Amberley Village, the Village is  
20 interested in Duke's plan for the Line A replacement.

21 Amberley requested that Duke provide  
22 documents related to its plan to replace Line A, but  
23 Duke refused on the basis that it was not relevant to  
24 the proposed pipeline. Somehow it is not relevant  
25 despite the fact that its cited as a reason for the

1 need for the new pipeline.

2 Interestingly, the OPSB Staff, on page 31  
3 of its report, cites the replacement of Line A as one  
4 of the reasons for the need for the proposed  
5 pipeline.

6 Due to Duke's reluctance to be  
7 forthcoming with the public during the entire  
8 process, I request that the OPSB be very rigorous in  
9 their review. I have reviewed the OPSB Staff Report,  
10 as well as many others have, and in my opinion the  
11 examination by the Staff was insufficient, especially  
12 with respect to the questions of need for the  
13 pipeline.

14 Based on my review of the Staff Report,  
15 it seems that the Staff has simply accepted Duke's  
16 assertion that the pipeline is needed. The need for  
17 this pipeline is the key question in this case and  
18 there needs to be real challenge to Duke's assertion,  
19 especially given their disdain for the public during  
20 the entire process.

21 If the pipeline is truly needed, then all  
22 parties, including Amberley Village, accept that some  
23 disruption and impact needs to be accepted in order  
24 to deliver the replacement. We have asked many  
25 questions to help us assess the need over the past 15

1 months, but Duke has refused to answer questions and  
2 have treated the public in a very unacceptable manner  
3 at every interaction.

4 I thank the OPSB for the opportunity to  
5 provide this testimony and that concludes my  
6 testimony.

7 ALJ SEE: Any cross-examination for this  
8 witness?

9 MS. KINGERY: No, your Honor.

10 MR. WAMPLER: No, your Honor.

11 MR. MUETHING: Your Honor, one comment.  
12 Someone mentioned to me, just before coming up, if  
13 you could repeat that statement that if people have  
14 to leave that there's something to sign.

15 ALJ SEE: I can definitely do that.

16 As I informed the people earlier, but you  
17 may not have been here, there are a few options that  
18 if you do not wish to offer testimony today, that you  
19 can let the Ohio Power Siting Board know your  
20 perspective on Duke's application in this project.

21 You can go online and submit your  
22 comments online. And once you go outside, if you'll  
23 step to the table that is manned by Board staff  
24 members, they can tell you exactly how to do that.

25 You can write a letter and send it by

1 mail, or there are two sheets outside that state that  
2 if you agree with the testimony that has been offered  
3 either in opposition to or for the project, but did  
4 not want to offer testimony, you can sign that sheet  
5 to indicate which way you feel about the project.

6 Okay?

7 And the 29th witness that I have on my  
8 sheet is Mr. Kirkendall.

9 Ms. Rich- -- Stephanie Richardson, if you  
10 could step forward to the other podium at this time.  
11 Stephanie Richardson. Is she present?

12 (No response.)

13 ALJ SEE: Ray Warren.

14 Mr. Kirkendall, if you'd raise your right  
15 hand. Do you affirm that the information you're  
16 about to give is true?

17 MR. KIRKENDALL: Yes.

18 ALJ SEE: State and spell your name, and  
19 provide your address.

20 MR. KIRKENDALL: Name is David  
21 Kirkendall. Last name is spelled  
22 K-i-r-k-e-n-d-a-l-l. My address is 10667 Kenridge  
23 Drive, 45242.

24 ALJ SEE: Go ahead with your testimony.

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DAVID KIRKENDALL

presented himself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. KIRKENDALL: I am not a government  
official. I don't pretend to bring expertise to this  
moment. So I would like to speak to attempt to  
summarize what I think the average citizen in  
Hamilton County has come to understand.

We have come to understand that Duke  
wishes to add a large volume pipeline, not replace,  
but add a large volume pipeline to a community whose  
demand for natural gas is essentially flat.

We have come to understand that Duke is  
not going to replace its propane peaking plant. They  
do not consider replacing it, and my understanding is  
that they will not even discuss it.

I would submit that eliminating the  
propane plant from discussion is the best evidence  
that this is not about a local need, but about a  
regional want.

What is the final product of all this is  
that Hamilton County residents will incur much of the  
costs, all of the risks, all of the property damage  
for a project for which we represent only a small

1 fraction of the benefit.

2 The residents of Hamilton County have  
3 been sharing with the Siting Board concerns that I  
4 believe are reasonable and important. If the Siting  
5 Board agrees that these concerns are reasonable and  
6 important, I would ask them to fulfill their  
7 responsibility and halt this project.

8 If they do not feel that the concerns are  
9 reasonable and important, my question, my rhetorical  
10 question, is what are the circumstances where a  
11 utility project is denied?

12 If there are no reasonable circumstances  
13 where a utility project is denied, what service does  
14 the Siting Board provide to the citizens of Ohio?  
15 Thank you.

16 ALJ SEE: Cross-examination?

17 MS. KINGERY: No, your Honor.

18 MR. WAMPLER: No, your Honor.

19 ALJ PARROT: Mr. Warren, just a moment.

20 Mr. Rob Schmeulling. Rob Schmeulling?

21 FROM THE FLOOR: He had to leave.

22 ALJ PARROT: Thomas Tucker. Mr. Warren.

23 Mr. Tucker. Schmeulling, is that right?

24 I'm sorry. Thank you. Please raise your  
25 right hand. Do you swear that the testimony you are



1 about to give will be the truth?

2 MR. WARREN: I affirm that.

3 ALJ PARROT: Please state your name and  
4 address for the record.

5 MR. WARREN: My name is Ray Warren, I  
6 live at 6715 West Farmacres Drive in Amberley  
7 Village, Ohio, ZIP code 45237.

8 ALJ PARROT: Please proceed.

9 - - -

10 RAY WARREN

11 presented himself as a public witness, and being  
12 first duly sworn, testified as follows:

13 DIRECT TESTIMONY

14 MR. WARREN: I'm a Councilman in Amberley  
15 Village, and I wish to express why I'm opposed to the  
16 Duke Energy pipeline proposal.

17 Number one, there is no need for more  
18 natural gas. The original pipelines were installed  
19 at a time when there was a belief of increasing  
20 population and associated gas demand.

21 In Exhibit 1, which I'll share with the  
22 Duke attorney, in fact, over the last four decades  
23 the population of Hamilton County has declined.  
24 That's from census records.

25 In Exhibit 2, Duke's own projections from

1 2010 show no increase in demand for natural gas.

2 Demand growth has been outside Hamilton County.

3 In Exhibit 3, using PUCO's own 2015  
4 documentation, the only increase in demand for  
5 natural gas would be related to power generation.  
6 This application has nothing to do with this.

7 Even if one can convincingly establish a  
8 need, the Siting Board must demand from Duke if there  
9 are alternatives to the proposed transmission line.

10 Duke claims that peak shaving plants, as  
11 others have described, currently in use of natural  
12 gas needs are not met, generally only a few days a  
13 year at most, represent old unreliable technology  
14 that is difficult to maintain.

15 Surprisingly, peak shaving plants remain  
16 to this day a very viable and cost effective  
17 alternative to transmission line installation, at a  
18 fraction of the cost. Peak shaving plants similar to  
19 the three we currently have, are being installed  
20 throughout the country today.

21 Liquified natural gas peak shaving plants  
22 are being installed to provide even greater energy  
23 reserves at a fraction of the cost of the proposed  
24 transmission line today.

25 The safety record is superior to

transmission lines, and can be easily situated in low consequence areas outside the city gate, in contrast to the proposed transmission line.

At a time when Ohio seeks to attract industry and population, the Siting Board should be asking for less costly alternatives. The shortest line between two points is a straight line.

Duke has purposely avoided proposing a pipeline across Indian Hill, which would constitute the shortest distance through a low consequence area, and at a lower cost to the public. I call this demographic discrimination.

For the last few weeks there's been a -- for the past -- for the last few weeks there's been a casual change from Duke and the Siting Board in how the proposed line is described from a transmission line to a distribution line. While salient, this is a very -- this has very important consequences.

According to the Federal Regulations, 49 CFR 192.3, this proposed line is in fact a transmission line as it transports gas from a gathering line or storage facility to a distribution center. The Pipeline & Hazardous Materials Safety Administration will concur. I ask the Siting Board to correct this.

1           Amberley Village is the center of Jewish  
2     life in southwest Ohio. I'm concerned about the  
3     accident risk to hundreds of young children attending  
4     Cincinnati Hebrew Day, Al Pi Darko, and Atara  
5     schools, the largest Jewish Day Schools in our  
6     region.

7           I'm concerned about the pending  
8     development of the largest commercial tract in  
9     Hamilton County that sits along the green line on the  
10    western border of Amberley, and that also happens to  
11    sit on a delicate storm water watershed of Mill  
12    Creek.

13           In the construction of any utility  
14    through a high consequence area, there has to be  
15    adequate emergency response teams to deal with  
16    tragedy. Hamilton County does not have the  
17    wherewithal to deal with an accident along a  
18    transmission line in a high consequence area. This  
19    project puts our community and all populated  
20    communities at risk.

21           I ask the Siting Board to deny the  
22    applicant's proposal. Thank you.

23           ALJ PARROT: Any questions?

24           MS. KINGERY: No, your Honor.

25           MR. WAMPLER: No, your Honor.

1 ALJ PARROT: Mary Rinsky.

2 Raise your right hand. Do you swear the  
3 testimony you're about to give will be the truth?

4 MR. TUCKER: Yes.

5 ALJ PARROT: Please state and spell your  
6 name.

7 - - -

8 THOMAS S. TUCKER  
9 presented himself as a public witness, and being  
10 first duly sworn, testified as follows:

11 DIRECT TESTIMONY

12 MR. TUCKER: Thomas S. Tucker,  
13 T-h-o-m-a-s, Tucker, T-u-c-k-e-r, my address is 3900  
14 Cottingham, Cincinnati 45241.

15 I'm the Superintendent of the Princeton  
16 City Schools. I'm here today on behalf of the  
17 Princeton Board of Education, and the entire  
18 Princeton community. That represents four villages  
19 and two cities.

20 Thank you for the opportunity to come  
21 before the Ohio Power Siting Board and present an  
22 impact statement on Duke Energy's plan to construct  
23 the large high-impact gas pipeline, natural gas  
24 pipeline, through more than a dozen communities, thus  
25 impacting schools, hospitals, places of worship,

1 commerce, and nursing homes.

2 And I'll be very brief. Here with my  
3 colleague Lindsey Young, one of our outstanding  
4 teachers here did a great job of talking about the  
5 educational impact, but I want to carry that  
6 narrative a little further, carry the discourse on  
7 the impact on our school children further.

8 When I talked here today with the Siting  
9 Board, and I talked with Mr. Wall, he's out there  
10 somewhere with Duke Energy, my concerns are fourfold;  
11 first and foremost, safety.

12 Can the State and can Duke Energy ensure  
13 the safety of our school children? We're very  
14 fearful should disaster strike the pipeline,  
15 children, staff, and community members would be able  
16 to get out of harm's way and get out of harm's way  
17 quickly.

18 We're concerned about the number of  
19 schools, and I believe there are 25 schools and  
20 day-care centers that sit within the blast zone.

21 Now, I want you to think about your  
22 elementary days, so we're talking about thousands and  
23 thousands of kids. Now, how are we going to get  
24 thousands and thousands of kids, especially  
25 elementary kids, away from -- away from where the gas

1 is going? How are we going to get them calm, and how  
2 are we going to convince adults not to use their  
3 cellphones to ignite an explosion?

4 That's very, very problematic. So how  
5 are we going to be able to do that and save children  
6 and adult lives?

7 You've heard quite a bit about the  
8 environmental concerns. There's no doubt if this  
9 pipeline is constructed that in 2018, next year, it's  
10 going to compromise many of the green spaces, but my  
11 biggest concern in regards to the environmental  
12 issues, the impact it's going to have on  
13 transportation.

14 We're going to tear up driveways, going  
15 to tear up streets, we're going to tear up a whole  
16 lot of things. How are we going to get kids to  
17 school on time? How are we going to get them to  
18 extracurricular activities on time and safely?

19 And then lastly, property values. We're  
20 concerned that property values would plummet. And I  
21 think some of our friends in Reading have talked  
22 about that. We also heard someone state that a  
23 school was coming to Evendale somewhere, but once  
24 they heard that a pipeline was coming, that the  
25 school was not going to be built.

1           Princeton, like many school communities,  
2   are seeing the erosion of the tangible personal  
3   property tax, and the public utility tax that Duke  
4   Energy pays, and there have been great -- they have  
5   been great friends for school, they provide jobs and  
6   so forth, but the dependency on the business  
7   community who pay the tangible personal property tax  
8   and public utility tax, that base is eroding.

9           And so we're now leaning very heavily on  
10   taxpayers. And so folks if your homes' values drop,  
11   you're not going to resell your homes and you're not  
12   going to be able to support public schools.

13           So those are my biggest concerns. Safety  
14   concerns, environmental concerns, property values.

15           In closing, thank you for this  
16   opportunity to innovate before the Board and County  
17   Commissioners to -- before you make your final  
18   decision regarding the future of the Duke Energy gas  
19   pipeline. Thank you.

20           ALJ PARROT: Any questions for Mr.  
21   Tucker?

22           MS. KINGERY: No, your Honor.

23           MR. WAMPLER: No, your Honor.

24           ALJ PARROT: Gayle Jackson. Gayle  
25   Jackson? Ronna Lucas?



1 FROM THE FLOOR: She had to leave.

2 ALJ PARROT: Peg Conway.

3 Ms. Rinsky, please raise your right hand.  
4 Do you swear or affirm the testimony you're about to  
5 give will be the truth?

6 MS. RINSKY: Yes.

7 ALJ PARROT: Please state and spell your  
8 name, and give us your address.

9 - - -

10 MARY RINSKY

11 presented herself as a public witness, and being  
12 first duly sworn, testified as follows:

13 DIRECT TESTIMONY

14 MS. RINSKY: Mary Rinsky, R-i-n-s-k-y,  
15 8340 Spring Valley Drive, Amberley Village, Ohio. I  
16 have heard many informative and insightful comments  
17 about effect on various communities. Is that any  
18 better? Should I go over there?

19 I have heard many informative and  
20 insightful comments about the effect of the pipeline  
21 on various communities. I want to say that those are  
22 true about all the communities on all the routes of  
23 all of the pipelines. There are schools and day-care  
24 centers and churches and synagogues.

25 I would really like for the Power Siting

1 Board to direct Duke Energy to move this pipeline to  
2 rural areas, and to properly compensate farmers for  
3 the loss of their property where they won't be able  
4 to grow crops so that we could get this pipeline away  
5 from central populated area. Thank you.

6 ALJ PARROT: Any questions?

7 MS. KINGERY: No, your Honor.

8 MR. WAMPLER: No.

9 ALJ PARROT: 38th witness, Michael  
10 Washington.

11 Ms. Conway, if you'd raise your right  
12 hand. Do you swear the testimony you're about to  
13 give will be the truth?

14 MS. CONWAY: Yes.

15 ALJ PARROT: Please state and spell your  
16 name, and give us your address, please.

17 - - -

18 PEG CONWAY

19 presented herself as a public witness, and being  
20 first duly sworn, testified as follows:

21 DIRECT TESTIMONY

22 MS. CONWAY: My name is Peg Conway,  
23 P-e-g, C-o-n-w-a-y. I live at 8101 Spring Valley  
24 Drive, Amberley Village, 45236.

25 I'm speaking today as a citizen of

1 Amberley, which is just one of the communities  
2 affected by Duke's alternate route, both as a citizen  
3 and as a council member there, and in addition as a  
4 communication professional.

5 In my prior career with a major  
6 consulting firm I was involved in numerous projects  
7 that required us to deliver bad news, to inform  
8 employees that benefits were being cut or that the  
9 cost of them would go up, or that a staff reduction  
10 was coming.

11 Always we stressed to clients the  
12 importance of providing thorough, consistent, and  
13 accurate information to their employees about  
14 whatever the situation entailed. Such communication  
15 was essential to build their trust and enable them  
16 over time to accept change.

17 If companies tried to put one over on  
18 their employees, offered superficial explanations or  
19 ducked the tough questions, the employees were never  
20 persuaded, and in fact the opposite results would  
21 occur. Employees would become angry and mistrustful.

22 In February 2016 I received a letter that  
23 Duke sent to people along all the proposed routes,  
24 and attended one of their very first open house  
25 sessions. It was not crowded. I walked through and

1 talked to several people, and my eyes grew bigger and  
2 bigger with each additional piece of information that  
3 I received.

4 When I left I texted my council  
5 colleagues and friends to raise the alarm. I could  
6 not believe that Duke was rolling out this major  
7 project with a mere letter sent to a select few in an  
8 envelope that looked like junk mail.

9 At that time it was a 30-inch pipe.  
10 Later, to appease the public, it was reduced to  
11 20-inch. First it was a transmission line, now that  
12 word is noticeably absent from Duke's documents.

13 They held several more public events  
14 where information was presented once again in a  
15 fragmented form, with stations that you could visit  
16 for bits and pieces, but never a cohesive explanation  
17 to everyone at the same time.

18 The final open house back in January did  
19 include a group presentation, but the room size was  
20 completely inadequate to the people who wanted to  
21 attend, and so people were turned away without --  
22 there was a later opportunity, but it was an hour  
23 later and it was evening.

24 Early on materials referenced Duke's  
25 master plan and said that it would be included with

1 their application to illustrate need. This has never  
2 been provided, this master plan, despite numerous  
3 requests by multiple parties over the last year.

4 Most recently Duke objected to Amberley's  
5 discovery requests related to the A-Line which runs  
6 right through the middle of our Village. Though  
7 cited at least twice in the application as a reason  
8 for the project, Duke claims in this context that the  
9 A-Line is not relevant. And now here we are at the  
10 conclusion of public input on the pipeline.

11 As a result of Duke's communication over  
12 the past 16 months, I am angry and mistrustful in a  
13 way that I was not previously at the company. They  
14 have changed the message, they have answered  
15 substantive questions with generalities, not details,  
16 and they avoid full disclosure.

17 I would like to ask the Ohio Power Siting  
18 Board to dig deeper into their statement of need, and  
19 to provide the public with a compelling case for this  
20 project, if in fact one can be made.

21 And furthermore, as I sat here since 3:00  
22 I've become very concerned about this particular  
23 process of what I thought was billed as a public  
24 hearing with the Ohio Power Siting Board.

25 I did not realize that members of the

1 Board would not be here, and I'm concerned -- I'm  
2 only No. 30 something, and there are over 80 people  
3 who would like to speak, and I appreciate that  
4 options are being offered to submit their testimony,  
5 but we have been submitting things in writing to the  
6 OPSB and to Duke for over a year.

7 This was to be our opportunity to speak  
8 personally, our only opportunity to speak personally,  
9 to the Ohio Power Siting Board.

10 I'll just reiterate. This was to be our  
11 opportunity to speak, if they are not here, and are  
12 you literally going to stay until 3:00 in the morning  
13 until all these people speak?

14 I'm really concerned about that, so I'm  
15 further asking that the OPSB provide an opportunity  
16 for everybody who wants to address them, to be able  
17 to do. I do appreciate your being here and you're  
18 doing your job, and I respect that. Thank you.

19 ALJ PARROT: Any questions?

20 MS. KINGERY: No, your Honor.

21 MR. WAMPLER: No.

22 ALJ PARROT: Mr. Washington. Rick  
23 Schweet.

24 Mr. Washington, please raise your right  
25 hand. Do you swear that the testimony you're about

1 to give will be the truth?

2 MR. WASHINGTON: I do.

3 ALJ PARROT: Please state your name and  
4 provide your address.

5 - - -

6 MICHAEL WASHINGTON

7 presented himself as a public witness, and being  
8 first duly sworn, testified as follows:

9 DIRECT TESTIMONY

10 MR. WASHINGTON: Michael Washington,  
11 11043 Wood Avenue, Blue Ash, Ohio. As a resident of  
12 Blue Ash, because of the lack of evidence that the  
13 Central Corridor Pipeline Extension Project will be  
14 safe, and the inadequate attention given to the  
15 community's concern for safety by Duke Energy, I  
16 strongly oppose the pipeline.

17 The residents of Blue Ash are deeply  
18 concerned about the impact of a leak or explosion  
19 from the 20-inch pipeline.

20 The vulnerable facilities not only  
21 include homes and businesses, but two schools within  
22 the Sycamore School District which would involve  
23 hundreds of students in addition to numerous faculty  
24 and staff.

25 In that there may be other less costly

1 and less intrusive options to meet Duke's current and  
2 forecasted needs for once, it is not worth the risk  
3 to so many innocent lives. Thank you.

4 ALJ PARROT: Thank you. Any questions?

5 MS. KINGERY: No, your Honor.

6 MR. WAMPLER: No, your Honor.

7 ALJ PARROT: Martha Lawson. Martha  
8 Lawson. Patty Kreitinger. Patty Kreitinger. Ann  
9 Chisko.

10 MS. CHISKO: Right here.

11 ALJ PARROT: Mr. Schweet, raise your  
12 right hand. Give us your name and address, please.  
13 Well, first, do you swear your testimony will be the  
14 truth?

15 MR. SCHWEET: Yes.

16 ALJ PARROT: Now please provide your name  
17 and address.

18 - - -

19 RICHARD R. SCHWEET  
20 presented himself as a public witness, and being  
21 first duly sworn, testified as follows:

22 DIRECT TESTIMONY

23 MR. SCHWEET: Richard Schweet, 8453  
24 Northeast 110th Place, Kirkland, Washington 98034.  
25 Thank you for the opportunity to speak today. I'm a



1 little hoarse, I had two hours of sleep. I flew in  
2 from Seattle on the red eye, and I'm a little tired.  
3 But thank you for the opportunity to speak today.

4 I'm a long-time Cincinnati resident,  
5 currently living in Seattle, Washington. I started a  
6 one-man consulting firm in 1985, working out of my  
7 bedroom, and today this company has grown to over 130  
8 people with an international customer base.

9 We have two buildings on Evendale Commons  
10 Drive in the Village of Evendale, that one is a  
11 10,000 square foot facility, and the other one is  
12 8,000 square feet. The first one was built in 2010,  
13 the second one in 2014. Combined they represent a \$5  
14 million investment.

15 Currently we're constructing a third  
16 building also on Evendale Commons Drive. This will  
17 be a single story building of approximately 10,000  
18 square feet.

19 And I'd like to show where this building  
20 is, I don't know if it's beneficial, I guess it won't  
21 go in the court record, but in a nutshell, the  
22 current building is within 25 feet of where the  
23 proposed gas line is proposed to be.

24 I have pictures showing that this  
25 building's about three quarters complete, and it

1 represents a \$2-and-a-half million Phase I of a \$5  
2 million expansion project. This new building, which  
3 would be complete around September 1st of this year,  
4 will house 60 to 65 employees.

5 The proposed Phase II expansion will be  
6 completed in approximately 2020, and that will also  
7 house about 60 employees. Together the combined  
8 investment in Evendale, when this is complete, will  
9 be about \$10 million.

10 So if you Google "gas pipeline  
11 explosions", you know, you're bombarded with a litany  
12 of horrific accidents, and all of these accidents  
13 have various explanations of why they occurred.  
14 Sometimes it's a design error, sometimes it's a  
15 construction error, sometimes it's an act of God,  
16 earthquake, sometimes it's a random act like during  
17 construction, or subsequent to construction. But  
18 it's pretty easy to see the damage that the pipeline  
19 again can cause.

20 So I did some research into, you know,  
21 what's the safe distance to be from a line of this  
22 size. I'd like to reference a report by Mark  
23 Stephens of C-FER Technologies that was prepared for  
24 the Gas Research Institute in October 2000. The  
25 title of this paper was, "A Model for Sizing High

1 Consequence Areas Associated with Natural Gas  
2 Pipelines."

3 In a nutshell, according to his  
4 calculation, which he verified actual incidents,  
5 pipeline incidents, for 20-inch pipeline that's at  
6 500 psi, 300 feet is the high consequence area  
7 ratings, meaning that within a radius of 300 feet  
8 there's death and destruction that occurs.

9 So I want to remind you that my current  
10 building is 25 feet away from this proposed pipeline.  
11 Those of us that lived in this area, some since April  
12 1999, experienced the tornadoes that we have had very  
13 close to this building.

14 It was an F-4 tornado that hit Blue Ash  
15 and destroyed many homes. There were some deaths.  
16 Tornadoes cannot be prevented, but they can only be  
17 mitigated with warning and planning, but the death  
18 and destruction of a gas pipeline explosion and fire  
19 can be completely prohibited, just don't place them  
20 in close proximity to people, period.

21 My concern for my facility is two-fold.  
22 The planned route is very close to our existing  
23 buildings, and especially close to the third building  
24 that's under construction. There's also power lines  
25 right next to where this proposed pipeline would be,

1 and there's also a railroad.

2 So I was told today by someone from Duke  
3 Energy that this pipeline was going to be four feet  
4 in the ground. Well, the area that it would be near  
5 my buildings is all loose topsoil and fill that was  
6 recently added there, and I can stick my hand down  
7 two feet probably in this topsoil.

8 So a tornado is going to rip this pipe  
9 right out of the ground, and there's power lines  
10 right there. You know, what could possibly happen?

11 There's also a railroad within 50 feet of  
12 this property line, and everyone knows that rail cars  
13 sometimes derail, and if it happens to shoot towards  
14 the pipeline, it's going to tear it out of the  
15 ground.

16 So in summary, modern pipelines are  
17 surely advertised as being safer as their older  
18 counterparts, and yet history has shown us that even  
19 the best engineered systems on our planet fail  
20 unexpectedly.

21 Offshore oil rigs explode and spew  
22 millions of gallons of oil into the Gulf of Mexico,  
23 nuclear power plants melt down to create human and  
24 environmental catastrophes, and space shuttles fall  
25 out of the sky. Despite extensive engineering,

1 testing and quality control, there is no way to  
2 guarantee absolute safety for any man-made project.

3 Natural disasters, design or construction  
4 flaws, random events, or acts of terrorism cannot be  
5 predicted. The best we can do is to mitigate  
6 potential for tragedy, and putting a gas main right  
7 next to three buildings with 200 people in them is  
8 greatly increasing the chance of a catastrophic  
9 event, not minimizing it.

10 Additionally, the installation of the  
11 Central Corridor Pipeline Extension on this route  
12 will greatly devalue my business, as any buyer will  
13 have the fear that they would be putting their  
14 employees at risk.

15 The future resale value of our campus  
16 will surely be cut in half immediately as every  
17 potential buyer would know about the gas pipeline  
18 nearby. It will be easy for me to show in court that  
19 future financial damages to my company would easily  
20 exceed \$10 million.

21 More importantly, as the owner of these  
22 two businesses I have the fiduciary duty to provide  
23 safe working conditions for my employees. I cannot  
24 and will not ask them to inhabit company facilities  
25 so close to a bomb capable of destroying an entire

1 building without warning.

2 If this route is chosen, the company I  
3 built over 30 years will essentially be put out of  
4 business, and 130 high-paying jobs will be eliminated  
5 today, and the 120 additional jobs planned for our  
6 expansion project will never be created.

7 The end result: The total future payroll  
8 tax base lost to the Village of Evendale and Ohio  
9 will be over \$15 million per year. I urgently  
10 request that a route be chosen that's not immediately  
11 adjacent to any business, home, or public building.  
12 Thank you.

13 ALJ PARROT: Any questions?

14 MS. KINGERY: No, your Honor.

15 MR. WAMPLER: No, your Honor.

16 ALJ PARROT: Natalie Smith.

17 Ms. Chisko, raise your right hand. Do  
18 you swear the testimony you're about to give will be  
19 the truth?

20 MS. CHISKO: Yes.

21 ALJ PARROT: Please state and spell your  
22 name, and provide your address.

23 - - -

24 ANN CHISKO

25 presented herself as a public witness, and being

1 first duly sworn, testified as follows:

2 DIRECT TESTIMONY

3 MS. CHISKO: Ann Chisko, A-n-n  
4 C-h-i-s-k-o, 6437 Ridge Avenue, Cincinnati, Ohio  
5 45213. I'm in the neighborhood of Pleasant Ridge.

6 I would like to say I do live in one of  
7 the original three proposed routes; however, I want  
8 to make it very clear this is not about not in my  
9 neighborhood, this is about not in any place  
10 anywhere. And thank you for taking my statement.

11 I'd like to start with a comparison.  
12 Think about it. Eleven people, 11, are killed by  
13 exploding air bags, and to date over 68 million  
14 vehicles have been recalled for repairs.

15 Over 540 people, 540 people, have been  
16 killed by exploding pipelines and new pipelines  
17 continue to be built to move fractured gas all over  
18 America, and now Duke wants to build a new  
19 high-pressure pipeline through a high consequence  
20 area in Hamilton and Cincinnati, Hamilton County and  
21 Cincinnati. There seems to be something terribly  
22 wrong with that.

23 When I first heard the news I, like  
24 everyone I mentioned it to, was incredulous that a  
25 new high-pressure gas pipeline would be built through

1 such a populous area. Surely Duke and the State of  
2 Ohio would not put us at such risk.

3 After all we were still hearing about the  
4 Flint water crisis and that happens when public  
5 officials turn a blind eye to health risks.

6 One of the proposed routes -- one of the  
7 proposed routes went right through my front yard of  
8 the house I'd lived in for 44 years. That route, the  
9 pink route, has been taken out of consideration, but  
10 though I was relieved, others were still at peril,  
11 like I had been, of perhaps losing trees that their  
12 children had planted 40 years ago on Arbor Day, or  
13 waking up every morning thinking their property would  
14 be forever altered and devalued. It was really a  
15 sickening feeling.

16 I thought well, since they say it's  
17 needed why not go through less populated areas as is  
18 the preferred industry practice? But after attending  
19 Duke's meetings and studying the issue, I began to  
20 seriously doubt Duke's arguments for need, and as  
21 other people have said, that's a primary objection  
22 here.

23 This -- this new pipeline would provide  
24 much more capacity than the present or projected need  
25 requires. Duke claims that propane peaking plants



1 cannot be replaced or repaired, but I did a simple  
2 Google search and found that they were indeed being  
3 replaced all over the country, at less cost both in  
4 dollars and in real or perceived risk to communities  
5 than constructing an expensive new pipeline.

6 So I guess I have to ask why does Duke  
7 insist that this is the only way for them to answer  
8 their needs, to make a pipeline that has a much  
9 larger capacity than could ever be used in the area  
10 that would pay for it. And since Duke is reluctant  
11 to share their master plan for the future, I can only  
12 speculate about what they say their need is to build  
13 this pipeline.

14 It doesn't take long for speculation to  
15 connect the dots between the fracturing gas in  
16 northern Ohio to the sudden need for new pipeline.  
17 And so supply can come to the area, but then the  
18 excess is being sent elsewhere while we pay for the  
19 entire construction in every way.

20 It is the responsibility of the OPSB to  
21 determine whether this project best meets the needs  
22 of the community that would be paying for it. I ask  
23 that the Board seriously question Duke's rationale  
24 for their need and require a thorough analysis of any  
25 alternative solutions to that need.

I have other comments regarding the safety, environmental impact, economic impact, and transparency and I will leave them in written form to be put in the record. Thank you.

ALJ PARROT: Any questions?

MS. KINGERY: No.

MR. WAMPLER: No.

ALJ PARROT: Mike Cassady. Mike Cassady. Richard Tranter I believe was counsel and has left.

Gloria Kemp.

Ms. Smith, please raise your right hand. Do you swear the testimony you're about to give will be the truth?

MS. SMITH: I will.

ALJ PARROT: Please state your name and provide your address.

- - -

NATALIE SMITH  
presented herself as a public witness, and being first duly sworn, testified as follows:

# DIRECT TESTIMONY

MS. SMITH: My name is Natalie Smith, N-a-t-a-l-i-e, S-m-i-t-h. I live at 9456 Reading Road in Reading, and I both live and work within a

1     few hundred feet of the proposed pipeline.

2                 I'm one of the many residents of  
3     Cincinnati who are appalled at the prospect of the  
4     construction of the proposed pipeline along either  
5     proposed route.

6                 The City of Reading, I know, has been  
7     working hard to revitalize its downtown, which  
8     includes a well known bridal district, and this sort  
9     of industrial blot running right through the heart of  
10    our town can only hurt the businesses there.

11                One of the proposed routes runs close  
12    enough to my house to present a risk to my home or  
13    even my life, in the event of an accident.

14                Duke has waffled between implying that as  
15    long as they build it right all will be well, and  
16    then pointing out that they are not responsible for  
17    the mistakes or acts of others.

18                I also would like to point out that it is  
19    questionable, at the least, to place this line  
20    immediately next to railroad lines which could  
21    present additional hazards from derailments,  
22    including corrosive and/or flammable spills.

23                The hazards combined would be far greater  
24    than the simple sum of the hazards either of these  
25    presents on its own.

1           In the past, concerns for safety led the  
2     petroleum industry to generally avoid placing large  
3     capacity lines in highly populated areas. Recently,  
4     though, you hear increasing reports of proposals and  
5     installations of these type of lines.

6           This has been frequently attributed to  
7     the recent huge increase in gas production and the  
8     potential to make money in the transport of this  
9     product.

10          As a nation, we need to consider our  
11     choices and the pathways where they will lead. If  
12     our nation continues to build more and more of these  
13     large pipelines in urban areas, accidents will  
14     absolutely happen and it is only a matter of time  
15     until such an accident presents a disaster of tragic  
16     proportions.

17          If we choose to be part of the trend to  
18     brush away the safety priority and build more and  
19     more of these pipelines, we need to accept that we  
20     will share some responsibility for the consequences  
21     wherever they may be. Or, we can make the other  
22     choice to be a force for caution and safety, and  
23     limit the use of such pipelines in urban areas to  
24     instances of real critical need.

25          Duke Energy has not demonstrated real,

critical need for this pipeline. Duke has completed in past years upgrades that have been projected to maintain their distribution system in a good position for the foreseeable future.

The much discussed peaking plant, whose age has been brought forward as the problem this proposal aims to fix, could certainly be economically updated or replaced.

Contrary to what Duke has said, the use of such plants is not obsolete technology, and there have elsewhere been constructions of the same type in recent years.

Duke itself has made statements about the pipeline proposal as being proactive in nature. So this is clearly not a critical need that warrants placing people's safety at risk, and if we care about our responsibility to our city and its citizens, this is the time to say no. Thank you.

ALJ PARROT: Any questions?

MS. KINGERY: No, your Honor.

MR. WAMPLER: No.

ALJ PARROT: Wilson Frost?

Ms. Kemp, please raise your right hand.

Do you swear the testimony you're about to give will be the truth?

1 MS. KEMP: Yes.

2 ALJ PARROT: Please state your name and  
3 provide your address.

4 - - -

5 GLORIA KEMP

6 presented herself as a public witness, and being  
7 first duly sworn, testified as follows:

8 DIRECT TESTIMONY

9 MS. KEMP: My name is Gloria Kemp. I  
10 live at 10417 Sharondale Road in the Village of  
11 Evendale, Ohio 45241. K-e-m-p. G-l-o-r-i-a.

12 First I want to let you know that I  
13 walked a lot of the lines letting neighbors know,  
14 talked to many who were not able to attend, many that  
15 are older than me that would want to come, but they  
16 couldn't make it, so I'm just going to say really  
17 what I heard from people.

18 There are a few that don't care because  
19 they feel like Alaska didn't win, South Dakota didn't  
20 win, so how are we going to win?

21 The two words we need to remember here  
22 that the Siting Board can say is no, n-o. No  
23 neighborhood, no communities, no parks, no athletic  
24 fields, no schools, no churches, no cemetery, no  
25 colleges, no hospitals - go back and find another

1 route after the need has been proven.

2 Second - not here, not now, not ever.

3 What is the need? Has Duke proven there is one other  
4 than there own? Say n-o, no.

5 Third - choose a highway, a state route,  
6 some other way. Duke gives donations to elected  
7 officials and for political purposes. They need to  
8 give us the voters, citizens of the State of Ohio who  
9 reside in Hamilton County, another option than the  
10 ones given by the routes proposed and prove that  
11 there is a need.

12 Why not a different county? Why not in  
13 their families' yards, schools, parks, not ours?  
14 Come up with a better way, not the cheapest and  
15 easiest way out.

16 There are other options, someone needs to  
17 figure those out. Duke wants and needs to keep the  
18 project moving, yes, but move it right out of this  
19 area. This is not the final solution. No  
20 neighborhoods.

21 Property owners of those affected by this  
22 pipeline, Duke will have control over the properties,  
23 but the property owners keep paying the taxes, so how  
24 dumb are we? Would you stand for this if it was your  
25 home or family? Who is serving the public?

1           Thanks for listening. The decision you  
2           make is based on what? Your actions will speak the  
3           loudest. Gloria Kemp, public servant of the Federal  
4           Government. And I have a testimony -- my husband  
5           couldn't be here. He's an HVAC contractor, and I  
6           want to submit that with my testimony. Thank you.

7           ALJ PARROT: Any questions?

8           MS. KINGERY: No, your Honor.

9           MR. WAMPLER: No.

10          ALJ PARROT: Kevin Detroy I believe was  
11          counsel, and I think he's left.

12          Tim McDonald.

13          All right. Mr. Frost, please raise your  
14          right hand. Do you swear the testimony you're about  
15          to give will be the truth?

16          MR. FROST: Yes.

17          ALJ PARROT: All right. Please state  
18          your name and your address.

19                                 - - -

20                                 WILSON FROST

21          presented himself as a public witness, and being  
22          first duly sworn, testified as follows:

23                                 DIRECT TESTIMONY

24          MR. FROST: My name is Wilson Frost. My  
25          address is 6326 Grand Vista Avenue, Cincinnati, Ohio



1 45213.

2 Okay. I started off members of the Ohio  
3 Power Siting Board, but maybe you could pass it on to  
4 them since they didn't want to be here.

5 My name is Bill Frost, I'm a Chartered  
6 Professional Engineer with the Engineering Council in  
7 the United Kingdom. I'm a member of the Royal  
8 Aeronautical Society in London, but I'm here as a  
9 resident of Cincinnati, and the President of Pleasant  
10 Ridge Community Council, and I'm here to represent  
11 people from Pleasant Ridge who could not be here and  
12 all the people from the neighborhoods in Cincinnati  
13 who can't be here.

14 You've heard that one of the pipeline's  
15 routes originally was going to go through Pleasant  
16 Ridge. We decided back then that whatever happened  
17 we were in this fight for the long haul. This is  
18 just wrong.

19 So the need for a project like this is  
20 based on a complicated calculation. Each of the  
21 variables that are in the calculation need to have  
22 values assumed or calculated or measured or defined.

23 If, for example, I had 10 variables that  
24 I assumed 5 percent higher than was eventually found  
25 to be accurate, my calculated end result would be 63

1 percent above the result obtained if I were exact in  
2 all of my assumptions.

3 In this way, one could purposely inflate  
4 a forecasted need purely by making apparently small  
5 over assumptions of all of one's inputs. One could  
6 describe the calculations as conservative, but in the  
7 end the resulting forecast would be higher than the  
8 most likely outcome.

9 This is what I believe is happening in  
10 this case. When you look at the national trends in  
11 energy usage, and in particular the use of  
12 renewables, and also factor into that the inaccurate  
13 assumption that the existing peaking plants are no  
14 longer able to be refurbished, we can see the need is  
15 being significantly over estimated.

16 By building pipelines to accommodate an  
17 overestimated need, I believe Duke Energy plans to  
18 build excessive capacity, which I believe they will  
19 then lease for transmission of natural gas to the  
20 lucrative market in the southern states.

21 I hope I'm wrong, but it would put a lot  
22 of minds at rest in my community if Duke Energy were  
23 to enter a legally binding agreement with the State  
24 of Ohio, that they will never use these pipelines for  
25 transmission of natural gas to customers outside the

1 greater Cincinnati area.

2 If they are unwilling to do so, I believe  
3 that this would demonstrate the disingenuous way in  
4 which Duke Energy plans to use the residential  
5 neighbors in Cincinnati to transmit energy through  
6 our beautiful city to other markets.

7 The transmission of unneeded natural gas  
8 unnecessarily through residential areas would have  
9 greater than necessary impact on the economy, the  
10 beauty, and the property values in local residential  
11 areas, to say nothing for the terrifying impact  
12 should there be an accidental event on these new  
13 pipelines.

14 I urge the Ohio Power Siting Board to, A,  
15 take another look with a more critical eye at the  
16 assumptions going into the calculated need, and B,  
17 seek a binding guarantee from Duke that they will not  
18 use these pipelines for gas transmission. Thank you.

19 ALJ PARROT: Any questions?

20 MS. KINGERY: No.

21 MR. WAMPLER: No.

22 ALJ PARROT: Marilyn Wall? Marilyn Wall?  
23 Leonid Turkevich?

24 All right. Please raise your right hand.  
25 Do you swear the testimony you're about to give will

1 be the truth?

2 MR. McDONALD: Yes, I do.

3 ALJ PARROT: Please state your name, and  
4 provide your address.

5 - - -

6 TIM McDONALD

7 presented himself as a public witness, and being  
8 first duly sworn, testified as follows:

9 DIRECT TESTIMONY

10 MR. McDONALD: My name is Tim McDonald.  
11 I live at 5601 Carthage Avenue in Norwood, Ohio. My  
12 house is 850 feet from the -- from the proposed  
13 station that's going to be put there.

14 Okay to proceed? Okay. Number one, I'm  
15 a retired union carpenter. I've worked on a number  
16 of major projects here in town, and in Dallas, Texas,  
17 and Florida, and every place all over, and I think I  
18 can say with certainty that the numbers here are way,  
19 way low.

20 You are not going to be able to do this  
21 pipeline for one hundred and some million dollars,  
22 it's not going to happen.

23 Can you imagine how many pipes and wires  
24 that are below Jewish Hospital and Kenwood Mall?  
25 These pipes are from that curtain to that curtain

1 long, and they have got to go down four feet? There  
2 is -- this -- these estimates are way low. They are  
3 going -- it's going to cost five to ten times more  
4 than what they are saying here.

5 I seen it with -- you saw it with Paul  
6 Brown Stadium. The first thing they did down there  
7 is they looked at the sewage pipe that was going down  
8 there, which was four feet in diameter, and they said  
9 oh, this has got to be an eight-foot pipe. What do  
10 you think that did? That changed the whole scheme of  
11 things.

12 They don't know what's under the ground  
13 yet. They have no idea. They are liable to run into  
14 things that are hundreds of years old. You just  
15 don't know.

16 And there is a solution to it, to go the  
17 rural route, but we were told by the CEO at the last  
18 meeting that we will not go the rural route. And why  
19 do you think that happened? I'll tell why, because  
20 my daughter used to work for some of the people who  
21 work at Kenwood Country Club, and the very first  
22 pipeline thing they wanted to do went right through  
23 the golf course.

24 What do you think that affluent people  
25 do? They were like a hornet's nest, and that's why

1 these two proposals here are going to be shoved down  
2 our throats and by the Siting Board who is not here.  
3 We're being slighted again.

4 You know? I mean, I asked them the very  
5 first -- my first question was where is the cheapest  
6 pipeline, and the guy got up -- the guy got up there  
7 and says this is not the cheapest route.

8 Well, I can see why. I mean, anybody --  
9 a five year old kid could see this. What is the  
10 matter with you people? It just doesn't make sense.

11 But look at Ronald Reagan Highway. Look  
12 where it stops. That's what happens when you have  
13 money. You can do these things. And that's why this  
14 pipeline won't go through Indian Hill where it should  
15 go.

16 I mean, it's so simple. Instead of right  
17 there, by the road, instead of turning left -- or  
18 turning right, turn left. Follow it down to  
19 Remington Road, take it down Remington Road and then  
20 go to Loveland Madeira Road, and then into Madeira  
21 and there you are right at the end. It's not that  
22 hard.

23 And the people here, I appreciate  
24 everybody coming, but to the people here concerned  
25 about safety, you look on this very first page, there

1 are no regulations that establish a mandatory  
2 pipeline setback. This is from structures of any  
3 kind. That means there are no regulations at all.  
4 Thank you.

5 ALJ PARROT: Any questions?

6 MS. KINGERY: No.

7 MR. WAMPLER: No, your Honor.

8 ALJ PARROT: Alvin Denenberg?  
9 Mary Cleveland?

10 ALJ PARROT: Please raise your right  
11 hand. Do you swear that the testimony you're about  
12 to give will be the truth?

13 MR. TURKEVICH: Yes, I do.

14 ALJ PARROT: Please state and spell your  
15 name and provide your address.

16 MR. TURKEVICH: I know the spelling is  
17 problematic. The name is Leonid Turkevich. It's  
18 L-e-o, "n" as in Nancy, "i", "d" as in Daniel. Last  
19 name is Turkevich as in Russian Thanksgiving. "T" as  
20 in Tom, u-r-k, "e" as in Edward, "v" as in Victor,  
21 i-c-h. I live at 3650 Carpenters Creek Drive in  
22 Evendale, 45241.

23 - - -

24 LEONID TURKEVICH

25 presented himself as a public witness, and being

1 first duly sworn, testified as follows:

2 DIRECT TESTIMONY

3 MR. TURKEVICH: In my prepared remarks I  
4 say "Good afternoon," but that clearly is obsolete.  
5 Thank you for the opportunity to address the Siting  
6 Board if only in absentia.

7 I reside in Evendale, about a half mile  
8 from Glendale Milford Road, on the route of the  
9 proposed green line for the pipeline.

10 I was trained as a physicist, and I work  
11 at NIOSH, The National Institute for Occupational  
12 Safety and Health, which is one of the centers of the  
13 CDC, The Centers for Disease Control and Prevention.  
14 However, my remarks are my personal opinions and do  
15 not reflect policy of either NIOSH or of the CDC.

16 In my professional life, I have published  
17 articles in peer-reviewed literature in the area of  
18 dust explosions. So I am -- I have a professional as  
19 well as personal interest in these proceedings.

20 I am primarily concerned with safety.  
21 You all should be as well. None of us wants a San  
22 Bruno explosion here in Hamilton County.

23 My neighbors can attest, more eloquently  
24 than I, to the personal dangers and the damage to  
25 their property that the potential pipeline routes



bring. However, I want to focus on a safety issue that has not yet received much attention.

The proposed pipeline routes all pass through densely-populated residential and business areas and this inherently poses a safety risk in the event of a pipeline failure. I believe that the risk of failure is enhanced due to the proximity of the proposed routes to high traffic and active railroad lines. All of the proposed pipeline routes parallel and cross several of these railroad lines.

My concern is with vibration-induced damage. I believe that there are at least two effects that excessive vibration may cause: First, damage to the pipeline structure itself and, second, acceleration of metal fatigue to pipe components.

In my written remarks I've listed some references to some of the peer-reviewed literature where Bajcar, for example, has studied the impact of road traffic on a buried pipeline. A similar study is warranted to quantify the impact of the larger amplitude vibrations generated by rail traffic.

There are some hints from modeling and, again, I have citations in my printed remarks. There's some hints from the modeling as to how rail traffic might affect pipeline structure, but,

1 clearly, an experimental evaluation needs to be  
2 conducted. The effect on metal fatigue is expected,  
3 but similarly needs to be quantified.

4 Absent any understanding of the magnitude  
5 of potential damage to the pipeline by road traffic  
6 and by rail-induced vibrations, siting the pipeline  
7 along the currently proposed routes is foolhardy.

8 I strongly urge the Siting Board not to  
9 situate the proposed pipeline in our  
10 densely-populated communities.

11 ALJ PARROT: Any questions?

12 MS. KINGERY: No, your Honor.

13 MR. WAMPLER: No, your Honor.

14 ALJ PARROT: Jim Lichtenberg? Jim  
15 Lichtenberg? Jason Long? Jason Long? Dr. Catherine  
16 Grady Strathern? Catherine Grady Strathern? Michael  
17 Patton?

18 FROM THE FLOOR: What number are you on?

19 ALJ PARROT: 58.

20 Michael Patton? J. Janus, Jr.?

21 MR. JANUS, JR.: Here.

22 ALJ PARROT: Ms. Cleveland, please raise  
23 your right hand. Do you swear that the testimony  
24 you're about to give will be the truth?

25 MS. CLEVELAND: Yes.

1 ALJ PARROT: Please state your name and  
2 provide your address.

3 MS. CLEVELAND: Sure. My name is Mary  
4 Cleveland. Address is 12140 Village Woods Drive,  
5 Cincinnati.

6 - - -

7 MARY CLEVELAND  
8 presented herself as a public witness, and being  
9 first duly sworn, testified as follows:

10 DIRECT TESTIMONY

11 MS. CLEVELAND: First of all, thank you  
12 very much for giving me this opportunity. Again, my  
13 name is --

14 (Microphone turns off.)

15 MS. CLEVELAND: I promise I didn't do  
16 anything.

17 ALJ PARROT: It's the mic again.

18 MS. CLEVELAND: Again, my name is Mary  
19 Cleveland, and I come before you as the President of  
20 the Princeton City School Board which serves six  
21 different communities, including Evendale and  
22 Sharonville. I'm also a resident of Sharonville.  
23 I'm married with four children. My husband and I  
24 operate a small business in Blue Ash. As you see,  
25 each of these areas is affected by the proposed

1 pipeline. As you consider the decision before you, I  
2 ask that you review the impact this pipeline will  
3 have on each of the communities I represent.

4 As to Sharondale and Evendale. Again, as  
5 the President of the School Board, I would like you  
6 to consider the proposed pipeline will position --  
7 will be positioned only 412 feet from Evendale  
8 Elementary and only 542 feet from Stewart Elementary.

9 In my research I've found that the  
10 Pipeline Association for Public Awareness, which is a  
11 nonprofit established to provide pipeline safety and  
12 emergency preparedness, suggests an evacuation  
13 distance of 912 feet in the case of an explosion.  
14 Just think about that. Both schools are much closer  
15 than that recommendation.

16 There are approximately 850 students  
17 between the two schools. That represents 850 young  
18 minds who deserve to live in a community and attend  
19 school in the safest of environments. With the  
20 addition of this pipeline, I'm left to wonder how  
21 will we prepare our students in the advent of an  
22 emergency. Do we now add this to an already  
23 substantial curriculum?

24 Sharonville. As a long-time resident, I  
25 am concerned that my neighbors and I will be

1 positioned to take the brunt of consequences of such  
 2 a decision. How does this impact my property values  
 3 and insurance rates? Currently, we enjoy our evening  
 4 get-togethers and strolls along our street. We shop  
 5 local. We have a sense of pride in our communities.  
 6 Will building this pipeline take away from our sense  
 7 of safety? I hope not. But with all the research  
 8 that has been done, this is a one-and-done type of  
 9 situation. It only takes one explosion and the  
 10 communities we love, the communities we built, the  
 11 communities we live in, would never be the same.

12 As for Blue Ash. Again, I'm a business  
 13 owner. I'm left to think about how this decision  
 14 might affect my business. Do I consider moving the  
 15 business to allow for a safer proposition for my  
 16 employees and customers though I love where I'm  
 17 located?

18 Will my bottom line be affected due to an  
 19 increase in insurance? Do I need to conduct annual  
 20 evacuation drills in case of an explosion and, if so,  
 21 is there now an additional cost to bring in experts  
 22 to train us?

23 Let me stress again: We're a small  
 24 business with a very small budget, one of which did  
 25 not take into consideration the possibility of

1 incurring a pipeline that could be built elsewhere.

2 In closing, I ask you to consider the  
3 following:

4 1. If your child was a student at a  
5 school only feet away from a potentially  
6 dangerous pipeline, how would you feel? How would  
7 you prepare your young child for the possibility of a  
8 pipeline explosion?

9 2. As a resident so close to a pipeline,  
10 do you change your daily interactions? Take the dog  
11 for a walk, the kids to the park, shopping at the  
12 local businesses and such, do you see these  
13 activities as leisurely ways to spend your day as you  
14 had in the past?

15 3. As a business owner, does having this  
16 pipeline make a difference in how I prepare  
17 evacuation for my employees and customers? Should I  
18 post signs now as a precaution? If I do, what will  
19 be the outcome? Would customers choose to cater to  
20 my competitors to avoid such a possibility?

21 I know that life, itself, is a gamble and  
22 that we are not promised another day, but should we  
23 not consider the choices we make and the impact that  
24 it may cause to others? I would hope that you will  
25 reflect on a win-win solution versus the win-lose

1 proposition, because the loss in this case is not  
2 just on paper, it's a human life. Thank you.

3 ALJ PARROT: Any questions?

4 MS. KINGERY: No, your Honor.

5 MR. WAMPLER: No, your Honor.

6 ALJ PARROT: Thank you, Ms. Cleveland.

7 FROM THE FLOOR: I came in a little late.  
8 If you're not with the Ohio Power Siting Board, can  
9 you explain who you represent?

10 ALJ SEE: We are. We're the  
11 Administrative Law Judges assigned to hear the case,  
12 so we are employed by the Board to be here this  
13 evening and preside over this hearing as well as the  
14 evidentiary hearing that is scheduled to take place  
15 in Columbus on July 20th.

16 I'd also like to announce generally,  
17 another reminder, some of you may not have heard  
18 this: There are sheets that the Board Staff's  
19 outside of the room, at the tables, they have those  
20 sheets. You may sign the sheet to indicate that you  
21 agree generally with the testimony that you've heard  
22 this evening, either in opposition or support of the  
23 project that's proposed by Duke Energy.

24 So again, just as a reminder, you may  
25 sign those if you're not able to stay and you

1 generally agree with the testimony, you may sign that  
2 as you leave to indicate your agreement with the  
3 testimony you've heard this evening.

4 Jamie Kennedy? Jamie Kennedy?

5 ALJ PARROT: Mr. Janus, please raise your  
6 right hand. Do you swear that the testimony you're  
7 about to give will be the truth?

8 MR. JANUS, JR.: Yes.

9 ALJ PARROT: Please state your name and  
10 go ahead and spell it for us and provide your  
11 address.

12 MR. JANUS, JR.: My name is Joseph Janus,  
13 Jr. J-o-s-e-p-h J-a-n-u-s, J-r. I live at 4462  
14 Daffodil Avenue, Sycamore Township, Blue Ash, Ohio  
15 45242-7820.

16 - - -

17 JOSEPH JANUS, JR.

18 presented himself as a public witness, and being  
19 first duly sworn, testified as follows:

20 DIRECT TESTIMONY

21 MR. JANUS, JR.: I have multiple  
22 disabilities. I have no prepared remarks, so I'm  
23 going to bounce around on some of my thoughts. I'm  
24 approximately a 30-year resident of my residence.  
25 One of the county officials once declared my



1 neighborhood, he referred to it as "not rolling in  
2 the dough." I've heard some people here say why  
3 doesn't it go through Indian Hill, a rather affluent  
4 community. Many of the proposed routes are going  
5 through communities that are not quite affluent.  
6 Excuse me.

7 I've attended many public hearings; many  
8 public governmental entity meetings. I am appalled  
9 that we're this far in the process, I'm the second  
10 house in off the proposed orange route, I never  
11 received any communications from Duke in any format  
12 except one form letter for their mandatory, compelled  
13 at-the-last-minute public hearing at the -- I guess  
14 it's the Clarion, whatever it's called, a hotel in  
15 Blue Ash, Ohio.

16 I'm -- according to the map that NOPE  
17 provided at some of their public hearings, we could  
18 enter our address and it would show what has been  
19 known as the blast zone. My residence is the second  
20 house in on the orange route. I'm 200 feet and some  
21 change from the blast zone.

22 In Silverton, Ohio there was a public  
23 hearing comprised of Sycamore Township residents,  
24 Silverton, Ohio residents, and Deer Park, Ohio  
25 residents. The public hearing was packed. Duke sent

1 four of their supposed top people who knew all about  
2 this project. It was -- the audience asked where  
3 they lived; none of them lived in this affected area.

4 Their presentation basically started off  
5 with how great this was going to be for all of us;  
6 how safe it's going to be for all of us.

7 One of the questions asked of them,  
8 "Would they like to have this pipeline in front of  
9 their house, behind their house, beside." None of  
10 them said yes.

11 Let me repeat that. Four people, their  
12 choice, they send out to tell us what's great for us,  
13 how safe it's going to be. None of them want them --  
14 none of them want this route, this pipeline, in front  
15 of their house.

16 The NOPE group had a least four public  
17 hearings. Two in Evendale, Ohio that I attended; one  
18 in Golf Manor, Ohio that I attended; one in Blue Ash,  
19 Ohio that I attended. All of them were packed. All  
20 of them were standing-room only.

21 I've yet to hear a single person on the  
22 public record say they were in favor of this route at  
23 any location. Orange route, yellow route, pink  
24 route, green route, you pick the color. It doesn't  
25 matter. None of them.

1           The first time I ever heard anybody say  
2 they were in favor for it was the gentleman who spoke  
3 earlier. As I recall, the address he gave was in  
4 Hamilton, Ohio. I believe he's not even in the  
5 county, not even in the area where this may go.

6           I -- I'm -- my neighborhood is comprised  
7 of many elderly people, many disabled people. My  
8 household has multiple disabled people. My house is  
9 old. It's very -- I'm very economically challenged.  
10 If this goes through, where the route may go, whether  
11 it's my house or others, our property values are  
12 going down to nothing.

13           As expressed here earlier, businesses,  
14 houses, schools, it's all sort of in limbo now. No  
15 one really wants to put a lot of money in something  
16 where something like this may come through.

17           I would ask and request, not in my  
18 backyard. I would hope and ask all of you, not in my  
19 backyard, not in their backyard, not in any of our  
20 backyards.

21           I'd also like to say that at many of  
22 these public hearings there have been government  
23 officials here. So we, the citizens, represented by  
24 them, one of my -- I live in Sycamore Township, I'm  
25 governed by Sycamore Township Trustees. Mr. Thomas

1 Weidman is present. He's the President of our  
2 Trustees. He and the Board of Trustees, many  
3 government officials in other areas, none of them --  
4 many of them that were here today -- none of them are  
5 for this. If they're not for it, they represent us,  
6 we're not for these routes, it should not be anywhere  
7 in any of these routes affecting any of us. Thank  
8 you for your time.

9 ALJ PARROT: Any questions?

10 MS. KINGERY: No, your Honor.

11 MR. WAMPLER: No, your Honor.

12 ALJ PARROT: Thank you, Mr. Janus.

13 Dan Bowling? Dan Bowling? Elizabeth  
14 Rueve-Miller?

15 MS. RUEVE-MILLER: That's me, but I  
16 turned it over to --

17 ALJ PARROT: Okay. Just a moment.  
18 You're on deck.

19 MR. PORTUNE: Oh, I'm sorry.

20 ALJ PARROT: Go ahead and have a seat  
21 right there.

22 Please raise your right hand. Do you  
23 swear the testimony you're about to give will be the  
24 truth?

25 MS. KENNEDY: I do.

1                   ALJ PARROT: Please state your name and  
2 provide your address.

3                   MS. KENNEDY: Janice Kennedy,  
4 K-e-n-n-e-d-y. 3854 Glendale Milford Road, Evendale.

5                   - - -

6                   JANICE KENNEDY  
7 presented herself as a public witness, and being  
8 first duly sworn, testified as follows:

9                   DIRECT TESTIMONY

10                  MS. KENNEDY: I live where this line will  
11 go right through my yard. As Dick Finan said, there  
12 are many old trees in Evendale. One of them is in my  
13 front yard. I have a picture of it. I have a  
14 picture of my home. I know it's not large enough to  
15 be seen.

16                  I also have a picture of Evendale  
17 Elementary School which is directly behind my home.  
18 The driveway to the school is right next to my house.  
19 It pains me to think that children from preschool  
20 through the fifth grade could be in danger by  
21 this pipeline.

22                  I belong to a book club. When I told my  
23 friends in the book club that this line was going to  
24 go possibly through my front yard, one of them said,  
25 "Well, sell your house and get out of there."

1           And I said, "How can I do that now? It's  
2 common knowledge throughout this whole area that this  
3 pipeline is proposed to go through here."

4           I have -- I'm a widow. I have put  
5 \$24,000 into improvements in my house since my  
6 husband died. I will not get those improvements back  
7 in any way, shape, or form.

8           I wrote a letter and sent it to each  
9 member of the Ohio Power Siting Board in February,  
10 and I'd like to read it to you:

11           "I'm writing this letter to urge you to  
12 deny the request of Duke Energy to construct the  
13 pipeline extension through Greater Cincinnati.  
14 Neither the preferred nor the alternate route which  
15 they have chosen should be approved."

16           "When I was a teenager in northeastern  
17 Ohio, my aunt and uncle's house was destroyed by a  
18 natural gas explosion which resulted in their deaths.  
19 The street in front of their home was under repair.  
20 A backhoe struck and pulled loose a gas pipe to their  
21 home. Gas leaked into their house. When they  
22 arrived home from work and entered the house,  
23 possibly lit a cigarette, it exploded. He died that  
24 evening. She died two days later."

25           "It was determined that the line had been

1 installed at an insufficient depth. So the gas  
2 company or the contractor who was doing the roadwork  
3 was found liable for their deaths. But my parents  
4 suffered a great deal from this and I have  
5 experienced this tragedy firsthand."

6 "During their recent open houses, Duke  
7 assured attendees that no explosions could occur in  
8 this extension pipe due to precautions that they  
9 would take during construction and close monitoring  
10 afterwards. Can they prevent human error or  
11 carelessness? How arrogant a claim to make."

12 "Please deny Duke's pipeline extension  
13 construction plans through Hamilton County. The  
14 welfare and perhaps even many lives could depend on  
15 your decision."

16 Thank you very much.

17 ALJ SEE: Any questions?

18 MS. KINGERY: No, your Honor.

19 MR. WAMPLER: No, your Honor.

20 ALJ PARROT: Thank you, Ms. Kennedy.

21 Ben Travis? Ben Travis. 65 is David  
22 Speinett. David Speinett? Susan Ullman?

23 MS. ULLMAN: Over here.

24 ALJ PARROT: Mr. Portune.

25 MR. PORTUNE: Yes.

1 ALJ PARROT: Thank you for your patience.

2 MR. PORTUNE: All right. Am I up or on  
3 deck?

4 ALJ PARROT: You are up.

5 MR. PORTUNE: I didn't want to jump the  
6 gun yet.

7 ALJ PARROT: Please raise your right  
8 hand. Do you swear the testimony you're about to  
9 give will be the truth?

10 MR. PORTUNE: I do.

11 ALJ PARROT: Please state and spell your  
12 name and provide your address.

13 MR. PORTUNE: Todd Portune. Last name is  
14 spelled P-o-r-t-u-n-e. I am the --

15 (Applause.)

16 MR. PORTUNE: I don't know how to spell  
17 that. I guess a-p-p-l-a-u-s-e. It's not my address.  
18 My official address is 138 East Court Street, Suite  
19 603, Cincinnati, Ohio 45202.

20 - - -

21 TODD PORTUNE

22 presented himself as a public witness, and being  
23 first duly sworn, testified as follows:

24 DIRECT TESTIMONY

25 MR. PORTUNE: Thank you for the privilege



1 of being here this evening. And I also want to thank  
2 the hundreds of citizens who have turned out this  
3 evening in support of their position opposing the  
4 proposed Duke pipeline extension.

5 My name is Todd Portune. I'm the  
6 President of the Hamilton County Board of County  
7 Commissioners. I represent the over 810,000 Hamilton  
8 County residents and the residents in each of the  
9 affected communities by this proposed pipeline  
10 extension. I embrace and endorse all the comments  
11 that have been made here this evening in opposition  
12 to what has been proposed.

13 In addition to that, Hamilton County, our  
14 Board of Commissioners, is unanimous in its decision  
15 to intervene and to support each of the opposing and  
16 also intervening communities in connection with this  
17 matter in opposition to what has been proposed.

18 Let me say very quickly that we had asked  
19 Duke to notify all individuals who were within the  
20 blast zone of what is going on. As you've heard this  
21 evening from some individuals, they did not get  
22 notice or are unclear of what is going on. Duke has  
23 refused to do that.

24 We've also asked Duke to withdraw and  
25 bring in their land agents that are in the field

1 because that's a confusing and intimidating process.  
2 They have also refused to do that.

3 All of these suggest that the process  
4 involved is not an honest, good-faith process; it's a  
5 sham and that the decision has already been made.

6 There are a lot of people who traveled at  
7 their own personal expense and time to be here this  
8 evening to offer extraordinarily-heartfelt comments  
9 about what this proposed pipeline is going to do to  
10 their property, to their businesses, to their places  
11 of worship and recreation, to their homes, to their  
12 families.

13 I find it appalling that the Ohio Power  
14 Siting Board could not spend five hours of its time  
15 to be here when it is going to make a decision that  
16 will affect the people of Hamilton County for the  
17 rest of their lives.

18 I've presided over a lot of public  
19 hearings in 24-plus years of public service. If I  
20 ever convened a public hearing and did not show up at  
21 it, I would be strung up by my ears.

22 And let me just close on that. You've  
23 heard a lot of comments. Hamilton County, we have --  
24 we have intervened. We stand with the people of the  
25 affected communities. We're not persuaded that there

1 is a need for this pipeline much less that one has  
2 been proposed as the appropriate route.

3 It is again also appalling that the main  
4 issue involved here, which is public safety, is  
5 probably the one issue that the Siting Board is not  
6 allowed to take into consideration and connected with  
7 this decision and that is something that needs to be  
8 changed by the Ohio legislation.

9 And I'm just going to close on this: You  
10 heard the comments from everyone, I embrace them and  
11 endorse them. I'm proud to represent such good  
12 people who have given up their time and are here  
13 tonight to share with you how important this issue is  
14 and how it's going to affect them for the rest of  
15 their lives.

16 I object formally to this as it is not a  
17 public hearing. You cannot have a public hearing  
18 when the decision-makers are not present to see, to  
19 look in the eyes, to hear, and to feel what is being  
20 expressed by the people who are affected.

21 With all due respect to all of you who  
22 are here tonight, you are not the ones who are making  
23 the decision, and those who are should be here. And  
24 because they are not here, I do not accept this as a  
25 public hearing and will do what is within my power to

1 address that issue as well. Thank you very much.

2 ALJ PARROT: Any questions?

3 MS. KINGERY: No, your Honor.

4 ALJ PARROT: Thank you very much.

5 MR. PORTUNE: Thank you.

6 ALJ PARROT: Nancy Egan?

7 MR. MERCURIO: I switched with her, so  
8 I'm next.

9 ALJ PARROT: Are you on the list?

10 MR. MERCURIO: I'm Matt Mercurio. I  
11 switched with her.

12 ALJ PARROT: Okay.

13 Ms. Ullman, thank you for your patience.  
14 Please raise your right hand. Do you swear the  
15 testimony you're about to give will be the truth?

16 MS. ULLMAN: I do.

17 ALJ PARROT: Please state and spell your  
18 name and provide your address.

19 MS. ULLMAN: Susan Ullman, U-l-l-m-a-n.  
20 4341 Berryhill, one word B-e-r-r-y-h-i-l-l, Lane,  
21 Blue Ash, 45242.

22 - - -

23 SUSAN ULLMAN

24 presented herself as a public witness, and being  
25 first duly sworn, testified as follows:

DIRECT TESTIMONY

MS. ULLMAN: My name is Susan Ullman and I am a resident of Blue Ash. I'm addressing you as mother, a grandmother, daughter, and a licensed independent social worker.

I want to add that I have personal knowledge of the affect of Alzheimer's disease on individuals and families as I watched Alzheimer's disease ravage my mother.

I have many concerns about the proposed pipeline extension including the impact on the environment, the destruction of property it will entail, the impact it will have on the residents and businesses that are in the impact zone, the cost to Duke customers, and most of all to the safety of the community.

I am particularly concerned about the impact it will have on at-risk individuals. When I say "at-risk individuals," I am using the definition from the "2013 Pandemic and All-Hazards Preparedness Reauthorization Act" which defines at-risk individuals as children, older adults, pregnant women, and individuals who need additional response assistance. This includes, but is not limited to, individuals with disabilities, individuals who live

1 in institutional settings, individuals of diverse  
2 cultures, those with limited English proficiency,  
3 transportation disadvantaged, the homeless, those  
4 with chronic medical disorders, and pharmacological  
5 dependency.

6 As I looked at both of the proposed  
7 pipeline routes, I noted that there were many at-risk  
8 individuals on both of those routes, including those  
9 who are in daycare centers, nursing homes, hospitals,  
10 a dialysis center, schools, senior citizen housing,  
11 elementary schools, resident homes for individuals  
12 with developmental disabilities, and preschools.

13 There are likely other individuals who  
14 live on or near the proposed pipeline routes who do  
15 not live in special housing but would qualify as  
16 being at-risk, particularly in the event of a gas  
17 line leak or explosion.

18 I know that Duke states that the  
19 likelihood of either any event occurring is very low,  
20 but there are multiple reports of daycare centers  
21 being evacuated including in Washington, D.C.; Great  
22 Falls, Montana; Morgan City, California; a month-long  
23 leak in Porter Ranch, California; Coachella,  
24 California; and Santa Cruz County. In most of the  
25 cases construction workers drilling into gas

1 pipelines caused the gas leaks.

2 The same problems have affected nursing  
3 homes across the country. More than 40 residents of  
4 a memory care facility in -- and I will spell that  
5 town because I cannot pronounce it --  
6 O-c-o-n-o-m-o-w-o-c, Wisconsin, had to be evacuated  
7 on May 19, 2017.

8 Other evacuations of nursing homes due to  
9 natural gas leaks included homes in Memphis,  
10 Tennessee in 2012; the Rogers Nursing Home in  
11 Arkansas on December 16th, 2016; a home in Perkins  
12 County, South Carolina in 2012; a home in Fort  
13 Collins, Colorado on September 21st, 2016; and a home  
14 in Sheridan, Oregon on January 23rd, 2016.

15 The need to evacuate nursing homes has  
16 been shown to increase the rate of death among  
17 residents in the three months following those  
18 evacuations. And I have a copy of the article that  
19 I'm citing. Most of the studies have been done after  
20 nursing homes were evacuated before hurricanes, when  
21 the staff had advanced notice and was prepared to  
22 evacuate residents.

23 It should be noted that of the  
24 approximately 1.6 million adults who reside in  
25 nursing homes, approximately 50 to 70 percent carry a

1 diagnosis of Alzheimer's disease or a related  
2 illness.

3 It was noted that nursing home residents  
4 who suffered from dementia fared worse than those who  
5 were not cognitively impaired. It should also be  
6 noted that there are least two nursing homes on the  
7 proposed pipeline routes; one with a memory care  
8 unit.

9 As a social worker who specializes in  
10 working with individuals who suffer from severe  
11 mental illness, including autism spectrum disorder,  
12 schizophrenia, bipolar disorders, severe personality  
13 disorders, and posttraumatic stress disorder, I can  
14 state that many of these individuals have extreme  
15 difficulty coping with any change in their routines.

16 A company digging up their lawns,  
17 drilling in the street in front of their homes,  
18 trying to appropriate their property, or showing up  
19 on their doorsteps, will frequently cause them to  
20 develop severe symptoms of panic, agitation, and  
21 paranoia.

22 The elderly and anyone who suffers from  
23 chronic medical conditions are going to be concerned  
24 if first responders are not going to be able to reach  
25 their homes in a timely manner because construction



1 workers are blocking traffic. Even during the best  
2 of times, the intersections around Galbraith Road,  
3 Kenwood Road, and Montgomery Road frequently have  
4 traffic congestion that makes it difficult for  
5 emergency vehicles to access Jewish Hospital and  
6 other healthcare facilities in the area.

7 Reducing the response time due to  
8 roadwork can only have a negative impact on the  
9 health and survival rate of severally-ill  
10 individuals.

11 As a social worker, I advocate for  
12 clients who are frequently unable to speak for  
13 themselves. My belief is that placing a 20-inch,  
14 high-pressure pipeline through crowded, urban areas  
15 should be a last resort and not the first option that  
16 is being considered given the risk to the community.

17 I am respectfully requesting that  
18 approval for the pipeline be withheld until other,  
19 less-intrusive options are explored, such as placing  
20 the pipeline in a less populated area, or whether  
21 existing pipelines can handle any additional need for  
22 natural gas.

23 I was going to conclude at this point  
24 until I heard the gentleman from Hamilton accuse  
25 those of us who are here of being here because we

1 have a "not in my backyard" mentality. I would say  
2 that there are many of us in the room who do not live  
3 in the impact zone, but are concerned about our  
4 communities. It is not our contention that this  
5 pipeline should not be in our backwards. It is our  
6 contention that it should not be in any urban or  
7 suburban backyard.

8 Thank you for giving me this opportunity  
9 to address the Siting Board. I have copies of my  
10 presentation as well as the article I cited.

11 ALJ PARROT: Any questions?

12 MS. KINGERY: No, your Honor.

13 MR. WAMPLER: No, your Honor.

14 ALJ PARROT: Thank you, Ms. Ullman.

15 Mr. Mercurio, you are up.

16 And Kerry Baker?

17 Please raise your right hand. Do you  
18 swear the testimony you're about to give will be the  
19 truth?

20 MR. MERCURIO: Yes, I do.

21 ALJ PARROT: Please state your name and  
22 provide your address.

23 MR. MERCURIO: Matthew Mercurio.

24 ALJ PARROT: Please spell your last name.

25 MR. MERCURIO: M-e-r-c-u-r-i-o. My

address is 6206 Fairhurst, F-a-i-r-h-u-r-s-t, Avenue  
Cincinnati, Ohio 45213.

- - -

MATTHEW MERCURIO

presented himself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. MERCURIO: I want to thank you for  
being here and being here to hear each person that  
wished to express his or her opinion. It must be a  
long day for you, so I do appreciate you being here.

I -- my background is basically 40 years  
in the automation and control industry. I live in  
Pleasant Ridge in Cincinnati, Ohio.

I started following the Duke Energy  
process, pipeline process, when it was first  
proposed. One of the four original pipelines was to  
be placed 95 feet away from my home. The proposed  
gas line near my home was not selected and has been  
eliminated from the list. This didn't deter me from  
continuing my involvement in this process, if not for  
me, but for the others who are in harm's way. I'm  
not one of those people. It's not in my backyard but  
I still care, all right?

I've been following the pipeline, like I

1 say the process, and the more I learn, the more  
2 questions I have. As I dig into it more, I learn  
3 more about it.

4 So I have been able -- I have not been  
5 able to find out where there is a need. As I  
6 reviewed the numbers and the information that Duke  
7 has made public, I don't understand why they have a  
8 need for this high-pressure, high-volume gas line.

9 The information in Duke's usage forecast  
10 projects that it will be a flat, actually no growth,  
11 flat usage, okay? There's also a shrinking need for  
12 the future. The use of peaking stations have been  
13 able to pick up the slack in the past; still do the  
14 few days that they're needed. The area population is  
15 not projected to grow. And the new energy appliances  
16 coming on line are more and more equipment that uses  
17 less energy. I've been in that business, so I know,  
18 all right?

19 During all the meetings I have attended I  
20 have not being able to find out what Duke is really  
21 going to do with all that extra gas when they put  
22 this gas line in, all right? I looked at it, I sat  
23 looking at it, trying to figure out what they were  
24 doing. So when I did ask some questions, I asked,  
25 "Well, what are they going to do with the rest of

1 that gas when they're not in their peak demands?" Is  
2 it going to sit there empty?

3 During the -- the -- what they call the  
4 C314 line, which is north, during the high peak  
5 periods, that demand, only 22 percent of its capacity  
6 is used. So what do they do with the rest of it?  
7 What are they using of that now if only the peak is  
8 only 22 percent? That surely doesn't make sense.  
9 This is all from information that Duke has provided.

10 I attended all the Duke meetings in order  
11 to get better informed myself and of the needs that  
12 Duke keeps talking about. I would like to provide  
13 you with some of the things I heard in the meetings  
14 when I talked to Duke people. Just a couple items.

15 One of them is, Can the peaking stations  
16 be repaired and rehabbed? "The boilers are old and  
17 they take too long to start up and they need to be  
18 retired." That was the comment. "They need to be  
19 retired. They're old."

20 The other question was when they started  
21 calling the pipeline not a transmission line, but a  
22 distribution, I asked somebody how many taps or  
23 branches off that new pipeline, 314 extension, will  
24 there be?

25 Quoted from one of the Duke engineers:

1 "None. We don't lay taps on this line. It's just  
2 going to be used to move gas from the north to the  
3 south." That was the quote.

4 So you can understand why people don't  
5 trust Duke, why they're frustrated with their answers  
6 and what's going on. They -- you never know what  
7 you're going to hear.

8 Now, I researched the gas peaking  
9 industry and find that when I got into the research  
10 and started digging into it and talking to people in  
11 the industry and the people that manufacture this  
12 equipment -- because I'm not afraid to pick up the  
13 phone and talk to people, all right? -- that this is  
14 the preferred method of addressing short periods of  
15 low gas supply.

16 All the articles I read, they're singing  
17 the praise of using peaking stations to supplement  
18 need over building gas lines. All the industry is  
19 going this way.

20 Yet, Duke wants to abandon the peaking  
21 stations when the rest of the industry is embracing  
22 the technology. So I have to ask the question: Why?  
23 What is going on? Why do they need this?

24 So I find it hard to understand the  
25 statement Duke makes that they have a need for a

1 large, high-pressure gas line. I now believe there's  
2 not a need; it's a want. And I think that's what it  
3 is; it's just basically a want.

4 During all this research and everything  
5 else, I really got into the nuts and bolts. That's  
6 the kind of guy I am. I began to research the -- how  
7 propane -- what they call propane air systems work.  
8 And I developed a good understanding of the equipment  
9 and its design and its function. And wondered how an  
10 old, aging system that Duke has in place would look  
11 like.

12 So one day, when I was out making a call  
13 to another municipality in the same area that has a  
14 Duke station, I stopped by to take a look. I did not  
15 expect to find what I saw, what I saw on the sign.  
16 Duke has four new propane vapor units up and  
17 operating, okay? Which means it's a new system, all  
18 right? All right?

19 This led me to do more research. So I  
20 went looking, and a friend of mine and myself, he  
21 found the building permits, obtained the records.  
22 There were public records of Duke for four  
23 free-standing indirect vaporizers, 2012-2013.  
24 Rehabbed the existing site and connected the  
25 installation to the existing infrastructure.

1 Otherwise, rebuilt the East Works Propane Peaking  
2 Station. So what we have here is Duke has a brand  
3 new propane peaking station now. Not to be rebuilt.  
4 It's done, all right?

5 I'll give you -- I'd like to get this  
6 into the record. Activity No. 2010P03137. That was  
7 April 16th, 2012. That's the first building permit.

8 The second permit. Activity No.  
9 2012P05404. August 24th, 2012.

10 This does not match the original filing  
11 that the propane peaking stations are obsolete and  
12 need to be retired in the Duke filing, okay? So  
13 we're not getting the truth, okay?

14 The other general statement I hear from  
15 Duke in open meetings is there's a need for balancing  
16 the load. Again, I spent time trying to understand  
17 the need for the balancing. In one of the meetings a  
18 Duke employee talked about the shortage of gas in  
19 Kentucky. That is what the real need is, to provide  
20 gas for the Kentucky market, not to supplement the  
21 Ohio market. We've heard this again before.

22 This should not be the jurisdiction of  
23 the public utilities of Ohio. This is not an Ohio  
24 situation. This should be done by the interstate  
25 commission. This decision is not a decision made at



1 the Ohio state level, all right? This will mean the  
2 cost of the gas line would be burdened by the state  
3 of Ohio ratepayers and not spread over the complete  
4 Duke market area. This, again, is a want; not a  
5 need. The need is in Kentucky, not in Ohio, okay?

6 The other point that needs to be  
7 addressed is Duke is proposing to install a  
8 high-pressure gas line through urban neighborhoods  
9 where any incident could become very disastrous.

10 Another question that has not been  
11 answered by any of the Duke experts at Duke open  
12 houses is when I question the experts they change the  
13 subject and they want to talk about other things but  
14 the route. They always talk about some calculation  
15 that they can't explain is the reason why they made  
16 the decisions. We were never really given any  
17 consistent way it was to be.

18 The selection of this new gas routing,  
19 line routing, is nothing but a high liability to Duke  
20 Energy and the citizens of Cincinnati. It is a  
21 liability waiting to happen, all right?

22 But also it's a high liability to the  
23 Ohio Siting Board and the Public Utilities Commission  
24 because you're part of the liability if you make the  
25 decision to let them go ahead, all right?

1           Now, the PUCO has a prime responsibility  
2     to ensure a fair market cost to the ratepayers of  
3     Ohio. We all understand that. But it also has a  
4     moral responsibility to the citizens of this area,  
5     and I wish you'd follow that, okay?

6           High-pressure gas lines are not normally  
7     run through high-dense urban areas unless there is no  
8     other option. In southern Ohio there is ample  
9     opportunities and options to run gas lines through  
10    rural areas.

11           When I was calculating the cost to build  
12    high-pressure gas lines through urban areas compared  
13    to rural areas, the cost per mile through the rural  
14    areas would allow the installation of a 26-mile,  
15    high-pressure gas line compared to running it through  
16    an urban area of 13 miles. I did this with some  
17    friends of mine who basically they are pipeline  
18    construction people, all right? The numbers are  
19    based on the project -- projected cost from the Duke  
20    estimates.

21           I implore the Ohio Siting Board to do an  
22    in-depth and comprehensive review of this  
23    application, not a quick overview without questioning  
24    every item in this filing. The omissions in this  
25    filing are glaring and need to be challenged. Thank

1 you. And I have another thing in the back of my --  
2 there is a copy of the two building permits.

3 ALJ PARROT: Any questions?

4 MS. KINGERY: No, your Honor.

5 ALJ PARROT: Nancy Roy?

6 Ms. Baker, please raise your right hand.  
7 Do you swear the testimony you're about to give will  
8 be the truth?

9 MS. BAKER: Yes.

10 ALJ PARROT: Please state and spell your  
11 name, and provide your address.

12 MS. BAKER: My name is Kerry Baker.  
13 That's K-e-r-r-y. 4169 Webster Avenue, Deer Park.

14 - - -

15 KERRY BAKER  
16 presented herself as a public witness, and being  
17 first duly sworn, testified as follows:

18 DIRECT TESTIMONY

19 MS. BAKER: We were one of the routes  
20 that they very cleverly routed around Jewish Hospital  
21 where people would have to go if there was an  
22 explosion. That, of course, was a red herring.

23 But I would like to say that I appreciate  
24 all of you being here. But to your Ohio Siting Board  
25 members: I am retired military, my family has been

1 three generations career military, and that is what  
2 we would call dereliction of duty and cowardice in  
3 the face of opposition.

4 I have been --

5 (Applause.)

6 ALJ PARROT: If you wouldn't mind, please  
7 refrain from applause until the end of the speaker's  
8 testimony. The court reporters are having trouble  
9 hearing and they've been hanging in here wonderfully  
10 with us, so let's please not try to clap or speak  
11 through the witness's testimony. Thank you.

12 Please repeat --

13 FROM THE FLOOR: She deserves applause.

14 ALJ PARROT: And that's fine. Let's wait  
15 until she's finished is my request. Thank you.

16 MS. BAKER: I have been to every meeting  
17 except one, starting with the first meeting when the  
18 Duke people were in front of us. From then on, that  
19 never happened again. What they did was they made  
20 little tables so they could shuffle us around. And  
21 it didn't matter what table you went to, they  
22 shuffled you off to the next table. They didn't have  
23 the answer; go check over there. You could make a  
24 complete circuit of the room and never get an answer  
25 to your question.

1           They never -- they made sure that instead  
2 of having everybody sit there and hear their answers,  
3 they broke us up into little groups, making it harder  
4 to confirm. "Did you get told the same thing I got  
5 told?" Because the answer was usually no.

6           As retired military, our duty was to  
7 serve the public and keep them safe. Duke's business  
8 is to make money and they don't really care about  
9 making us safe because they have no liability. It's  
10 not on their watch.

11           I have had hopes that the Ohio Siting  
12 Board would be that pivot between the two. That was  
13 obviously a very mistaken idea. I personally feel  
14 the answer is already in the works.

15           The routes that came up, we were told,  
16 and I asked specifically, I said, "What routes did  
17 you even look at?"

18           He said, "Oh, we have had a thousand.  
19 They were, you know, we had them on the computer."

20           I said, "Well, tell me what they were."  
21 Well, they wouldn't. Of course they wouldn't. They  
22 didn't have a lot of routes. They knew they were  
23 going to avoid Indian Hill, our high-end area.

24           Then they threw three routes. It didn't  
25 take long to eliminate one. That led to the red

1 herring of Deer Park since they were going not only  
2 past schools, one of the big hospitals in the area,  
3 and Kenwood Mall, not to mention the country club.  
4 It was pretty obvious that one was going to be  
5 redlined. They picked the communities that do not  
6 have the money that the Indian Hill people would  
7 have.

8 This isn't about my neighborhood. It's  
9 like we said before, none of these neighborhoods, it  
10 does not need to go through highly-populated areas,  
11 if we even needed it, which of course we don't.

12 If safety is not a consideration, as per  
13 your own information, Ohio is struggling, money is  
14 tight and money no longer comes down to our level  
15 like it used to. What you're doing is you are  
16 destroying communities. Their income is going to go  
17 down. Their property values go down. People are not  
18 going to move in to areas like that.

19 People don't want to be told you've got  
20 to have that patch of green and you can't dig, you  
21 can't plant, you can't do anything with it. People  
22 don't want to know that just 4 feet, 4 short feet,  
23 that any backhoe can hit right by their property.

24 And please don't tell me insurance rates  
25 won't go up because have you ever known insurance

1 rates not to go up if they have got an opportunity to  
 2 put them up? No. They will grab on to that and we  
 3 will all be paying more in insurance. Property  
 4 values are going down and the small communities are  
 5 going to be the ones that are hurting. You're  
 6 destroying small communities so Duke can make a buck;  
 7 none of which is going to come here. This is all  
 8 going to go straight through to where they can ship  
 9 it off to make the most money. This is not for us;  
 10 this is for Duke.

11 Your job is supposed to be for the  
 12 community. Even if you can't take in safety, the  
 13 sheer gall of them trying to pull one over on the  
 14 Board. Obviously they have lied left, right and  
 15 center, as has been proved for the last five hours  
 16 about various things. If nothing else, you all  
 17 should be so livid with them that you tell them what  
 18 to do and where to go.

19 I personally feel and I asked them, I  
 20 said, "Well, if you're so sure that the housing  
 21 prices won't go down, buy my house. Buy my house at  
 22 the current market value."

23 "Oh, no. We can't do that."

24 I said, "Why not? That's what's going to  
 25 make it safe. You said there's only a few houses

1 here and a few houses there. Buy the houses, pay  
2 market value, then you don't have to worry, you can  
3 just bulldoze it."

4 Of course they can't do that. That's not  
5 what the plan is. The plan is to ram this through,  
6 and when they get it through that means there's no  
7 place else it's going to be safe unless you happen to  
8 live in Indian Hill. They will do this wherever and  
9 however they want. Once they get away with it, they  
10 have a precedent set.

11 You must stand up against big business  
12 occasionally. They can't get away with everything  
13 because this is what happens. They think they can  
14 get away with everything and they will try and they  
15 will lie to do it. Thank you.

16 ALJ PARROT: No. 72 is Sandy McClure.

17 And Ms. Roy, please raise your right  
18 hand. Do you swear the testimony you're about to  
19 give will be the truth?

20 MS. ROY: I do.

21 ALJ PARROT: Please state your name and  
22 provide your address.

23 - - -

24 NANCY ROY

25 presented herself as a public witness, and being



1 first duly sworn, testified as follows:

2 DIRECT TESTIMONY

3 MS. ROY: My name is Nancy Roy, R-o-y. I  
4 live at 3300 Twilight Drive, Evendale, Ohio 45241,  
5 and I have to say this before what I prepared.

6 I'm someone who didn't follow all this in  
7 the very beginning because I had a very naive belief  
8 in your organization. I went on the website and I  
9 said what is the Ohio Power Sitting Board's purpose,  
10 and this came straight from your mission statement,  
11 and it said it is to support sound energy policy that  
12 provides for the installation of energy capacity and  
13 transmission infrastructure for the benefit of Ohio  
14 citizens, promoting the safe, economic interest, and  
15 protecting the environment and land use.

16 Well, I'm not going to reiterate what  
17 everybody said. As you know, Duke made a proposal,  
18 they stated their research, which is very suspect.

19 Fortunately there are enough concerned  
20 citizens in our area, and very knowledgeable  
21 citizens, that developed NOPE. They had their own  
22 research which obviously contradicts Duke's proposal,  
23 and from a personal point of view it made no sense to  
24 me to run something with such inherent risks through  
25 the middle of highly populated areas.

1           Histories tells us that companies are  
2 more motivated by making profits for their  
3 shareholders than concerns for those they provide  
4 services for. In addition, accidents happen all too  
5 frequently that injure citizens and destroy our  
6 environment.

7           I have to trust that you on this Board --  
8 of course they are not here -- understood what your  
9 mission statement meant, that you were well qualified  
10 to do your job, and that you were ethical  
11 individuals.

12           I have to say that I'm kind of  
13 disappointed right now. I have looked at both  
14 proposals and they are overwhelming to me, but I'm  
15 not any of the doctors and scientists here, but you  
16 guys are supposed to be.

17           And I understand that individual rights  
18 are not as important as the needs of an entire  
19 community, but that's not what we're talking about  
20 here.

21           But I also know that money and power can  
22 completely negatively impact what is truly best for  
23 citizens of a community, and that's what we're  
24 talking about.

25           And as I listened to all these experts in

1 the community, it seems to me that you can come to  
2 the same decision that they did, and I'm disappointed  
3 you didn't, or at least haven't so far.

4 So I'm asking all of you to please use  
5 your expertise and common sense to look closely at  
6 all the documents submitted before you, Duke's and  
7 NOPE's. Obviously I'm hoping that you will not rule  
8 in favor of Duke's proposal.

9 And in addition, I'm just really  
10 disappointed that no one for the Board actually came,  
11 because there is something about looking someone in  
12 the eye when they are talking, or listening, in  
13 person, and that tells me that it's not very  
14 important to you, and that money is talking.

15 So I think -- I'm asking you, even at  
16 this late date, to do your job, do what is right and  
17 not be influenced by big business. Thank you.

18 ALJ PARROT: Any questions?

19 MS. KINGERY: No, your Honor.

20 ALJ PARROT: Nancy Stall. Nancy Stall.

21 74 is Parker Smith.

22 And, Ms. McClure, please raise your right  
23 hand. Do you swear the testimony you're about to  
24 give will be the truth?

25 MS. McCLURE: Yes.

1           ALJ PARROT: Please state and spell your  
2 name, and provide your address.

3                           - - -

4                           SANDY McCLURE  
5 presented herself as a public witness, and being  
6 first duly sworn, testified as follows:

7                           DIRECT TESTIMONY

8                           MS. McCLURE: I'm Sandy McClure,  
9 M-c-C-l-u-r-e. I live at 2815 Fox Run Drive, three  
10 words, Apartment 1220, Blue Ash 45236.

11                          I probably don't have anything new to say  
12 in terms of the pipeline being needed. I understood  
13 that it was for the -- to replace the current peak  
14 shaving facility, which someone just recently has a  
15 -- building permits that said that they already  
16 replaced them within the last five years, so I guess  
17 it's off the table again.

18                          But actually I'm thinking in terms of if  
19 the -- if the concern is to the future needs of the  
20 area, why not invest in solar or wind power, which  
21 would be less dangerous and more appropriate for our  
22 environment?

23                          So I too suspect that the actual goal is  
24 for an interstate pipeline to market the gas from  
25 fracking, and not for local need.

1 I understand that need was your main  
2 consideration, and that the high risk is really not  
3 within your purview, but that is something that  
4 really brings all of us here, is that pipeline  
5 incidents in the United States have just been off of  
6 the charts for -- I won't read all the numbers, I've  
7 submitted the numbers.

8 But one of the more alarming parts that I  
9 saw when I did that research was that it was private  
10 citizens that made the reports about leaks and  
11 different things, not the companies that operated the  
12 pipelines.

13 And -- and I know from just listening to  
14 this, but I also printed out some information, Duke,  
15 itself, personally has had a coal ash problem where  
16 they didn't take proper care of their coal ash, and  
17 it leaked and damaged water supplies and homes, and  
18 they did not do a really good job of cleaning up  
19 until they were forced to by the courts. And that's  
20 what we're looking at if there's an accident in our  
21 neighborhood.

22 So the risk is really, really front and  
23 center for my own personal fears here. So given that  
24 the risk is so severe, the idea of going through a  
25 highly populated, densely populated neighborhoods,

1 with vulnerable populations which have already been  
2 identified, schools, day-care centers, senior  
3 centers, and physical health and mental health care  
4 facilities, even in an accident these populations  
5 would not be able to be vacated well, they're  
6 vulnerable, in a safe and timely manner, and so I'm  
7 asking you to please reconsider this.

8 None of the routes -- again, it's not my  
9 backyard because it's -- it's not through a densely  
10 populated neighborhood, and that there has to be a  
11 less costly and less intrusive alternative. And I  
12 thank you for this opportunity.

13 ALJ PARROT: Any questions?

14 MS. KINGERY: No thank you, your Honor.

15 ALJ PARROT: Noel Mounce, maybe? "Noel"  
16 or "Noel" Mounce.

17 FROM THE FLOOR: That was my niece. She  
18 had to leave and she wondered if I had any comment.  
19 I told them I didn't have anything prepared I came to  
20 listen. So Noel did have to leave.

21 ALJ PARROT: Thank you.

22 Steve Bonem.

23 Mr. Smith, please raise your right hand.  
24 Do you swear the testimony you're about to give will  
25 be the truth?

1 MR. SMITH: I do.

2 ALJ PARROT: Please state your name and  
3 provide your address.

4 - - -

5 PARKER SMITH

6 presented himself as a public witness, and being  
7 first duly sworn, testified as follows:

8 DIRECT TESTIMONY

9 MR. SMITH: Parker Smith, P-a-r-k-e-r,  
10 S-m-i-t-h, address 5050 Madison Road, 45227. Ready?

11 Well, thank you for being so patient.

12 Thank you to everyone here. My name is Parker Smith  
13 and I'm here on behalf of the Children's Home of  
14 Cincinnati, which is located on Madison Road.

15 And for those of you here that are not  
16 familiar with our organization, we employ over 300  
17 people in the Cincinnati area, and have partnerships  
18 with the City of Cincinnati, City of Cincinnati  
19 Health Department, and seven school districts, and  
20 some of the school districts that have been  
21 represented here tonight.

22 The Children's Home of Cincinnati sits on  
23 over 40 acres at the corner of Madison Road and Duck  
24 Creek Road. We have several concerns regarding the  
25 safety risks of the pipeline being placed in front of

1 a newly constructed school that we're opening on 4550  
2 Red Bank Road.

3 The school consists of several  
4 classrooms, including a preschool, and an autism high  
5 school for students on the autism spectrum. The  
6 school will be opening on August 10th of this year,  
7 and will be comprised of several classrooms.

8 A lot of the risks that have been  
9 mentioned here tonight are risks that we share  
10 concerns about, and we believe that it is in our best  
11 interest to know exactly what the placement of the  
12 pipeline will be.

13 We do appreciate, though, everyone's  
14 presence here tonight, and thank you for your time.

15 ALJ PARROT: Any questions?

16 MS. KINGERY: No, your Honor.

17 ALJ PARROT: Just another reminder for  
18 those that just joined us, there is a sheet at the  
19 Board table out in the lobby. If you've heard some  
20 of the testimony this evening and you've agreed --  
21 generally agree with the testimony that you've heard  
22 and you're unable to stay, you may leave and sign  
23 that as you leave.

24 That indicates that you generally are in  
25 agreement with the testimony either in opposition or



1 in support of the pipeline project proposal.

2 All right. Mr. Bonem, and I believe  
3 Ms. Bonem is on deck. Please raise your right hand.  
4 Do you swear the testimony you're about to give will  
5 be the truth?

6 MR. BONEM: Yes.

7 ALJ PARROT: Please state your name and  
8 spell it, and provide your address.

9 - - -

10 STEVE BONEM  
11 presented himself as a public witness, and being  
12 first duly sworn, testified as follows:

13 DIRECT TESTIMONY

14 MR. BONEM: My name is Steve Bonem,  
15 spelled B-o-n-e-m. I live at 10377 Giverny  
16 boulevard, spelled G-i-v-e-r-n-y, and that's in  
17 Evendale. I'll be quite brief here because it's  
18 getting late.

19 My property abuts Glendale Milford Road  
20 along one of the proposed routes. My daughter and my  
21 grandchildren live close to one of the other routes,  
22 so I'm not speaking of one route or the other.

23 Obviously my family and our property will  
24 be significantly and negatively impacted by this  
25 proposal, or by any of the proposals up before the

1     Siting Board.

2                     I think it's readily clear from the  
3     testimony this afternoon that this pipeline is a  
4     choice, it's not a requirement.

5                     There's more than adequate supplies of  
6     gas coming into this area of Ohio to meet the demands  
7     of the local community, according to Duke's own  
8     estimates.

9                     There's infrastructure in place already,  
10    and can be made available and developed to ensure  
11    peak delivery on those coldest days of the year.  
12    There is no risk to the energy supply to this region.

13                    This is a business choice. I am not  
14    antibusiness. In fact, I'm not sure I want to admit  
15    it to this group, but I am a stockholder in Duke  
16    Energy. My family have been shareholders --

17                    ALJ PARROT: Brave man.

18                    MR. BONEM: -- at Duke for years. I  
19    think my grandfather bought shares of Cincinnati Gas  
20    & Electric years ago, and those dividend checks are  
21    important because I'm a retiree.

22                    I understand, Duke is a regulated  
23    monopoly. Essentially its profitability is  
24    guaranteed. Duke has had dividends -- quarterly  
25    dividends paid for 90 consecutive years.

1 Duke -- I say we -- we have made it  
2 through World Wars, depressions, recessions, civil  
3 disobedience, we have made it through acts of Gods,  
4 you name it. But it's a regulated monopoly, the  
5 rates are regulated, the costs are included, so  
6 there's not a risk -- a business risk, a significant  
7 risk to Duke for turning this down.

8 But we do need a profitable healthy Duke.  
9 I want heat when I turn on the furnace, and I want my  
10 dinner to be hot when I cook it on the stove.

11 But as a monopoly, there's an important  
12 amount of regulation. There is nothing in the  
13 business model of a monopoly to consider costs  
14 outside of the transactions.

15 I'm getting to my UC economics training,  
16 I won't go down that route, but that is the job of  
17 the Public Utilities Commission and the Siting Board,  
18 to consider the other factors that Duke may not  
19 consider.

20 You've heard about the costs to the  
21 citizens in this community of this proposal. It runs  
22 right through the heart of our communities, right  
23 through the middle of one of the most highly densely  
24 populated regions in our state.

25 So what would be the criteria to justify

1 this level of cost and disruption in this part of  
2 Ohio? Better business prospects for the future? No.  
3 It needs to be a critical need.

4 There needs to be a significant risk to  
5 the energy supplied to southwestern Ohio to justify  
6 this level of cost and disruption to this community.

7 Without a business or technical case that  
8 clearly shows the critical need for this project, it  
9 would be a grave mistake to ignore the overwhelming  
10 negative consequences to the community. Thank you.

11 ALJ PARROT: Any questions?

12 MS. KINGERY: No, your Honor.

13 ALJ PARROT: Rick Hallberg? Rick  
14 Hallberg? Connie Hosbrook? Connie Hosbrook. No. 85  
15 is Richard Schweet. I believe he already testified.

16 86 is Grace Severyn.

17 Ms. Bonem, please raise your right hand.  
18 Do you swear the testimony you're about to give will  
19 be the truth?

20 MS. BONEM: I do.

21 ALJ PARROT: Please state and spell your  
22 name.

23 - - -

24 PATTY BONEM

25 presented herself as a public witness, and being

1 first duly sworn, testified as follows:

2 DIRECT TESTIMONY

3 MS. BONEM: My name is Patty Bonem,  
4 B-o-n-e-m, I live at 10377 Giverny Boulevard, that's  
5 G-i-v-e-r-n-y, and Evendale, 45241.

6 So I got involved with this as soon as I  
7 heard about the -- the Duke project, and at the time  
8 there were several proposed routes, so it wasn't  
9 necessarily in our -- I'll say our front yard,  
10 because that's where it now is proposed to go, but I  
11 stayed involved when our route was not the primary  
12 route because I felt that it was so important that we  
13 get the information from Duke, and that we -- we  
14 consider how -- you know, the safety of our  
15 communities.

16 And while I understand that that is not a  
17 high priority in the regulations of Ohio, I still  
18 think it's really important to mention that we are  
19 concerned about the safety of our community.

20 And I know that many people have talked  
21 about that earlier, so I'm not going to say a whole  
22 lot about that except that living in Evendale and  
23 having the route come straight down Glendale Milford  
24 Road, and we have Evendale Elementary, we have the  
25 recreation center, we have the cultural center where

1 classes are offered to residents including children,  
2 we have three churches on that route.

3 You know, I've listened to people talk  
4 also about the -- the need for the project, so I'm  
5 going to kind of put that stuff aside and I'm not  
6 going to do that right now, and just talk about on a  
7 personal level.

8 As my husband mentioned, the primary --  
9 currently considered the primary route, the green  
10 line, is going directly down Glendale Milford Road,  
11 which although our address is on Giverny, our  
12 driveway is on a private drive and our property goes  
13 directly to Glendale Milford Road, so that is our  
14 front yard.

15 My daughter and her family live in Deer  
16 Park, very close to that proposed route. So  
17 whichever route, it will have a potential affect on  
18 our family.

19 So when we were looking to buy our house  
20 I had said I will never live where we live, and the  
21 reason was that Glendale Milford is a very busy  
22 street, and I didn't want to hear the sound of the  
23 traffic.

24 However, when we looked at our house we  
25 found that there was some protections from Glendale

1 Milford Road, and now with this proposed pipeline,  
2 one of the concerns is that protection will go away.

3 So we have a berm in front of our  
4 driveway, so it's a hill, and on that hill we have a  
5 number of plantings of trees. And it's amazing how  
6 well those trees do to protect us from the sound of  
7 the traffic.

8 We have recently hired a landscaper, and  
9 we're in the process of updating our property, and  
10 one of the plans had been to put new trees on the  
11 berm so that as the older white pines start to die,  
12 we will continue to have that protection from the  
13 sounds of the main road.

14 We have put that on hold right now since  
15 we're waiting to hear about the pipeline, because if  
16 the pipeline goes in on Glendale Milford Road we are  
17 likely to lose the trees that we have there now, and  
18 will not be able to replace them.

19 So on a personal level -- and I know that  
20 Mrs. Kennedy also talked about the same thing, about  
21 how it affects -- directly effects our property.

22 So that leaves me worried about our  
23 property value and our abilities to be able to sell  
24 our property in the future, and the quality of life.  
25 Again, I hadn't planned to live here until there was

1 a way to prevent having that release from the main  
2 road.

3 So in closing, I am just going to say I  
4 hope that you will consider all of the safety and  
5 needs that people have previously talked about, and  
6 how this project effects the community, and that you  
7 will really look at whether Duke has been forthright  
8 in the need in the community, given that -- the risk  
9 for potential community life. Thank you.

10 ALJ PARROT: Any questions?

11 MS. KINGERY: No, your Honor.

12 ALJ PARROT: Richard Tremblay? Richard  
13 Tremblay. 89 is Charlie Thonten, perhaps. This one  
14 somebody is going to need to help me. The address is  
15 8534, if that helps. Charles Thonten? 90 is  
16 Wolfgang Moyer. 91 is Patricia Moyer. 92 is Paul  
17 Overly.

18 MR. OVERLY: Right here.

19 ALJ PARROT: And Severyn? Thank you.  
20 Please raise your right hand. Do you swear the  
21 testimony you're about to give will be the truth?

22 MS. SEVERYN: I do.

23 ALJ PARROT: Please state and spell your  
24 name, and provide your address.

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GRACE SEVERYN

presented herself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MS. SEVERYN: Grace Severyn,  
S-e-v-e-r-y-n, 9419 Blooming Terrace, Blue Ash, Ohio  
45241.

Newsweek has included Duke among the top  
three companies in the U.S. in its 2016 rankings.  
It's 107, up from 111 the year before. That's good.

I saw this past May, Duke Energy  
completed a 17-megawatt solar power plant not too far  
from here, just south of Bloomington, Indiana.

The president of Duke Energy, Indiana,  
reported: This solar plant helps provide our  
customers with a more balanced energy mix using both  
traditional fuel sources and renewable energy  
sources. That's good.

Duke is also proud of a partnership in  
Ashville and Buncombe County, North Carolina.  
According to the Duke's newsroom: In a unique  
partnership, Duke Energy is working closely with  
environmentalists, community leaders, business owners  
and government officials to produce an energy  
efficiency plan specifically designed to delay the

1 need for a new electricity generating unit.

2 They created -- moving toward that goal,  
3 they created an Energy Innovation Task Force with all  
4 these stakeholders to develop a long-term plan,  
5 energy plan, for the region.

6 In addition to this, Duke Energy has  
7 committed to build at least 15 megawatts of solar  
8 energy, and 5 megawatts of solar storage -- energy  
9 source in the region. This has been described as a  
10 national model for constructive and effective  
11 collaboration between utility and the community it  
12 serves.

13 Now let's look at what's happening here.  
14 There's never, to my knowledge, been a mention of  
15 solar or any other renewable energy to fill our peak  
16 energy needs.

17 There's never been a mention of a  
18 cooperative effort among Duke and any community  
19 business, environmental or other stakeholders in our  
20 community. Duke has done this in other places. Why  
21 are they cheating our region?

22 I'm so angry and so sick about this. As  
23 a long-term resident I care about our entire  
24 community. I go out of my way every day to help our  
25 community. I compost, I recycle, I conserve, I plant

1 new species in trees and organic vegetables.

2 I support local farms, and I teach my  
3 children to respect our environment. I am asking you  
4 and all the members of the Power Siting Board to do  
5 what you can. You can deny approval for the Central  
6 Corridor Pipeline Extension.

7 Look at it this way; your denial can have  
8 a very positive power for both the Cincinnati region  
9 and Duke, if you give Duke the incentive to engage in  
10 open and constructive partnership with our region as  
11 it has done in other regions, and as it done in  
12 Ashville, avoiding a hostile and litigious  
13 relationship that's developing here.

14 Your denying can also give Duke the  
15 incentive to provide more balanced energy using  
16 renewables as it has done in Indiana, which has a  
17 very similar climate to ours, as well as North  
18 Carolina. Thank you for your consideration.

19 ALJ PARROT: Jeanne Fisher.

20 Mr. Overly, please raise your right hand.  
21 Do you swear the testimony you're about to give will  
22 be the truth?

23 MR. OVERLY: I do.

24 ALJ PARROT: Please state and spell your  
25 name, and provide your address.

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PAUL OVERLY

presented himself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. OVERLY: My name is Paul Overly,  
Paul, P-a-u-l, Overly, O-v-e-r-l-y. I live at 4026  
Glendale Milford Road, Cincinnati, Ohio which is  
Evendale, 45241.

My testimony today is not going to be to  
try to sell you on a need of the proposed new  
pipeline, I will leave that all to the lawyers that  
are intervening on behalf of nearly every if not all  
of the governments here in Hamilton County area, and  
impacted by such, and that of the NOPE organization,  
which I greatly value their support in keeping us  
informed when Duke would give us information, like  
for this hearing we were supposed to have a certain  
number of days that they were going to inform of us  
this hearing.

Tuesday I received an envelope about this  
size (indicating), second day, rush, with an envelope  
inside like the one they should have sent me a while  
back. So, you know, I'd like to know why we can't  
keep -- be more informed, on time, be a little

1 honest. But let me get back to personal -- my  
2 personal impact, and it's probably not unlike those  
3 you've heard today.

4           However, before I do, I'd like to say  
5 just one thing in regard, assuming it is found that  
6 the new pipeline is absolutely necessary, I ask that  
7 the Siting Board seriously consider finding this  
8 project should fall under U.S. Government oversight  
9 in regulation, and the reasoning is because my  
10 belief, from everything I've heard today, throughout  
11 the research online, answers from Duke, is that the  
12 lack of requested information data being refused by  
13 Duke, because it would not support their claims to an  
14 intrastate versus an interstate project, and of  
15 Duke's claim that I just recently heard, that if this  
16 information is being restricted or withheld by the  
17 Homeland Security is true, then shouldn't that too  
18 support this being an interstate project in some  
19 regard that the U.S. Government is restricting  
20 information that possibly you can't even see, so that  
21 this classified information is not -- you know, it's  
22 excluded, ensuring the best interest of the citizens  
23 are being considered?

24           So I'm going to move on, and I'm going to  
25 take a little bit different tact on the personal

1 values of this just simply because my beautiful wife  
2 will be up here shortly, and I don't want to impede  
3 on what she's going to say.

4 First, I think it's important to know why  
5 I'm so passionate about expecting our government  
6 officials, like yourselves, giving a heavier  
7 weighting to the side of citizens when making your  
8 determinations, especially when it is an obvious  
9 public outcry, and that outcry is being  
10 wholeheartedly supported by their local governments.

11 You see, since I can remember, I've never  
12 known anyone that is a more patriotic person, a  
13 believer in our democracy, and loves this country  
14 more than I do. There may be some that are as much,  
15 but I can't believe there are more.

16 These beliefs are what led me to become a  
17 decorated U.S. Army Veteran who served in one of the  
18 most risky positions as a Tier 1 Operator within the  
19 Combat Applications Group of the U.S. Army Special  
20 Operations Command.

21 That said, of all the reasoning as to why  
22 I did all the things I did while serving, I did them  
23 to protect your way of life, your way of life, and  
24 that of every citizen of this great country.

25 But know this; I didn't do it for a

1 government that would knowingly allow any company to  
2 put its citizens in unnecessary risk or harm's way,  
3 regardless of if the law allows you to consider this  
4 or not. And by that I mean the State of Ohio laws.

5 And most of all, the caged anger that I  
6 feel that someone or anyone that thinks they can  
7 willingly put my wife and my children in danger, God  
8 can be the only one that can help them if something  
9 would happen to them, because when the State of Ohio  
10 says safety is or isn't important in this matter,  
11 only God can help them if something would happen to  
12 them.

13 Me and my family were all born in Ohio,  
14 and other than my military career we have always  
15 lived in Ohio. This is our family's first and only  
16 home together for the last 20-plus years, and the  
17 picture I provided not only show the hundred-plus  
18 year old oak trees in our front yard, and the  
19 one-story World War II era home that we added a  
20 second floor to accommodate our larger family, but  
21 the one does show how Duke's pipeline not only goes  
22 through our front yard, but makes a turn into our  
23 yard and bringing the danger of that even closer to  
24 my home to within less than ten feet of touching our  
25 home.

1           And I have a pretty big front yard, and I  
2 live on Glendale Milford Road. Our house sits back,  
3 it's two lots, and it's an acre in size, and our  
4 house sits in the middle of one acre. This tells you  
5 how far Duke is deciding they are going to take my  
6 yard.

7           So I guess in closing, what I would like  
8 to say is that should this pipeline end up going  
9 through my front yard, please note that I will resist  
10 with every ounce of energy I have left. I will raise  
11 hell as loud as I can to anyone that would listen,  
12 even to those who won't, and I will to every  
13 government connection I have available.

14           And if everything else should fail I will  
15 move my family from the place they love, and if one  
16 exists, we will move to a state that values these  
17 important issues of safety for the citizens of that  
18 state.

19           And finally, I do ask that you please  
20 consider how your decision will either allow this old  
21 patriate soldier to know that he's right -- he was  
22 right to serve and sacrifice for his beliefs of how  
23 that our democracy is of and for the people, or did I  
24 waste my life efforts because today's democracy may  
25 look at the Constitution as their constraints to



1 making more money. Thank you for listening to me.

2 ALJ PARROT: Any questions?

3 MS. KINGERY: No, your Honor.

4 ALJ PARROT: Do you have copies that we  
5 marked as Paul Overly Exhibit 1? You do.

6 (EXHIBIT MARKED FOR IDENTIFICATION.)

7 Ethan Boger? Sorry.

8 Ms. Fisher, please raise your right hand.  
9 Do you swear the testimony you're about to give will  
10 be the truth?

11 MS. FISHER: I do.

12 ALJ PARROT: Please state and spell your  
13 name, and provide your address.

14 - - -

15 JEANNE FISHER

16 presented herself as a public witness, and being  
17 first duly sworn, testified as follows:

18 DIRECT TESTIMONY

19 MS. FISHER: Jeanne, J-e-a-n-n-e, Fisher,  
20 F-i-s-h-e-r. Sorry, I've been ill. Might be a  
21 little crackly. I'm a resident of Reading --

22 ALJ PARROT: I'm sorry. Sorry to  
23 interrupt. Can you state your address as well?

24 MS. FISHER: I'm sorry. 2156 Julie,  
25 J-u-l-i-e, Terrace, Reading, Ohio 45215.

1           Like I said, I'm a resident of Reading.  
2       I moved there in 1987. It's a small town. We're 220  
3       years old. And I'm sorry to get upset, but I know  
4       you don't want tears after listening to all these  
5       people.

6           Reading is not a wealthy community, it's  
7       multigenerational, people are born there, they raise  
8       their families, and they die there.

9           I'm not even in the blast zone. I don't  
10      even have gas to my house. My development was built  
11      in the 1980s. They didn't even run gas because it  
12      was too expensive, and I guess they never thought it  
13      would come down again, so I'm all electric.

14          But this is my family, not my physical  
15      family, but they are my neighbors, and I love them.  
16      I walked the green route the last week-and-a-half  
17      because I had been -- and I talked to these families,  
18      and I'm so sorry that the Siting Board couldn't be  
19      here, or wouldn't be here, because I was going to  
20      invite them to come and walk with me.

21          I would like them to meet the young  
22      family that just bought their house in November and  
23      now they have two -- a baby and a three-year-old.  
24      They put their life savings into buying their house,  
25      and now they want to put this pipeline 20 feet from

1       their front door. What do you say to them?

2                       What do you say to the 83-year-old man  
3       that I talked to that said, "I guess I'll just die  
4       here," because he said, "I can't fight it." His wife  
5       just died last year and he's drowning in grief. He  
6       feels he has no recourse.

7                       Shame on Duke. Shame on them for not  
8       realizing these are people. These are not  
9       statistics, they are not numbers. But they are  
10      neighbors and they are families, and the reason I'm  
11      here is because I told those people I would come.  
12      They said they couldn't, but I said I would.

13                      And I frankly am horrified to hear it's  
14      even worse than what we thought. I do feel like Duke  
15      has lied. I guess some other people have said, you  
16      know, I coach, I'm a Girl Scout leader, you know, I  
17      go to church, I try to be a good person. And for  
18      what? For what?

19                      That's all I have to say. I do have a  
20      letter from a woman who couldn't be here because she  
21      was going to visit her first grandchild, and I told  
22      her I would turn this in also.

23                      ALJ PARROT: Thank you.

24                      Any questions?

25                      MS. KINGERY: No, your Honor.

1 ALJ PARROT: Rob Ryan? Rob Ryan.  
2 Tiffany Mannion? 96 is Tiffany Mannion. Tammy  
3 Reasoner?

4 MS. RUEVE-MILLER: I'm stepping in for  
5 Tammy.

6 ALJ PARROT: Please raise your right  
7 hand. Do you swear or affirm that the testimony  
8 you're about to give will be the truth?

9 MR. BOGER: I do.

10 ALJ PARROT: Please state and spell your  
11 name, and provide your address.

12 MR. BOGER: Ethan Boger, E-t-h-a-n  
13 B-o-g-e-r, 9779 Troon Court, Blue Ash, Ohio 45241.

14 - - -

15 ETHAN BOGER  
16 presented himself as a public witness, and being  
17 first duly sworn, testified as follows:

18 DIRECT TESTIMONY

19 MR. BOGER: The purpose for my being here  
20 is to present into the record a letter and two  
21 studies that -- that are in the matter of the Central  
22 Corridor Gas Pipeline Extension Project. And the  
23 purpose of this letter is to present to the OPSB the  
24 findings of these two studies conducted by myself in  
25 regards to the safety aspects of the proposed

1 project. These studies are based on analysis of the  
2 Staff Report of Investigation, the section  
3 "Considerations for R.C. 4906.10(A) (6), Public  
4 Interest, Convenience, and Necessity, on pages 52 and  
5 53 of the Report.

6 The first study is entitled "Challenges  
7 to OPSB Staff Report on Pipeline Safety. The second  
8 study is entitled "Safety of the Proposed C314  
9 Extension Pipeline Based on Data from the PHMSA  
10 Website."

11 Standing. My office at 10200 Anderson  
12 Way, Blue Ash, Ohio, is within the evacuation zone of  
13 both the proposed orange and green pipeline routes.  
14 Also, I frequent Summit Park which is within the  
15 potential impact radius.

16 My credentials. I am a mechanical  
17 engineer with over 40 years of experience in the  
18 commercial airline industry. My expertise is in  
19 stress, fatigue, and crack growth. I am a Principal  
20 Engineer at Belcan, an engineering firm located in  
21 Blue Ash. My team is responsible for the design,  
22 analysis, and certification of large commercial  
23 aircraft engine mounts which are principle structural  
24 elements subject to strict agency scrutiny.

25 Findings.

1           And before I continue with my written  
2 testimony, I would like to just remind the OPSB that  
3 this proposed project has two aspects in terms of  
4 safety. One is the design and construction of the  
5 project; the other is the operation, maintenance, and  
6 inspection of the pipeline.

7           And I would remind the Board that this  
8 pipeline may be safe for the first few years, but  
9 what's going to happen to it in the second, third,  
10 fourth, and fifth decade of its existence, long after  
11 we around here may not be around anymore, long after  
12 the OPSB, itself, may be replaced by other people  
13 long afterwards. Our children, our grandchildren,  
14 are going to have to live with this pipeline. And  
15 its safety is entirely in the hands of the company  
16 that's going to be maintaining and inspecting it;  
17 that's Duke Energy.

18           Duke Energy, a company with a history, a  
19 storied history of environmental violations; a  
20 company that today may be very responsible, but a  
21 company that, at the end of the day, is beholden to  
22 its stockholders. Who knows what its characteristics  
23 will be like in 20, 30, 40 years. Can we rely on  
24 Duke Energy to reliably inspect this pipeline in a  
25 way that really will minimize the safety aspects?

1                   So safety is considered on pages 52 and  
2                   53 of the 70-some page Staff Report.

3                   The Staff Report concludes that the  
4                   proposed pipeline be considered a distribution line.  
5                   For several reasons outlined in my study, the  
6                   characteristics of this pipeline conform in many ways  
7                   to a transmission line, not a distribution line.

8                   As discussed in the study, transmission  
9                   lines, particularly those traversing  
10                  densely-populated areas, must be operated to a higher  
11                  standard of safety. Where there's ambiguity, utility  
12                  commissions throughout the country have tended to  
13                  lean on the side of public safety in making that  
14                  decision about whether the pipeline should be  
15                  considered a distribution or a transmission line.  
16                  And there I provide citations in the study. But the  
17                  OPSB Staff, in siding with Duke, has not. This is  
18                  surprising and troublesome.

19                  In discussing the rationale for defining  
20                  the proposed pipeline as a distribution line, OPSB  
21                  Staff has relied on the argument that the pipe wall  
22                  experiences a nominal stress just below 20 percent of  
23                  the yield stress. As explained in my study, OPSB  
24                  Staff demonstrated a fundamental misunderstanding of  
25                  the mechanism by which pipelines fail by crack

1 growth. OPSB Staff failed to recognize that  
2 corrosion and other factors can greatly increase the  
3 likelihood of failure by crack growth, especially if  
4 the inspection regime is subject to distribution line  
5 regulations.

6 OPSB Staff Report does not mention the  
7 words "high consequence areas," which characterize  
8 the proposed routes. It has totally overlooked  
9 factors other than crack growth that can contribute  
10 significantly to safety risks, including the  
11 increased risk of rupture due to excavation damage,  
12 the high frequency of equipment failure other than  
13 the pipe itself, and the tortuous routing of the  
14 proposed pipeline which increases stress in the pipe  
15 well above the nominal stress due to induced bending  
16 under operating pressures. These are some of the  
17 reasons transmission lines in densely-populated  
18 what's known as Class 3 and Class 4 areas, fail at a  
19 higher rate than in rural areas, as explained in my  
20 other study on pipeline safety.

21 Conclusions. It is concluded that the  
22 OPSB Staff Report on public safety is incomplete,  
23 insufficient, and technically flawed. Its finding  
24 that the proposed pipeline be defined as a  
25 distribution line needlessly jeopardizes public



1 safety and creates the perception of a bias toward  
2 Duke Energy which is detrimental to public confidence  
3 in its decisions.

4 Recommendations. For the above-stated  
5 reasons, it is recommended that the safety aspects of  
6 the proposed pipeline be reviewed by an independent  
7 agency, to be selected by the Administrative Law  
8 Judge, based on demonstrated expertise in the area of  
9 pipeline safety. In particular, the safety-based  
10 recommendations of the Staff Report should be set  
11 aside until such agency has thoroughly reviewed the  
12 safety aspects of this project.

13 I ask that this letter, together with my  
14 two studies, be placed in the public record. Thank  
15 you.

16 ALJ PARROT: Thank you.

17 Any questions?

18 MS. KINGERY: No, your Honor.

19 ALJ PARROT: Candice Overly.

20 Please raise your right hand. Do you  
21 swear or affirm that the testimony you're about to  
22 give will be the truth?

23 MS. RUEVE-MILLER: I do.

24 ALJ PARROT: Please state your name and  
25 provide your address.

1 MS. RUEVE-MILLER: My name is Elizabeth.  
2 Elizabeth and then my last name is R-u-e, "v" as in  
3 Victor, "e," hyphen, Miller, M-i-l-l-e-r. I live at  
4 9288 Bluewing Terrace, and that's Blue Ash, Ohio  
5 45236.

6 - - -

7 ELIZABETH RUEVE-MILLER  
8 presented herself as a public witness, and being  
9 first duly sworn, testified as follows:

10 DIRECT TESTIMONY

11 MS. RUEVE-MILLER: And I'd like to start  
12 out my statement by showing you an envelope. If I  
13 could give you this envelope.

14 ALJ SEE: You're going to show me  
15 something?

16 MS. RUEVE-MILLER: I want you to see the  
17 envelope. Thank you.

18 This envelope kind of represents my  
19 experience over the past year with the Central  
20 Corridor Pipeline. This envelope kind of looks like  
21 junk mail, but if you were to open it when it  
22 actually had a letter in it and look inside, you  
23 would find something far different with much greater  
24 consequences than that plain envelope would signify  
25 or suggest.

1 I received this envelope in February of  
2 2016 and took it for junk mail. I did not pay  
3 attention to it until a neighbor came knocking on my  
4 door and told me about Duke's plans, and that  
5 actually happened to be a month after the public  
6 hearing that they offered.

7 Then I started learning that this wasn't  
8 a pipeline. Once I opened the letter and I learned  
9 it was -- I started doing research -- it was a  
10 transmission line and that it was being built through  
11 the densely-populated communities that we've all  
12 discussed. And the issues were far more complex than  
13 I could have imagined.

14 After researching this project for over a  
15 year, I've come to the conclusion that this project  
16 is not needed, it's irresponsible, and it is not in  
17 the best interest of the communities that Duke is  
18 supposed to be serving.

19 And I'm just going to focus on one point  
20 on why I concluded that, and that is that Duke has  
21 had a history of overbuilding infrastructure based  
22 upon faulty modeling assumptions and poor judgment of  
23 Duke leaders.

24 This pipeline, as you probably have heard  
25 from today, is actually an extension of another

1 pipeline, C314. And when I looked at the application  
2 for C314, I found a very consistent story between our  
3 current application and the application that -- that  
4 was submitted in 2001 for C314.

5 Both of the applications talk about the  
6 inability of the system to have sufficient pressure  
7 to meet peak demand during the coldest of winter  
8 days. Like this pipeline, Duke also used the Synergi  
9 model to support the basis for this need.

10 Now, after 14 years in the ground, the  
11 utilization of the original C314 pipeline, which you  
12 probably heard earlier today is only 22 percent on a  
13 peak day. Imagine what it is the rest of the time.

14 At the time, in 2001, when the Ohio Power  
15 Siting Board reviewed Duke's application, they  
16 recognized that Duke did not demonstrate that a  
17 pipeline of that size and that pressure was needed.  
18 So they recognized at that time the pipeline was  
19 larger at least than what the information that they  
20 had in front of them would suggest.

21 However, at that time, the Ohio Power  
22 Siting Board said that, however, they view the risk  
23 of the \$16 million project to be one of the  
24 ratepayers having to pay too much for capacity that  
25 was not needed, which they said was a PUCO tariff

1 issue.

2 Now, I think you probably heard, like,  
3 the costs from a lot of people today. It's -- it's  
4 not just a \$16 million price tag and overspending for  
5 capacity that we don't need. There's a lot more  
6 consequences.

7 So here we are today with this C314V  
8 which is the pipeline we're talking about now. And  
9 Duke's used a lot of the same rationale and even the  
10 same Synergi model to say that this pipeline is  
11 needed.

12 Also, the price tag is higher -- sorry,  
13 I've been here since 3:00. As long as you have, I'm  
14 sorry. Okay, so I'm just going to quickly summarize.

15 The calculations in Duke's application  
16 are based on Ohio and Kentucky combined, not just  
17 Ohio. In the application Duke says their system can  
18 deliver 43,000 MCFH on a peak day to 525,000  
19 customers. Duke of Ohio only has 420,000 customers.  
20 Duke of Ohio's historical peak demand day, from  
21 previous reports, was designed based on a 33,000 MCFH  
22 peak day. And now it is in the report a 43,000 MCFH  
23 peak day because it includes peak capability to meet  
24 the demands of Ohio and Kentucky.

25 Now, Duke has stated that this is part of

1 a five-phase project. And they've chopped it into  
2 pieces so that this phase of the project is  
3 physically located in Ohio. But all of their volume  
4 and demand calculations are for both Ohio and  
5 Kentucky. The ratepayers of Ohio should not be  
6 forced to bear the cost and risks for a pipeline that  
7 is intended to serve Ohio and Kentucky and likely  
8 even areas beyond that.

9 So I'm knocking on your door, asking you  
10 to open the metaphorical envelope there, and look at  
11 the details in more depth. Find out the assumptions  
12 that were made as part of the Synergi model. Insist  
13 on a deeper review of the options to meet current and  
14 forecasted demands, and ask if this project doesn't  
15 belong under FERC jurisdiction. I'm sure you would  
16 all agree that this group deserves that kind of  
17 consideration.

18 Thank you for staying past the 8:00 time  
19 frame. It means a lot to our community. So thank  
20 you.

21 ALJ PARROT: Any questions?

22 MS. KINGERY: No, your Honor.

23 ALJ PARROT: Elizabeth Igoe?

24 MS. IGOE: Igoe.

25 ALJ PARROT: Igoe.

1 Ms. Overly, please raise your right hand.

2 Do you swear your testimony will be the truth?

3 MS. OVERLY: I do.

4 ALJ PARROT: Please state and spell your  
5 name, and provide your address.

6 MS. OVERLY: Candice, C-a-n-d-i-c-e,  
7 Overly, O-v-e-r-l-y, 4026 Glendale Milford Road,  
8 Evendale, 45241.

9 - - -

10 CANDICE OVERLY

11 presented herself as a public witness, and being  
12 first duly sworn, testified as follows:

13 DIRECT TESTIMONY

14 MS. OVERLY: My husband has previously  
15 spoken of personal impacts to this pipeline, so I  
16 won't talk about those. I would like to tell you  
17 that I am a Pediatric Nursing Director and I have  
18 worked in an OR for 25 years and I can be fairly  
19 hardened, but this topic is so emotional for me that  
20 I'm going to try to get through this testimony  
21 without breaking down.

22 One of the topics I want to talk about is  
23 the need versus greed. Please, Board, consider the  
24 impact this pipeline would have on these communities  
25 and whether the need that's stated in Duke's

1 application is actually corporate greed and deception  
2 at the cost of others.

3 Duke's application states that it needs  
4 this pipeline to retire the aging propane peaking  
5 plants. All the data that people have presented  
6 today and that you've heard testimony about shows  
7 that these plants are rarely used; less than  
8 10 percent even according to their inflated  
9 estimates. I would like to ask the Board to require  
10 Duke to seriously consider less-costly measures to  
11 mitigate their need and our need. Duke's own  
12 documentation in their packet says that Hamilton  
13 County growth is flat. Needs are not expected to  
14 increase.

15 What we do know -- we don't understand  
16 why this is. What we do know is there is an  
17 abundance of natural gas available in areas like the  
18 Appalachian Basin and that there is a large and  
19 lucrative incentive to bring that gas to market  
20 outside of Ohio.

21 I ask you to explore how this pipeline in  
22 any way benefits the communities forced to bear this  
23 cost and impact, and what is the return on investment  
24 to the people and businesses losing their property  
25 and income. Duke's return on investment is already



1 very clear.

2 The second topic I'd like to discuss is  
3 the financial and environment impact. The risk  
4 assessment doesn't accurately address the property  
5 effects, the permanent effects from the loss of  
6 thousands of trees, potentially raised insurance  
7 rates that was touched on, but also mortgage note  
8 problems.

9 For instance, Fannie Mae and Freddie Mac  
10 have provisions in their mortgage that prohibit  
11 hazardous materials which include natural gas. So  
12 based on the provisions of their loan, you may or may  
13 not be in violation of the note and you must ask them  
14 permission. So it seems like the eminent domain  
15 rules conflict with the mortgage rules and I don't  
16 understand how that will affect us.

17 And also, communities along this route  
18 have mature green spaces, old growth trees, diverse  
19 wildlife, and other features natural to the natural  
20 mitigation of storm water. The environmental impacts  
21 of this pipeline along these routes will really be  
22 unprecedented, and taking into account that these  
23 routes have some of the most mature trees in the  
24 area, the impact will extend for the rest of our  
25 lives and our children's lives.

1           According to the easement requirements of  
2 a pipeline this size, trees and shrubs and plants can  
3 never be replanted and restored so the pipeline can  
4 stay clear. The impact is timeless.

5           The third topic I'd like to just touch on  
6 is regulatory oversight. I would like to ask the  
7 Board to closely evaluate the definition of this  
8 pipeline. I'm not an engineer, I'm a nurse, and I  
9 can clearly see that this pipeline does not meet the  
10 right definition.

11           The application makes multiple mentions  
12 that this pipeline is part of a larger project plan,  
13 but it won't provide details of the plan, even to  
14 attorneys in disclosure.

15           Duke owns pipelines that go under the  
16 Ohio River into Kentucky, and partners with other  
17 companies under pseudo-names to co-own pipelines  
18 across this country, including the KO pipeline in  
19 Kentucky, the Atlantic coast pipeline, that's  
20 primarily owned by Duke, that high-profile one, and  
21 the Sabal Trail pipeline that connects the pipeline  
22 to the Gulf in Alabama.

23           Do these future plans that Duke won't  
24 disclose include connecting that pipeline to support  
25 Kentucky beyond as soon as this project is completed?

1 The application discusses Kentucky and retiring  
2 peaking plants in Kentucky as part of the plan. If  
3 so, shouldn't Duke disclose plans and declare this as  
4 part of an interstate pipeline and therefore be  
5 subject to Federal Energy Regulatory Commission  
6 oversight and not self-regulation?

7 As a healthcare provider, how many people  
8 in this room would like to go to a hospital that  
9 self-regulates? Self-auditing is never a good idea.  
10 The Joint Commission, the Institute of Health,  
11 without those governing bodies, corporations can  
12 decide what is important and it is likely not going  
13 to be your safety; it's going to be profit.

14 And finally, the fourth topic I would  
15 like to discuss briefly is safety. I was extremely  
16 disappointed to learn that the Board doesn't consider  
17 safety as an important factor in determining whether  
18 these pipelines can be planned. Caring for children  
19 my whole career, it's hard to imagine anything more  
20 important than people's safety.

21 Regardless of your criteria, many of us  
22 consider safety a high topic, a very important topic.  
23 It is surprising that Duke wants to run one of these  
24 pipelines through these high-impact residential  
25 areas, vulnerable elderly and socioeconomically

1     disadvantaged neighborhoods, next to schools and  
2     daycare and healthcare facilities and nursing homes.

3             Your criteria might not consider safety,  
4     but the perception of safety has been a very real and  
5     valid source of frustration and fear throughout this  
6     process for all of us. Adding to that fear and  
7     frustration are Duke's openly deceptive tactics  
8     throughout this process, their treatment of the  
9     individuals affected, and their poor safety record.  
10    This does not put the communities at ease.

11            In summary, I'm begging the Board to  
12    please review the deflated environmental and economic  
13    impact statements presented by Duke, and require a  
14    more-intensive review process from your own Staff,  
15    and demand integrity in business practices in Ohio.  
16    Our communities expect it and deserve it. And as  
17    representatives of the great state of Ohio, you  
18    should too. Thank you.

19            ALJ PARROT: Any questions?

20            MS. KINGERY: No, your Honor.

21            ALJ PARROT: Bobby Igoe.

22            Please raise your right hand. Do you  
23    swear that the testimony you're about to give will be  
24    the truth?

25            MS. IGOE: I do.

1           ALJ PARROT: Please state and spell your  
2 name, and provide your address.

3                   - - -

4                   ELIZABETH IGOE  
5 presented herself as a public witness, and being  
6 first duly sworn, testified as follows:

7                   DIRECT TESTIMONY

8                   MS. IGOE: Good evening. My name is  
9 Elizabeth Igoe, E-l-i-z-a-b-e-t-h, I-g-o-e, and I  
10 reside at 5055 Anderson Place, Cincinnati Ohio,  
11 45227. I'll be brief here this evening.

12                   I appreciate so much all of the comments  
13 that have been made. I've had opportunity to sit and  
14 so I don't want to double up on what has already been  
15 said. Most of what I wanted to say has already been  
16 conveyed to the committee.

17                   However, I am here today because this is  
18 personal. I vehemently oppose the extension of the  
19 Corridor Pipeline project that has been proposed by  
20 Duke Energy in any form.

21                   I specifically oppose anything having to  
22 do with the extension of the pipeline that is going  
23 to effect Hamilton County and the City of Cincinnati  
24 and the communities that we all reside in.

25                   I specifically am here today as a

1 representative and a member of Madisonville. I have  
2 been a long-term member of the Madisonville Community  
3 Council. I've resided in that area for the past 20  
4 years.

5 I'm not here in official capacity, but I  
6 am a member of that community, and have been active  
7 through those years.

8 I'm also here as a mother of two. When I  
9 moved to Madisonville over 20 years ago and my  
10 husband and I bought our house, we knew that it was a  
11 place that was going to be our forever home.

12 We have lived there, we're raising our  
13 children there, we know our community, we know our  
14 neighbors, and it is important to us that the value  
15 of our property and the value of our community  
16 maintain its integrity.

17 We're a community that has been working  
18 hard and diligently to make sure that what we have is  
19 getting better. The possibility of this pipeline  
20 goes in the exact opposite direction of that.

21 We have had multiple businesses that have  
22 come into our community in the past few years, and as  
23 part of community council and as a resident of the  
24 community we have worked hard to make sure that the  
25 infrastructure that is coming into our community is

1 green friendly.

2 This is not a green friendly pipeline,  
3 and I find it very disingenuous what Duke Energy has  
4 proposed here today and the manner in which they have  
5 done it.

6 To my surprise when I arrived home  
7 Tuesday evening after a full day of work, there was  
8 an envelope sitting in my mailbox. It was a large  
9 express envelope, and inside it was a letter from  
10 Duke Energy saying this meeting was happening  
11 tonight.

12 So with two day's notice I rearranged my  
13 entire schedule and managed to get off work early so  
14 I could be here to be a participant in this process.

15 I find that the way that they have gone  
16 about getting this information to the community is  
17 not acceptable, and I find that their proposals and  
18 their statements that they make, even in the document  
19 that I was provided today, the Staff Report of  
20 Investigation, is full of contradiction.

21 And if I just may point out a specific  
22 contradiction that has to do with their assessment of  
23 the impact of this project on our communities.

24 I refer you to page 30 where it talks  
25 about direct impacts and it makes a statement,

1 "Direct impacts would be mostly temporary and would  
2 include site clearing, grading, construction  
3 activity, and restoration."

4 And then I ask you to take a look at page  
5 47, which is their statement on minimizing impacts  
6 where they go on to discuss, "The Alternate Route  
7 open-cut five fewer perennial streams than the  
8 Preferred Route." It would present fewer impacts due  
9 to sedimentation from soil, vegetation, disturbance  
10 and impact less aquatic wildlife habitats.

11 "Although the Preferred Route would cross  
12 six fewer wetlands than the Alternate Route, it would  
13 impact.2 acre more total wetland."

14 I do not find an impact of wetland to be  
15 something that is temporary, and it is certainly not  
16 something that is going to be restored.

17 And as the lady who spoke before me  
18 indicated, my understanding is that there will be  
19 large swaths of land that there will not be allowed  
20 to be vegetation, trees, or anything around these  
21 pipeline areas, which would be detrimental to the  
22 community, and specifically detrimental to my home  
23 value.

24 In addition to being a resident of  
25 Madisonville, that is also where my husband chose to



1     locate his business, and it will be detrimental to us  
2     financially both for the impact it will have on our  
3     home, and the impact that it will have on the value  
4     of his business specifically.

5             I also wanted to bring to the attention  
6     that as this matter has proceeded, and I understand  
7     that safety is not the main consideration of what is  
8     before this committee and what you're able to  
9     consider, the area in which I live on Madison Road,  
10    very close to Red Bank Road, has the -- has four  
11    schools, and as the individual who spoke earlier from  
12    the Children's Home, there's a fifth school in  
13    progress.

14            We have five schools within less of a  
15    tenth of a mile of where this is proposed to go  
16    through off of Red Bank Road. We are talking about  
17    thousands of children's lives that will be impacted  
18    negatively as a result of this.

19            I also want to point out that we have  
20    retirement communities and a rec center in the area,  
21    and several group homes.

22            We are a diverse community in  
23    Madisonville, and it's something that we're very  
24    proud of as a community. And frankly, I find it  
25    offensive that as I look at this pipeline that they

1 propose on the preferred route along where I live,  
2 that it manages to jog and cut through areas of town  
3 that are more affluent than Madisonville and the  
4 other areas that are affected by this proposed  
5 pipeline.

6 I don't believe that Duke Energy has  
7 demonstrated any need for this pipeline. It  
8 certainly is not something that is needed by Hamilton  
9 County residents, and it is certainly not something  
10 that we want in our community. So with that I thank  
11 you.

12 ALJ PARROT: Any questions?

13 MS. KINGERY: No, your Honor.

14 ALJ PARROT: Sally Dannemiller. Sally  
15 Dannemiller. Luke Brockmeier? Luke Brockmeier?  
16 Mickey Fishman? Chris Hedger?

17 FROM THE FLOOR: I think she left.

18 ALJ PARROT: Shimon Bachrel? Shimon  
19 Bachrel?

20 FROM THE FLOOR: Would you say that  
21 louder?

22 ALJ PARROT: Shimon Bachrel.  
23 S-h-i-m-o-n, Bachrel, B-a-c-h-r-e-l.

24 FROM THE FLOOR: Can you read the number,  
25 please?

1 ALJ PARROT: 108. 109 is Abbie Youkilis.

2 Please raise your right hand. Do you  
3 swear the testimony you're about to give will be the  
4 truth?

5 MR. IGOE: I do.

6 ALJ PARROT: Please state your name and  
7 spell that for us, and provide your address.

8 - - -

9 BOBBY IGOE

10 presented himself as a public witness, and being  
11 first duly sworn, testified as follows:

12 DIRECT TESTIMONY

13 MR. IGOE: Bobby Igoe, B-o-b-b-y,  
14 I-g-o-e, 5055 Anderson Place. So I'm not going to  
15 talk about financial and stuff like that. So I'm 13,  
16 so I don't know much about that, but I do know how  
17 much this will effect me personally, and communities  
18 around me, because you have to do research -- well,  
19 not corporation, but a group called Peace Jam for my  
20 school -- and through that I learned that, again,  
21 safety priority is that the pipeline is dangerous and  
22 Duke hasn't always had the greatest upkeep of their  
23 pipeline.

24 Their pipelines that have gone years  
25 without maintenance that needed to be, and I've gone

1 to two of these and met with people from Duke down  
2 the hall, and the answers I got are very different  
3 from what I've heard here.

4 And honestly they are not very  
5 believable. When I ask these people questions, they  
6 stuttered. They looked as if they are thinking of  
7 the answer as they don't know it, and they are  
8 firming up a -- for the most part some of the answers  
9 I got from the questions that have been asked here,  
10 it has to be within five miles but they don't know  
11 where it's going to be. And I think it -- not just  
12 be -- whatever.

13 The truths were far from truth the fact  
14 that residential -- looking at these changes that the  
15 preferred line goes through more residential and more  
16 industrial, and it shows that there's less  
17 residential areas affected by this than residential,  
18 which to my understanding is simply not true.

19 And they don't know really what pressures  
20 would crack earthquakes. They seem to be vague, and  
21 don't know quite what they are doing with this  
22 pipeline, and for something that effects so many  
23 lives, it doesn't seem fair. That's all I have to  
24 say.

25 ALJ PARROT: Any questions?

1 MS. KINGERY: No, your Honor.

2 ALJ SEE: Apike -- David --

3 FROM THE FLOOR: We can't hear you.

4 ALJ SEE: The name is -- No. 110, David,  
5 I believe the name is Apike, A-p-i-k-e, lives on  
6 Third Street.

7 FROM THE FLOOR: I think he left.

8 ALJ SEE: Stuart Lavenda? Scott Minor.  
9 Step forward.

10 Ma'am, if you'd raise your right hand.  
11 Do you affirm the information you're about to give is  
12 true?

13 MS. YOUKILIS: Yes.

14 ALJ SEE: State and spell your name for  
15 the record, and provide your address.

16 - - -

17 ABBIE YOUKILIS  
18 presented herself as a public witness, and being  
19 first duly sworn, testified as follows:

20 DIRECT TESTIMONY

21 MS. YOUKILIS: Dr. Abbie Youkilis,  
22 A-b-b-i-e, last name Y-o-u-k-i-l-i-s.

23 ALJ SEE: Your address?

24 MS. YOUKILIS: 6696 Fair Oaks Drive,  
25 Cincinnati, which is Amberley, Ohio 45237.

1 ALJ SEE: Go ahead with your testimony.

2 MS. YOUKILIS: The A Line, which I  
3 believe was built in 1966, runs through my Amberley  
4 Village back yard about 40 feet away from my  
5 children's bedroom.

6 We did not know about this 20-inch  
7 pipeline until Duke installed yellow poles, I think  
8 about five years ago.

9 In looking back at the documents related  
10 to the purchase of my house, I did come across an  
11 easement. It simply stated the southeast corner of  
12 the property being subject to gas and electricity  
13 easement.

14 Unfortunately, this innocuous sounding  
15 description, when we were younger purchasing our  
16 house, did not raise any red flags for us at the time  
17 because all properties have gas and electricity lines  
18 to supply the home.

19 Duke has stated that the A Line needs to  
20 be upgraded, whatever that means, and that building  
21 the proposed line will make it possible for this to  
22 happen.

23 Apparently there's a master plan that  
24 further describes this, but I'm told that Duke has  
25 refused to make it available. It seems that Duke

1 should be compelled to reveal its A Line plans along  
2 with the new pipeline plans.

3 My remarks today relate to my family's  
4 two major interactions with Duke Energy beyond paying  
5 our bills in full on a timely basis. The first one  
6 is an example of Duke not following through on its  
7 commitments. The second one is an example of poor  
8 customer service and then not putting my family's  
9 safety first.

10 The example one: When the yellow poles  
11 were installed, apparently due to Homeland Security  
12 regulations that were passed in response to 9/11, we  
13 were informed that in addition to marking a line with  
14 yellow poles, all trees with roots that could  
15 potentially puncture the pipeline would also be  
16 removed.

17 This seemed reasonable, although I did  
18 wonder why the roots had not been previously worried  
19 about if they had posed a danger for all these years.

20 We were told that our property would be  
21 made whole with less impactful vegetation that could  
22 replace what had been removed, but this has never  
23 happened.

24 One of the reasons we purchased our home  
25 was due to privacy, as we were unable to see our

1 neighbors' homes, but now we have full view into each  
2 other's homes.

3 We, not Duke, pay for the property tax  
4 and land upkeep, but unhappily for us Duke seems to  
5 control this corner of our property.

6 Example two: One year ago I went into my  
7 yard to remove flags that had been placed by Duke for  
8 my landscaper to safely perform annual landscaping on  
9 our property, they said I'll have to call Duke first.

10 I smelled gas and immediately called  
11 Duke. Unfortunately I have thrown my notes away on  
12 this matter so this is all according to my best  
13 recollection.

14 I was initially pleased with Duke's  
15 response because someone showed up promptly and told  
16 me that they had completed the initial short-term  
17 repair.

18 The problem happened with getting the  
19 permanent repair done. It ended up taking several  
20 months due to order coordination between different  
21 departments and subcontractors.

22 One contractor called me at work to state  
23 that he would not perform the proposed repair because  
24 he said it would be unsafe for my family the way it  
25 had been designed.



I spent hours on the phone waiting on hold to get the situation addressed, and was repeatedly informed that I could not even have the name or number of a supervisor or contact person.

The people I spoke with, mainly North Carolina, seemed untrained and unskilled in customer service. Frankly, the process did not move along until I showed up at a meeting at the Sharonville convention center last year about this proposed pipeline where I spoke to someone who I think is one of Duke's lawyers in Cincinnati.

Finally, that person put me in touch with the correct local people who were then able to get the job done.

I have high praise for all the people who eventually ended up helping us with this project, but I am concerned that it took having high level contacts to get the job done properly.

I am concerned that if Duke was unable to handle my small natural gas pipeline leak, that it would be ill-equipped to handle a bigger leak.

I will also point out that this pipeline had apparently been inspected for leaks, with none detected, just a few months earlier.

Based on my family's personal experience,

1 I don't believe that Duke Energy is up to the  
2 challenge of building and operating a high-pressure  
3 pipeline through a densely populated area despite  
4 their best intentions. Thank you.

5 ALJ SEE: Any questions for this witness?

6 MS. KINGERY: No, your Honor.

7 ALJ SEE: Robert Miles.

8 Mr. Minor, please raise your right hand.

9 Do you affirm that the information you're  
10 about to give is true?

11 MR. MINOR: I do.

12 ALJ SEE: State your name for the record,  
13 and your address.

14 - - -

15 SCOTT MINOR

16 presented himself as a public witness, and being  
17 first duly sworn, testified as follows:

18 DIRECT TESTIMONY

19 MR. MINOR: Scott Minor, S-c-o-t-t,  
20 M-i-n-o-r, and my address is 1405 Market,  
21 M-a-r-k-e-t, Street, in Reading, Ohio 45215.

22 ALJ SEE: Go ahead with your testimony.

23 MR. MINOR: There's been some really  
24 highly intelligent presentations. I'm really proud  
25 of everyone who showed up tonight. It makes sense

1 the research they did.

2 I have no formal presentation here on  
3 paper, as you can see, but I appreciate you staying  
4 this long to listen to everybody. I am disappointed  
5 that no one from the Siting Board chose to show up.  
6 It is really highly disappointing.

7 My own personal story, I'm not going to  
8 list -- as far as the selfish reasons, my parents  
9 bought property at a home on Market Street right  
10 around 1960. I was the last -- eighth child in the  
11 family.

12 I've seen all my brothers and sisters  
13 come and go from the property. It was left with me,  
14 and my mom, she had an event -- she owned for the  
15 last five-and-a-half years, and I took care of her  
16 during that period, along with my rest of my family.

17 She passed away because of a stroke in  
18 2016, May 21st, last year. She did leave the home to  
19 me, and it's pretty disappointing about half a year  
20 later I find out that the possible and the now  
21 alternative route and preferred route is going to be  
22 basically in the blast zone right there on Market  
23 Street.

24 Aside from my selfish reasons though, I'm  
25 concerned about our community's entirely surrounded

1 by railroad tracks. The home I live is a two-story  
2 home. It's built probably in 1870, I believe. It's  
3 a solid structure.

4 I sleep upstairs. I can actually -- when  
5 a train is in a nearby community, Lockland, Ohio,  
6 Wyoming, Ohio, before the train even arrives at  
7 Reading, I can feel the vibration in my house. You  
8 can say maybe the foundation is bad, I don't know.

9 But you can actually feel that vibration  
10 right there, and I'm concerned about a high-pressure  
11 gas pipeline running through here, not to mention  
12 it's right in the middle of Reading School District  
13 and Reading School zone, and a business community.

14 The Reading High School is just down on  
15 Columbia Avenue, up on the hill, the higher part of  
16 Reading. They are building a new K through 12 high  
17 school up there, which will be away from where my  
18 house is, but the next two years they are moving a  
19 high school one block away from where I live.

20 That's where students are going to be --  
21 I don't know what Duke's plans are to have this  
22 pipeline, when it's going to be put in, if it's put  
23 in, but the next few years you have the high school  
24 one block away from the blast zone, which I reside  
25 on.

1                   That's all I have. I want other people  
2 to get a chance to speak. Thank you very much for  
3 your time. I really appreciate it.

4                   ALJ SEE: Any questions?

5                   MS. KINGERY: No, your Honor.

6                   ALJ SEE: Jamila Batchelor?

7                   FROM THE FLOOR: They left.

8                   ALJ SEE: Daryl Colvin? Clare  
9 Fazackerley?

10                  FROM THE FLOOR: Fazackerley. She left.

11                  ALJ SEE: John J. Marrine?

12                  FROM THE FLOOR: He's not here.

13                  ALJ SEE: I think it's King, lives at  
14 1304 Third Street? Roxanne Brett.

15                  Mr. Miles, if you'd raise your right  
16 hand. Do you affirm that the information you're  
17 about to give is true?

18                  MR. MILES: Yes, I do.

19                  ALJ SEE: Please state your name for the  
20 record, and give us your address.

21   - - -

22   ROBERT MILES

23 presented himself as a public witness, and being  
24 first duly sworn, testified as follows:

25   DIRECT TESTIMONY

1           MR. MILES: My name is Robert Miles, last  
2 name spelled M-i-l-e-s, and I live in -- I live at  
3 6622 South Oak Knoll Drive, Cincinnati, Ohio 45224,  
4 community of College Hill.

5           ALJ SEE: Go ahead with your testimony.

6           MR. MILES: My name is Robert Miles and  
7 I'm a retired telecommunications worker, and  
8 long-time Cincinnati.

9           I have witnessed the changes in the  
10 utility company that used to be Cincinnati Gas &  
11 Electric, to Cinergy, to Duke, and the first two were  
12 pretty good companies.

13           I'm here today to testify on behalf of  
14 the Communities United For Action. Communities  
15 United For Action has a long history of fighting for  
16 utilities to be fair to ratepayers.

17           We have pushed for and won that no winter  
18 shutoffs should occur. We have pushed for and had  
19 low income assistance programs put into effect.  
20 Since Duke has come to Cincinnati they have accrued  
21 quite the rap sheet.

22           In the last ten years Duke has steadily  
23 increased rates while simultaneously decreasing the  
24 quality of service. For example, we have had  
25 increased outages with slower response times since

1 Duke took over.

2 Another example is they just asked for  
3 and got permission from the Public Utilities  
4 Commission of Ohio to not be required to go to  
5 people's homes as the last attempt to collect before  
6 shutting off utilities. They can just do it with  
7 Smart Meters.

8 For some people that was the only way for  
9 them to know a shutoff had happened, to pay their  
10 bill and avoid having the extra fee to turn it back  
11 on.

12 And I have witnessed that some people  
13 said they got notices at the last minute for this  
14 meeting. That's another indication that Duke has  
15 poor communication skills.

16 Now they are asking us to pay for the  
17 pipeline, because we all know they will pass the  
18 costs off onto all ratepayers, all ratepayers in  
19 their operating area.

20 Others here today will speak on this, and  
21 have spoke on this, but we do not believe that this  
22 pipeline's necessary to meet the demand for our  
23 service area, and would come at great risk for  
24 thousands in our area.

25 But that is not all they are asking for

1 us to pay for. They are currently asking for a huge  
2 increase in the fixed rate we are all charged for  
3 electricity before we can even turn on the lights.

4 The increase being proposed would  
5 disproportionately impact low-income people who pay  
6 more percentage of income for utilities, and people  
7 who conserve electricity.

8 And what do we get for this increase? It  
9 appears that Duke doesn't really want to provide more  
10 or better services, but they do want to maximize how  
11 much they can make for doing less.

12 When will the PUCO, which is supposed to  
13 work to protect us, the ratepayers, when will they  
14 say no to Duke? If ever there's been an appropriate  
15 time to say no, when thousands of people's lives are  
16 potentially on the line, that time is now.

17 I urge you to reject this pipeline  
18 proposal. And to quote something called Murphy's  
19 Law, it says whatever can happen, will happen when  
20 things go bad. Thank you.

21 ALJ SEE: Tony -- I believe it's Tony  
22 Guz, 401 Pike Street? Edward, last name, I believe  
23 it starts with a -- 32305, Edward Whiteaker? Mary  
24 Jane Bradley.

25 MS. BRADLEY: Here.



1 FROM THE FLOOR: Can you provide the  
2 number, please?

3 ALJ SEE: 122.

4 Ms. Brett, if you could raise your right  
5 hand. Do you affirm that the information you're  
6 about to give is true?

7 MS. BRETT: Yes.

8 ALJ SEE: Please state and spell your  
9 name for the record.

10 MS. BRETT: It's Roxanne, R-o-x-a-n-n-e,  
11 last name is B-r-e-t-t.

12 ALJ SEE: Your address?

13 MS. BRETT: 17 Carpenters Run, Blue Ash,  
14 Ohio 45241.

15 - - -

16 ROXANNE BRETT  
17 presented herself as a public witness, and being  
18 first duly sworn, testified as follows:

19 DIRECT TESTIMONY

20 MS. BRETT: And I'm basically concerned  
21 about safety, and I'm disappointed that the Siting  
22 Board isn't.

23 So I guess one of the things that I just  
24 want to go on record as saying is that I also am  
25 disappointed that the Siting Board didn't show up. I

1 think it's something that's very important issues  
2 that come across and for the people that said before  
3 me.

4 And I'm also disappointed that they are  
5 not charged with the safety issues, because I think  
6 that what's occurring to me is that I think most  
7 people thought that that was part of the deal with  
8 the Siting Board, is safety issues and things like  
9 that.

10 And it occurs to me that Duke doesn't  
11 have to be concerned with that then, if that's not  
12 part of the criteria, getting these issues through,  
13 the pipeline through, and I find that very  
14 unfortunate because there are -- basically these  
15 things are only as safe as the weakest link.

16 I don't know about you, but if you try to  
17 find labor force now that are able to do a lot of the  
18 things that they are asked to do, welding, you know,  
19 the ditch -- the digging, the placement, all these  
20 things, we have a lot of missing labor force at this  
21 point where there's a gap.

22 And I'm not -- I'm very concerned about  
23 the ability to guarantee that safety. And I hear  
24 what Duke is saying every time I go to the meetings,  
25 but the pipelines keep exploding.

1                   So, you know, safety is a huge concern,  
2 especially when it's going through high density  
3 areas. So that was why I was going with a lot of  
4 this.

5                   I live in Blue Ash. We have probably  
6 12,000 residents, but during the day it's close to  
7 over 40,000 because it's the largest business  
8 district outside of the City of Cincinnati by day.

9                   People are commuting there every day, and  
10 it's going down Reed Hartman Highway which is a  
11 nightmare. If you've lived there, you know that you  
12 don't go out during rush hour, you know, you're stuck  
13 in traffic, and to me they are sitting ducks if  
14 anything would happen.

15                  They are building this huge park, there's  
16 concerts that take place there. You'll have a  
17 hundred thousand people where this pipeline goes next  
18 to it.

19                  And even if Duke does do their job, you  
20 have third parties who dig who don't call, and that's  
21 where the majority of these breaches happen.

22                  In Sissonville, West Virginia, it was a  
23 20-inch pipeline. It melted the entire highway  
24 within a matter of -- you know, I don't know how  
25 long, but it -- it was in a rural area and it

1 destroyed homes and destroyed the highway. And that  
2 was just in, I think, 2012.

3 Everyone knows about San Bruno, that was  
4 a huge pipeline, it wasn't a distribution line, but  
5 even the 20-inch lines do enough damage.

6 And another thing, I think that when --  
7 when this -- under consideration, when you have an  
8 area that's already impacted by travel, by all the  
9 things that come into play when you have new  
10 construction, it's just a nightmare to get around.

11 And the small businesses in Blue Ash and  
12 the surrounding areas, they may not be able to  
13 sustain a month-long shutdown of their driveway.  
14 They may not be able to sustain that amount of  
15 business loss with this.

16 So again, I encourage the Board to  
17 consider these things, and perhaps -- you know, I  
18 don't believe it's necessary to first find out if it  
19 is necessary. Do what they are charged with to do  
20 that.

21 And then if so, find another route that  
22 isn't so densely populated. I'm just basically  
23 reiterating what everyone else said, but I appreciate  
24 your time. Thank you very much.

25 ALJ SEE: Questions for this witness?

1 MS. KINGERY: No, your Honor. Thank you.

2 ALJ SEE: David Gross.

3 DR. GROTH: "Groth."

4 ALJ SEE: I'm sorry, sir?

5 DR. GROTH: "Groth."

6 ALJ SEE: Ms. --

7 DR. GROTH: Where do you want me to go?

8 Do you want me to go over there?

9 ALJ SEE: Ms. Bradley.

10 MS. BRADLEY: Yes.

11 ALJ SEE: If you could raise your right  
12 hand. Do you affirm that the information you're  
13 about to give is true?

14 MS. BRADLEY: Yes, I do.

15 ALJ SEE: Okay. State your name and your  
16 address for the record.

17 MS. BRADLEY: My name is Mary Jane  
18 Bradley. Two words, Mary Jane. And I live at 25  
19 Heritage Court, that's Blue Ash, 45241.

20 - - -

21 MARY JANE BRADLEY

22 presented herself as a public witness, and being  
23 first duly sworn, testified as follows:

24 DIRECT TESTIMONY

25 MS. BRADLEY: Thank you for your time and

1 for staying so late to try to address this.

2 Neither of the pipelines cross my  
3 property. At a public meeting at Cooper Creek, a  
4 Duke company official asked me where I live, and when  
5 I told him he said I have not to worry, that this was  
6 not my property. He failed to get the picture. The  
7 transmission line will affect the safety and  
8 aesthetics of all of our communities just like all  
9 these folks have been telling you.

10 And I know that while you're in town,  
11 it's much too late to drive through these proposed  
12 routes and see what is going to be encountered if you  
13 let this pipeline go through and the safety risks for  
14 all of the people.

15 Duke has been dishonest with us. There  
16 is not a demonstrated need. They initially promoted  
17 the idea that this pipeline was to replace our older  
18 pipelines and meet greater local needs. Other than  
19 replacing an older pumping station, no evidence was  
20 presented to our communities that indicated we have a  
21 local need for this transmission line.

22 I read the Staff Report, looking for the  
23 data that indicates there's a local need for this  
24 transmission line. I couldn't find it. I'd like to  
25 know what the data was that was submitted. There's

1 no local need for an interstate project through our  
2 community.

3 My other great concern is safety. A  
4 transmission pipeline should never be placed through  
5 densely-populated communities. There are other  
6 options. The Certificate Policy Statement only  
7 considers economic interests and doesn't even mention  
8 safety, as you well know. In my opinion, this is  
9 absolutely wrong. There exists a very real  
10 possibility of an accident and the loss of many lives  
11 in this densely-populated area. Putting economic  
12 interests ahead of public safety is wrong.

13 My conclusion: There is another agenda  
14 and it completely disregards the voices of the people  
15 who do not want this transmission line through our  
16 communities. Instead, the agenda prioritizes  
17 interstate commerce, company profit, and probably  
18 even export of this resource. These are all  
19 prioritized over the quality of life, the property,  
20 and the safety of the many thousands of citizens who  
21 live in these communities.

22 So I urge you, please reconsider some of  
23 the recommendations you made in this report. Turn  
24 down this pipeline. And thank you for listening to  
25 me so late in the evening.

1 ALJ SEE: Questions?

2 MS. KINGERY: No, your Honor. Thank you.

3 ALJ SEE: Amber Bernard-Base?

4 MS. BERNARD-BAAS: "Baas."

5 ALJ SEE: "Baas." Step forward.

6 Mr. Groth.

7 DR. GROTH: Dr. Groth.

8 ALJ SEE: Groth.

9 DR. GROTH: G-r-o-t-h.

10 ALJ SEE: Do you affirm -- raise your

11 right hand. Do you affirm that the information

12 you're about to give is true?

13 DR. GROTH: Yes.

14 ALJ SEE: State your name and your

15 address.

16 DR. GROTH: David H. Groth, M.D. 25

17 Heritage Court, Blue Ash, Ohio --

18 ALJ SEE: Go ahead with your testimony.

19 DR. GROTH: -- 45421. Okay? Got it?

20 All right.

21 - - -

22 DAVID H. GROTH, M.D.

23 presented himself as a public witness, and being

24 first duly sworn, testified as follows:

25 DIRECT TESTIMONY



1 DR. GROTH: I pretty much agree with  
2 everything that's already been said in the past three  
3 hours, but what I have to say is probably a summary.  
4 I didn't realize everybody had the same conclusion  
5 after this, so I'll just summarize it.

6 I am adamantly opposed to this pipeline  
7 for several reasons. These pipelines are prone to  
8 leak due to poor welding, corrosion and/or accidental  
9 breakage, and may cause explosions with loss of life  
10 and property. From 1994 through 2013, the United  
11 States had 855 serious incidents with gas lines,  
12 causing 319 fatalities and 1,254 injuries.

13 No. 2. The installation of this pipeline  
14 will scar the landscape of our beautiful community  
15 and interfere with the ongoing development of a park  
16 and living area.

17 No. 3. The property values will likely  
18 decrease.

19 No. 4. The insurance rates will rise.

20 No. 5. Businesses will move -- will not  
21 move to this area and may move out, causing taxes to  
22 rise.

23 And finally, heavy construction in the  
24 area will disrupt traffic for more than a year.

25 I suggest going around the suburbs or not

1 putting in a pipeline at all. Eventually, with age,  
2 the pipeline will probably leak. Please do not allow  
3 this highly-hazardous pipeline in our community.  
4 Thank you.

5 ALJ SEE: Questions?

6 MS. KINGERY: No, your Honor.

7 ALJ SEE: There were no questions. Thank  
8 you.

9 Kevin "Landau"?

10 MR. LAUDAT: "Laudat."

11 I'm sorry, could you spell that, please?

12 MR. LAUDAT: Sure. L-a-u-d-a-t. The "t"  
13 is silent. It sounds like "Yoda" with an "l."

14 ALJ SEE: Ms. Bernard-Baas.

15 MS. BERNARD-BAAS: "Baas."

16 ALJ SEE: Do you affirm that the  
17 information you're about to give is true?

18 MS. BERNARD-BAAS: Yes, ma'am.

19 ALJ SEE: Okay. I'm going to need you to  
20 state and spell your name.

21 MS. BERNARD-BAAS: Okay.

22 ALJ SEE: And give us your address.

23 MS. BERNARD-BAAS: My name is Amber,  
24 A-m-b-e-r, Bernard, B-e-r-n-a-r-d, hyphen, Baas,  
25 B-a-a-s. I live at 4641 Hunt Road and that's in Blue

Ash, 45242.

- - -

AMBER BERNARD-BAAS

presented herself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MS. BERNARD-BAAS: I'm here today and I'm  
kind of sad, like everyone else, that the Siting  
Board couldn't take the time to come see us and look  
at us and give us a face-to-face.

I'm also disappointed in Duke Energy.  
They've all been huddling in their little room in  
there and we've never really gotten any answers. I'm  
disappointed also in the way that they've been  
communicating with us. I, too, got a letter two days  
ago, via Priority Mail, about this. They couldn't  
think to extend that invitation any sooner because  
they were hoping that people weren't going to show up  
and support the cause.

Myself, my husband, and my mother, who  
I'm actually Power of Attorney, she lives two doors  
away from me, are very opposed. We have our "NOPE"  
signs right in our front yard.

And I'm very sad that also that the  
Siting Board isn't worried about the safety of the

1 constituents in our communities. As I look at your  
 2 thing, I am all for the welfare of animals and  
 3 wildlife and things like that, but you have fish  
 4 named, mussels. These are people's lives that could  
 5 be affected. These are people's children that could  
 6 be affected. These are people's homes. Property  
 7 values are going to go down. Schools are going to go  
 8 down. People are not going to want to live in our  
 9 communities anymore because you're putting a pipeline  
 10 that Duke Energy doesn't need; they just want to make  
 11 money off of.

12 You're taking away from the middle class  
 13 area that you are trying to put this pipeline  
 14 through, that Duke is trying to put it through, and  
 15 padding their pocketbooks even more. And that is --  
 16 it's absolutely absurd and it's -- it's asinine in my  
 17 opinion.

18 They need to -- the people up in Columbus  
 19 need to think more about the people that are living  
 20 here and that have given them the privilege to take  
 21 the responsibility to have the control that they have  
 22 and they need to listen to the people that put them  
 23 there and they need to vote this down. Thank you.

24 ALJ SEE: Questions?

25 MS. KINGERY: No. Thank you.

1 ALJ SEE: The individual whose address is  
2 6236 Evenwood? Eng -- is there a Dale or a -- 6236  
3 Englewood? Emily Beckeny or Becker? 116 Maple  
4 Street? John Bating?

5 MR. BEITING: Beiting.

6 ALJ SEE: Beiting.

7 Okay. Mr. Laudat.

8 MR. LAUDAT: Laudat.

9 ALJ SEE: Mr. Laudat, please raise your  
10 right hand. Do you affirm that the information  
11 you're about to give is true?

12 MR. LAUDAT: I do.

13 ALJ SEE: State and spell your last --  
14 spell your name for the record and give us your  
15 address.

16 MR. LAUDAT: My name is Kevin Laudat.  
17 K-e-v-i-n L-a-u-d-a-t. The address is 1631 Section  
18 Road, that's Cincinnati, Ohio 45237.

19 MS. RUEVE-MILLER: The microphone isn't  
20 working.

21 ALJ SEE: Step over to the mic.

22 MR. LAUDAT: Do I need to restate that?

23 ALJ SEE: No, they have that.

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KEVIN LAUDAT

presented himself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. LAUDAT: So my name is Kevin Laudat  
and I live in the community of Roselawn. I'm  
actually -- I'm actually recently the Executive Vice  
President elected to the Roselawn Community Council.

In looking at the materials that were  
provided by Duke, my community is not labeled on the  
materials that were provided as expository of what or  
where the pipeline is going to run. However, my  
property is literally, looks like to be about 1,000,  
maybe 1,500 feet from the blast zone or blast line.  
I see property or buildings on the section.

THE COURT REPORTER: Can you keep your  
voice up, sir, a little bit more? Keep your voice up  
a little bit more.

MR. LAUDAT: Sure.

THE COURT REPORTER: Thank you.

MR. LAUDAT: Absolutely.

THE COURT REPORTER: Thank you.

MR. LAUDAT: I'm actually trying to keep  
my voice down because it usually carries, so I  
apologize.

1           So the reason why I'm here is kind of to  
2     support the community that I have retired in. It's  
3     not an affluent community and I don't know that the  
4     representation has been fully up to par. My pedigree  
5     is I have a Bachelor's Degree from Northern Kentucky  
6     University in liberal studies with a concentration in  
7     Physics. I have a Master's Degree in Public  
8     Administration.

9           It seems to me that on both accounts, I  
10    know the safety is not a factor we can consider, so I  
11    won't speak very much on that, but the public good is  
12    something that we can speak to.

13          When residents' rights are placed as a  
14    second priority to corporate profits, the residents  
15    are immediately put at risk. They're not only put at  
16    risk from the -- from the financial standpoint, but  
17    also from a quality of life standpoint. And I didn't  
18    prepare remarks, so I apologize.

19          One of the things I do want to point to  
20    is in the conclusion from this Staff Report of  
21    Investigation, which I got today and read, and it's  
22    kind of funny, the lady who spoke earlier that said  
23    she was from Madisonville, I'm actually originally  
24    from Madisonville. I moved to Roselawn. So  
25    apparently I would have been impacted had I stayed

1 where I was and I'm going to be impacted by where I  
2 live now. Shielded me to the fact there are kind of  
3 some dichotomies in the materials that were  
4 published. There's impacts and then there's  
5 minimizing the impacts.

6 But in the conclusion it actually says  
7 this on page 47 of the report: "The project would  
8 result in both temporary and permanent impacts to the  
9 project area. The Alternate Route presents fewer  
10 potential economic, ecological, and cultural resource  
11 impacts."

12 So my concern is that if it doesn't go  
13 through where my familial home is in Madisonville, it  
14 is going to go through the home that I have now in  
15 Roselawn. And while there may be a lesser impact on  
16 one level or the other, there is indeed an impact to  
17 me on both accounts, but I'm not the only one here.

18 So in looking at our community and saying  
19 to ourselves how do we, again, provide for the public  
20 good, is it in the best interest of our community to  
21 change out a pipeline that to me seems like there is  
22 no need for the pipeline. It sounds to me to be  
23 something of an accommodation if nothing else.

24 From speaking with the gentleman in the  
25 room for Duke, I asked that question, and the answer



1 was pretty much affirmative in that it sounds like  
2 the propane-based sites that are currently in  
3 position seem to be a little bit more expensive to  
4 run than the gas pipeline that they want to run  
5 through. If that's true, then it's not at all to our  
6 benefit as a community, even to the state of Ohio,  
7 other than probably tax monies, to run a pipeline  
8 down past my street.

9 In closing, just to sum it all up, I have  
10 a 12-year-old child. Now we can't talk about safety,  
11 but I can talk about how the impact to the  
12 countryside, to the roads, to the environment will  
13 affect her. It will affect her every day as long as  
14 she is a member of the community and that I think is  
15 a greater -- is of greater importance than saving a  
16 couple dollars. Thank you.

17 ALJ SEE: Any questions?

18 MS. KINGERY: No questions.

19 ALJ SEE: Minsan Roos? R-o-o-s is the  
20 last name. Paul Dellaiba? The last name is  
21 D-e-l-l-a-i-b-a. Paul Plotskey? Plostker?

22 FROM THE FLOOR: He left.

23 ALJ SEE: Greg Shirtzinger?

24 MR. SCHWARTZBERG: Schwartzberg.

25 ALJ SEE: Okay. You're on deck, sir.

1 Thank you.

2 Mr. Beiting, please raise your right  
3 hand. Do you affirm that the information you're  
4 about to give is true?

5 MR. BEITING: I do.

6 ALJ SEE: State and spell your name for  
7 the record and give us your address.

8 MR. BEITING: My name is John Beiting.  
9 J-o-h-n B-e-i-t-i-n-g. I live at 7959 Festive Court  
10 in Kenwood.

11 - - -

12 JOHN BEITING  
13 presented himself as a public witness, and being  
14 first duly sworn, testified as follows:

15 DIRECT TESTIMONY

16 MR. BEITING: I'm in the blast zone. I'm  
17 also a Duke Energy shareholder. I just think this  
18 project is inappropriate, completely inappropriate to  
19 go into a densely-populated area. It's just  
20 mind-boggling to put it through and put everybody at  
21 risk. That's enough to disqualify it just on that,  
22 in my humble opinion.

23 Also what's troubling about this project  
24 is that it seems to target and profile certain  
25 neighborhoods and people who can't fight it, which is

1 despicable, it really is, to target certain people  
2 and certain neighborhoods is wrong. It raises  
3 ethical concerns in my opinion.

4 Just as an example here, I know when  
5 Cross County Highway was built, I think it was  
6 supposed to go through Indian Hill when it was built,

7 FROM THE FLOOR: Yeah, cross the county.

8 MR. BEITING: Yeah, it was supposed to go  
9 through, I think. And the reason why it didn't go  
10 through Indian Hill is it would have taken out a good  
11 part of Sleepy Hollow Road which is where the  
12 Nipperts live and a lot of important people. So they  
13 stopped there right at the Indian Hill line, which is  
14 despicable, it really is, to basically target certain  
15 people and certain economic groups is wrong, it's  
16 unethical. And that's all I have to say.

17 ALJ SEE: Any questions for this witness?

18 MS. KINGERY: No, your Honor.

19 ALJ SEE: Mr. Schwartzberg, please raise  
20 your right hand. Do you affirm that the information  
21 you're about to give is true?

22 MR. SCHWARTZBERG: Yes, I affirm. My  
23 name is Greg Schwartzberg, 6462 Elbrook Avenue,  
24 that's 45237. It's in the Village of Golf Manor,  
25 Ohio.

1 ALJ SEE: Please spell your name, please.

2 MR. SCHWARTZBERG: Sure. It's

3 S-c-h-w-a-r-t-z-b-e-r-g.

4 ALJ SEE: Go ahead with your testimony.

5 MR. SCHWARTZBERG: Thank you.

6 - - -

7 GREG SCHWARTZBERG

8 presented himself as a public witness, and being

9 first duly sworn, testified as follows:

10 DIRECT TESTIMONY

11 MR. SCHWARTZBERG: I thank everyone for

12 being here and staying here over the allotted time.

13 We all appreciate it.

14 I'd like to start off by saying that I

15 speak as a resident of Golf Manor Village. Where I

16 live, I believe, as per when I looked on the website,

17 the NOPEcincy website, is just on the outside of the

18 outer ring of the quote/unquote blast zone. But,

19 nevertheless, also I'm not only a resident, I speak

20 as a Councilman and Vice-Mayor for the Village of

21 Golf Manor which is located on Wiehe Road, W-i-e-h-e,

22 Road, 6450, and that I believe is more immediately,

23 if not just on the outside, just on the inside,

24 that's the administration building which is also

25 where the fire department is, where the police

1 department is, and I believe all the neighborhoods  
2 also, which is Evendale and possibly Reading.

3 I'm not sure factually which ones would  
4 also be included in that, but I know in our case  
5 where the location of the pipeline is proposed as far  
6 as my current understanding is relative to it going  
7 next to the train tracks between Golf Manor Village  
8 and Roselawn, Community of Roselawn, which is within  
9 the City of Cincinnati, which the gentleman, not the  
10 last one, the one before that, was speaking about.  
11 So there's some concerns there from a public works  
12 and public safety standpoint, not just the pipeline  
13 itself, but also the trains that go by with hazardous  
14 materials.

15 As a resident, all I can say basically  
16 I'm opposed to it and I just think there can be a  
17 better way. I'm not going to go into the various  
18 testimonies that other people have given prior.  
19 They're better experts than I am on this. I'm not an  
20 engineer, but I have various different backgrounds  
21 and experiences in other respects.

22 And to that end, as a resident, concerned  
23 resident of not only Golf Manor but of the overall  
24 greater Cincinnati area and overall, I'm here to  
25 serve the people in various capacities in my life.

1 And currently, what I think it comes down to is mass  
2 amounts of people that are against this, not only for  
3 the regular safety reasons but also for things that  
4 may be unforeseen or things that people don't  
5 actually think about.

6 And what I'm talking about is, for  
7 instance, you have acts, very unfortunate tragic acts  
8 that could have been avoided that weren't. Acts like  
9 that happened in Virginia and San Francisco. Acts  
10 that happened in San Bernardino. Acts that happened  
11 in Orlando. Acts that happened in New York City on  
12 9/11 or 1993.

13 You have a lot of acts, unfortunately,  
14 that there's a safety concern. Yet, people still do  
15 what they do. Organizations that are out there in  
16 this world and in this country and people in general,  
17 even lone wolfs they want to call them, do what they  
18 do. And the unfortunate circumstance that presents  
19 is nobody can foresee it. If they could have  
20 foreseen it, they would have stopped it as a whole,  
21 whether it be FBI or military or Interpol, whomever.

22 The point being is now there's an  
23 opportunity for a newer risk, not a new risk, but  
24 newer especially in today's days than never before.  
25 And there's an opportunity, especially by law this

1 pipeline has to be marked, then that creates even a  
2 bigger issue that has unintended consequence. Nobody  
3 wants it to happen, nobody ever wants it to happen,  
4 but it does.

5 And because of that unfortunate  
6 predicament, essentially running this through  
7 densely-populated neighborhoods that are also  
8 somewhat rich with certain targets, certain  
9 organizations, which I'm not going to go into here,  
10 but everybody can figure it out for themselves. That  
11 is not a wise move relative to that aspect, aside  
12 from what everybody else has spoken about.

13 The other concern is from the village  
14 standpoint is economic development or lack thereof  
15 because now with the proposal and this possibly going  
16 in, this is right on the border of Golf Manor, or if  
17 it's on the other side of the tracks it would  
18 actually be in the, quote/unquote, backyards of a lot  
19 of businesses along Wiehe Road. What does that do to  
20 the businesses possibly? How does that affect  
21 business transactions? How does that affect growth  
22 potential? It could have some severe economic impact  
23 not only to our village but many other villages and  
24 townships that are affected along any of this route,  
25 this road, the routing.

1           And I think, you know, I can't quantify  
2   what this impact would be because it's not my job,  
3   number one; number two, we don't really truly know,  
4   as far as I can tell right now, where exactly it's  
5   going to be. So I think as a village we were hoping  
6   that Duke would reach out to us, from the village  
7   elected official's standpoint, and at least be able  
8   to explain to us where exactly they've proposed for  
9   this to go in, how, and what could possibly  
10   potentially be affected, and how we could possibly  
11   mitigate those effects, if any.

12           The other part of it is first responders.  
13   You know, if our first responders were called because  
14   let's say the safety issues happened in some other  
15   location that didn't directly affect them or they  
16   don't exist anymore, but if the need is there for  
17   them to respond, how do they respond? What kind of  
18   equipment will they have? What kind of equipment do  
19   they need?

20           I'm not so sure that they're used to  
21   responding to anything to the extent of a 20-inch  
22   pipeline rupturing or exploding or even a mass leak.  
23   Not to say they're not trained in it now, I'm not  
24   sure, but I'm sure it would be an added problem or  
25   issue if something of that magnitude were to happen.



1 I'm just looking for more dialogue, more  
2 feedback from that standpoint of coming down the  
3 line. So there's a lot of concerns, a lot of  
4 unanswered questions from that standpoint.

5 In closing, I would like the Ohio Power  
6 Siting Board to consider not only the usual questions  
7 and factors of safety and engineering and everything  
8 that goes along with it, but also think about things  
9 that may not be in the forefront of their minds of  
10 what the response is, what the economic devastation  
11 might be, if you will, to the various communities  
12 this is to run through, while this is being -- the  
13 grounds are being dug up and being installed.

14 And then, of course, the end result of  
15 if -- once this is -- if it is indeed laid down and  
16 done, and you do have people that want to exploit  
17 that, then at that point in time a lot of people are  
18 going to be pointing fingers, placing blame. Nobody  
19 is going to want to take the blame. But right now,  
20 as I sit here and speak now and get this on the  
21 record, we have to come up with an answer now.  
22 Because if that happens, if those things happen, we  
23 want to know who to blame. Thank you. Thank you for  
24 your time.

25 ALJ SEE: Any questions?

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MS. KINGERY: No, your Honor.

ALJ SEE: Ezra Goldschmidt?

FROM THE FLOOR: He's not here.

ALJ SEE: That was our last witness that had signed up to offer testimony this evening. We thank you all for coming out and providing us with the point of view of the community. Thank you.

(Thereupon, at 9:56 p.m., the public hearing concluded.)

- - -

# CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Thursday, June 15, 2017, and carefully compared with my original stenographic notes.

\_\_\_\_\_  
Valerie Grubaugh, Registered  
Merit Reporter.

\_\_\_\_\_  
Carolyn M. Burke, Registered  
Professional Reporter.

- - -

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

**Commission of Ohio Docketing Information System on**

**6/28/2017 10:43:12 AM**

**in**

**Case No(s). 16-0253-GA-BTX**

Summary: Transcript In the Matter of the Application of Duke Energy Ohio, Inc. for a Certificate of Environmental Compatibility and Public Need For The C314V Central Corridor Pipeline Extension Project, hearing held on June 15, 2017. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Burke, Carolyn and Grubaugh, Valerie