

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the :  
Application of Duke Energy :  
Ohio, Inc., for a :  
Certificate of Environmental: Case No.16-0253-GA-BTX  
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, March 21, 2019.

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PUBLIC HEARING - BLUE ASH, OHIO

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APPEARANCES:

Duke Energy Business Services, LLC  
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On behalf of Duke Energy Ohio, Inc.

Fair Shake Environmental Legal Services  
By Mr. James Yskamp  
159 South Main Street, Suite 1030  
Akron, Ohio 44308

On behalf of NOPE - Neighbors Opposed  
to Pipeline Extension, LLC.

Joseph T. Deters, Prosecuting Attorney,  
Hamilton County, Ohio  
By Mr. Jay R. Wampler  
Assistant Prosecuting Attorney  
230 East Ninth Street, Suite 400  
Cincinnati, Ohio 45202

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

- - -

1	INDEX	
2	- - -	
3	WITNESSES	PAGE
4	Parker Smith	14
5	Kathy LeFevre	16
6	James O'Reilly	21
7	Katie Eagan	28
8	P.G. Sittenfeld	32
9	Christian J. Schaefer	37
10	Susan de Roos	40
11	Andrew Pappas	44
12	Ann Chisko	47
13	Gregory Schwartzberg	50
14	Sally Dannemiller	55
15	Charlene Schneider	61
16	Justin Feldman	69
17	Paul Plotsker	76
18	Haynes Goddard	80
19	Miriam Karp	86
20	Jason D. Baker	91
21	Audrey Pettengill	94
22	Bess Sturgill	97
23	Todd Portune	100
24	Katie Sturgill	107
25	Jeff Powell	108

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

- - -

WITNESSES	PAGE
Rachel Ainsworth	110
Patty Dilbert	114
Tommy Timm	115
Greg Reece	117
Dick Croy	118
Leonid Turkevich	122
Ron Schilling	125
Stefan Densmore	127
Carl Boeckman	132
Maxine Bookbinder	136
Denise Conroy	142
Jeff Capell	144
Ann Feldman	146
Bonnie Bishop	149
Kerry Baker	152
Heather Sturgill	157
Christine Schroder	158
Robert Wehr	161
Katherine McClure	163
Elizabeth Rueve-Miller	167
Susan Farber	174

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

- - -

WITNESSES	PAGE
Ellen Volkov	175
Kathleen Wilke	178
Linnea Lose	180
Kent Fennell	184
Joanne Gerson	189
Denise Olden	193
Gloria Kemp	195
Leslie Wormley	201
Randy Ivins	203
Cornelius Wormely	205
Myron Gerson	207
Robert Goen	210
Perry Leitner	212
Marcy Ziek	216
Jeff Wallace	219
Steve Howard	222
Evelyn Wagner	226
Steven Gordon	233
Kevin Laudat	235
Kathy Kugler	239

- - -

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

Thursday Afternoon Session,  
March 21, 2019.

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ALJ SEE: Thank you all for coming out.  
I'd like to get started.

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

My name is Greta See. With me this  
afternoon is Sarah Parrot, and we are the  
Administrative Law Judges assigned to this case on  
behalf of the Board.

In addition, there are several other  
Board Staff members here, and you can recognize us by  
the badge that we have on.

Board Staff is available if you have  
questions or concerns about the Board's process, how  
to access Duke's application, or any other document  
submitted in this case that is on the Board's  
website, or if you have a general question about your  
utility services.

If you have questions about Duke's

1 application or the project, Duke representatives are  
2 available to answer your questions about the project,  
3 or to discuss other concerns about Duke's utility  
4 service, and Duke's representatives are in Room 117  
5 just outside the auditorium to my left.

6 I note that there are a number of other  
7 parties in the case that have intervened in this  
8 matter.

9 As of today, there are 20 parties  
10 representing various local municipalities, a  
11 community association, and several commercial  
12 entities located along the proposed Preferred or the  
13 proposed Alternate Route. Each of the aforementioned  
14 parties represents various constituents in the case  
15 before the Board.

16 As part of the Board's consideration of  
17 Duke's application, the Board previously conducted a  
18 local public hearing, and the transcript from that  
19 hearing is part of the record in this proceeding.

20 If you attended the Board's first local  
21 public hearing and offered testimony, that testimony  
22 continues to be part of the record in this case, and  
23 along with the testimony offered here today, will be  
24 considered in the Board's decision.

25 Board members have access to all the

1 information in the docket as a part of its review of  
2 the record in this case, and the Board will consider  
3 the issues and concerns raised in public testimony in  
4 its decision.

5 The Board will also conduct an  
6 evidentiary hearing, which is scheduled to commence  
7 on April 9th at the Board's offices in Columbus.

8 At the evidentiary hearing the parties in  
9 the case will offer testimony for their own  
10 witnesses, present evidence, and cross-examine the  
11 witnesses of other parties.

12 The purpose of today's public hearing is  
13 to receive comments from the public regarding Duke's  
14 application to extend its gas pipeline.

15 We emphasize this is your opportunity to  
16 let the Board know how you would be affected if the  
17 proposed project is constructed, and your opinion  
18 about Duke's application.

19 Any questions you have about the project,  
20 Duke's application, or the Board's process, should be  
21 addressed with Board Staff or with Duke before you  
22 come forward to offer your testimony.

23 To inform the Board in your own words  
24 regarding your thoughts on the proposed project, the  
25 hearing is being transcribed by Court Reporters, so

1 please speak clearly so that the transcript is  
2 accurate, and the Court Reporters can accurately  
3 reflect your comments.

4 If you are testifying, or expect to be  
5 testifying on behalf of an intervening party, your  
6 testimony should be offered at the evidentiary  
7 hearing, and not at the public hearing today.

8 As I said, thus far there are three  
9 intervening parties present -- I'm sorry, Applicant  
10 and two other intervening parties.

11 Also, if you have prepared a written  
12 statement in preparation for your testimony tonight,  
13 we ask that you leave your statement here after you  
14 complete your testimony for the Court Reporters'  
15 reference.

16 If you have written comments on behalf of  
17 somebody that was not able to come tonight, or does  
18 not wish to offer testimony, you may present the  
19 comments to either myself or Ms. Parrot, or any of  
20 the Staff members at the table outside, and it will  
21 be included in the comment section of the docket.

22 When you arrived and approached the  
23 Board's table, you were provided the opportunity to  
24 sign in if you wanted to offer testimony.

25 Witnesses will be called forward in the

1 order they signed in on the sign-in sheet. When your  
2 name is called, if you decide that you no longer want  
3 to offer testimony, you can pass and we'll move to  
4 the next witness.

5 The presiding Administrative Law Judge  
6 will ask you to come to the podium. And if you  
7 notice, we have two, so we'll call you forward in  
8 twos, or just before your testimony, and you may take  
9 a seat in one of the reserved seats on either side.

10 To maximize the number of witnesses that  
11 have an -- that will have an opportunity to offer  
12 testimony, we'll call people forward two at a time;  
13 one will be at the podium, the second will be  
14 waiting, to use a baseball analogy -- I know we're in  
15 the middle of March Madness, that's inappropriate --  
16 but we'll call one forward to be on deck to be  
17 prepared and ready to begin their testimony  
18 immediately after the preceding witness.

19 Before you present your testimony we'll  
20 ask you to state and spell your name for the record,  
21 and provide your address. We'll also ask that  
22 whether you are asking -- the testimony you're  
23 offering is the truth, the whole truth, and is  
24 pursuant to your own personal knowledge.

25 With that, I want to remind everyone

1 again that your testimony will be considered part of  
2 the record in this case, and is available to be  
3 reviewed by the Board in consideration of its  
4 decision on Duke's application.

5 Additionally, counsel for Duke, the  
6 intervening parties who have counsel present, and the  
7 Administrative Law Judges, may ask you questions  
8 about your testimony.

9 Once you finish testifying, or if you  
10 just are here to observe, you may leave at any time;  
11 we just ask that you not disturb the witness offering  
12 testimony, or disturb the proceedings.

13 We also ask that the audience and each  
14 witness be considerate of each other, and that  
15 witnesses keep their statements to a reasonable  
16 period of time so that as many people that want to  
17 offer testimony have an opportunity to do so.

18 Are there any questions about the process  
19 we're going to follow today?

20 MR. SCHWARTZBERG: You want to run down  
21 the list of who the intervening parties are?

22 ALJ SEE: Intervening parties in this  
23 case is Coprop, RLB, Incorporated, Kenwood Mall, LLC,  
24 10149, LLC, BRE DDR Crocodile Sycamore Plaza, LLC,  
25 Interstate Gas Supply, the Jewish Hospital, Amberley

Village, Pleasant Ridge Community Council, Neighbors  
Opposed to Pipeline Extension, LLC, Columbia  
Township, City of Deer Park, City of Reading, Village  
of Golf Manor, Hamilton County Board of  
Commissioners, Sycamore Township, City of Blue Ash,  
Village of Evendale, City of Cincinnati, and City of  
Madeira.

MR. SCHWARTZBERG: Thank you.

ALJ SEE: As I indicated, we will go down  
the list in the order that people signed in. And I'm  
going to ask you now to forgive me if I mispronounce  
your name.

Before we call our first witness, I need  
to get appearances of the counsel present on behalf  
of the applicant.

MS. KINGERY: Thank you. On behalf of  
Duke Energy, Ohio, Jeanne Kingery, Rocco D'Ascenzo,  
Brian Heslin, 139 East 4th Street, Cincinnati, Ohio.

MR. YSKAMP: On behalf of intervenor  
Neighbors Opposed to Pipeline Extension, Fair Shake  
Environmental Legal Services.

ALJ SEE: I need you to speak up.

MR. YSKAMP: The whole thing again?

ALJ SEE: No.

MR. WAMPLER: Jay Wampler from the

1 Hamilton County Prosecutor's Office on behalf of the  
2 Hamilton County Board of County Commissioners.

3 ALJ SEE: Counsel, after each witness  
4 completes their testimony I will ask one general  
5 question; if there's any cross-examination from  
6 counsel. And I would expect you to be proactive if  
7 you have, otherwise we are going to assume that you  
8 do not have any cross-examination for the witness.  
9 Understood?

10 MR. WAMPLER: Yes.

11 MS. KINGERY: Yes.

12 MR. YSKAMP: Yes.

13 ALJ SEE: Thank you.

14 First witness today is Parker Smith.

15 MR. SMITH: Thank you.

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

19 MR. SMITH: Yes.

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

22 MR. SMITH: Parker Smith, P-a-r-k-e-r,  
23 Smith, S-m-i-t-h.

24 ALJ SEE: Before you get started  
25 Mr. Smith, Kathy LaFevre.

1 MS. LEFEVRE: "LeFevre".

2 ALJ SEE: If you could be ready at this  
3 mic. That's fine. Works perfectly.

4 Mr. Smith, go ahead.

5 - - -

6 PARKER SMITH,  
7 presented himself as a public witness, and being  
8 first duly sworn, testified as follows:

9 DIRECT TESTIMONY

10 MR. SMITH: My name is Parker Smith and  
11 I'm here -- I'm an employee of The Children's Home of  
12 Cincinnati. I work in our Office of Community  
13 Engagement.

14 Last fiscal year The Children's Home of  
15 Cincinnati served over 10,507 children and families,  
16 and currently has 355 employees.

17 For the past 100 years our campus has  
18 been located on over 90 acres of land at the corner  
19 of Madison and Red Bank Expressway.

20 In 2017 The Children's Home expanded our  
21 campus to include a new facility on Red Bank  
22 Expressway, housing a high school for young people  
23 with autism, and a five-Star rated preschool.

24 This investment from The Children's Home  
25 has represented more than \$15 million in development

1 for the Madisonville neighborhood and employs over 50  
2 people.

3 The Children's Home remains concerned  
4 about the prospect of a proposed pipeline being built  
5 directly across from our Red Bank campus, which by  
6 2020 will have over 150 children from ages 3 through  
7 21 years old participating in our programs and  
8 services.

9 Our commitment remains to ensuring the  
10 fulfillment of our mission; meaning, that the safety  
11 of our clients, employees, and the functionality of  
12 this new facility are brought to the forefront of  
13 this conversation, and are considered with the utmost  
14 amount of attention and care. Thank you.

15 ALJ SEE: Any cross-examination for this  
16 witness? Thank you.

17 Ms. LeFevre.

18 James O'Reilly. Mr. O'Reilly.

19 Ms. LeFevre, could you raise your right  
20 hand? Do you affirm that the information you're  
21 about to give is true?

22 MS. LEFEVRE: I do.

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

25 MS. LEFEVRE: Kathy LeFevre, K-a-t-h-y,

1 L-e-f-e-v-r-e.

2 ALJ SEE: Go ahead with your testimony.

3 - - -

4 KATHY LEFEVRE,

5 presented herself as a public witness, and being

6 first duly sworn, testified as follows:

7 DIRECT TESTIMONY

8 MS. LEFEVRE: I'm here today to  
9 respectfully, but strongly object to the proposed  
10 route of Duke Energy's pipeline extension,  
11 specifically as it relates to Duke's currently  
12 preferred route through the Kenwood Country Club in  
13 Madeira, Ohio.

14 I have lived on the southern border of  
15 the Kenwood Country Club for 32 years and I am privy  
16 to the observations that the Public Utilities  
17 Commission of Ohio, the Ohio Power Siting Board, and  
18 the current management of Kenwood Country Club may  
19 not be privy to.

20 A huge environmental safety issue exists  
21 on the steep slope southern border of the Kenwood  
22 Country Club. And that's Exhibit A.

23 I have watched Kenwood Country Club bury  
24 tons of blacktop and dump tons of timber in the area  
25 where Duke's proposed high-pressured gas transmission

1 pipeline is to run.

2 In approximately 2008, the former  
3 groundskeeper disposed of hundreds of trees on the  
4 same steep sloped southern border.

5 In 2014 and '15 a massive earth moving  
6 expedition was mounted enlisting heavy bulldozers  
7 that dug deep into the earth loosening and shifting  
8 massive amounts of soil, so much so, the southern  
9 border of Kenwood Country Club became unrecognizable  
10 to me, and I had walked on this land for 32 years.

11 Since my house and property are situated  
12 on the southern border of the Kenwood Country Club  
13 where Duke Energy proposes to route their pipeline,  
14 my family may be possibly the first in line to  
15 experience a gas explosion.

16 The Kenwood Country Club and Duke Energy  
17 have done us no favors by rerouting the pipeline from  
18 Duke's originally proposed shorter direct path  
19 through the country club to the perimeter of the  
20 country club, tracking the residential properties and  
21 neighborhoods on Kenwood Country Club's northern,  
22 eastern, and southern property lines.

23 Pipelines, even new ones with all the  
24 latest bells and whistles, fail. Case in point.  
25 Energy Transfer is the owner of the pipeline that

1 exploded in Missouri recently. They also partially  
2 own the brand new Revelation Pipeline which failed  
3 last September, soon after starting operations.

4 While the cause of the Missouri explosion  
5 is unknown, steep slopes and unstable soil appear to  
6 be the cause of the Revolution explosion in  
7 Pennsylvania.

8 Why would the Ohio Power Siting Board  
9 give the okay to Duke Energy to construct a  
10 high-pressured gas transmission pipeline through an  
11 unstable steep slope and reworked dumping ground on  
12 Kenwood Country Club property, right next to a  
13 densely populated area?

14 Just knowing this is a possibility causes  
15 me to wonder how many other dangerous compromises  
16 Duke Energy has entered along both the pipeline  
17 routes.

18 Do we learn from our past mistakes? And  
19 this is Exhibit B. The residents of Madeira  
20 experienced a gas explosion tragedy in 1972 when  
21 Albert Henke was killed, blowing him and his wife out  
22 of bed at 2:35 in the morning.

23 A gas leak less than 100 feet from the  
24 Henkes' home caused the explosion. The home was not  
25 even serviced with natural gas so we know that a leak

1 can work its way into a closed home and explode.

2 I have listened to Duke's spokesperson  
3 tell an audience how safe the 20 inch distribution  
4 line will be, and if it were to fail, it would only  
5 be a leak.

6 A leak at 200 pounds of pressure or more  
7 can push gas hundreds of feet in no time at all. Is  
8 anyone aware of how many properties surrounding the  
9 Kenwood Country Club have old cavitette or septic  
10 lines that run the rear of their properties which  
11 could now transport leaked gas into their homes?

12 Has the Ohio Power Siting Board  
13 thoroughly investigated Duke's request for the need  
14 of a high-pressured gas transmission pipeline?

15 Sources have told me that the pipeline  
16 far exceeds what is necessary to supply Greater  
17 Cincinnati and Hamilton County with natural gas,  
18 especially since the area's population is declining  
19 with stagnant projections for natural gas use.

20 Will the Ohio Power Siting Board become  
21 proactively concerned with the safety of human lives  
22 and rule against placing high-pressured gas  
23 transmission pipelines in or dangerously near  
24 populated areas?

25 Even though human safety is not one of

1 the evaluation criteria, it is your duty as public  
2 servants to consider the extreme danger that this  
3 pipeline poses to the citizens of Greater Cincinnati.

4 Please stand with your neighbors and do  
5 not allow Duke Energy to turn their service into a  
6 potentially deadly one. Thank you.

7 ALJ SEE: Thank you. If you have a  
8 written copy of your testimony, if you would be so  
9 kind to leave it at the foot of the stage. We will  
10 give it to the Court Reporters.

11 MS. LEFEVRE: Thank you.

12 ALJ SEE: Any cross-examination for the  
13 witness?

14 (No response.)

15 ALJ SEE: Katie Eagan.

16 Mr. O'Reilly, would you raise your right  
17 hand? Do you affirm that the information you're  
18 about to give is true?

19 MR. O'REILLY: I do.

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

22 MR. O'REILLY: James O'Reilly,  
23 O--R-e-i-l-l-y.

24 ALJ SEE: And your address.

25 MR. O'REILLY: 24 Jewett, Jewett Drive,

Wyoming, Ohio 45215.

ALJ SEE: Go ahead with your testimony.

- - -

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, for  
the opportunity to share with the Board what I would  
have presented as a candidate for the open seat on  
the Ohio Public Utilities Commission had the Governor  
selected me, which obviously he has not.

I wanted to begin with a disclaimer that  
I'm not speaking for the College of Medicine, for the  
Public Health Service of the College of Medicine.  
I'm not speaking for the Executive Committee of the  
Oakland County Regional Council of Government.

I'm not speaking for the City Council of  
the City of Wyoming. I'm not speaking for the First  
Suburbs Consortiums. Those are the disclaimers.

My comments have changed since I first  
was asked about this two years ago because I've  
looked carefully at Duke's plan and at Duke's  
statements.

I'm very concerned about the opportunity

Duke is taking to benefit substantially from subsidies by my residence for Duke's plan to be a mid-stream delivery service for gas from the natural fracking areas of shale in eastern Ohio, to the chemical plants and export terminals on the Gulf Coast.

This is a Tale of 4 Textbooks out of the 53 books I've published. The most recent one is on "The Law of Fracking", Chapter 12, dealing in great detail with pipelines for natural gas.

My treatise "Federal Regulation of the Chemical Registry", deals with the essential flow of feed stock, including methane gas, for the manufacture of plastics and chemicals such as that being dumped on the Gulf Coast of the U.S.

My textbook "Punishing Corporate Crime" might seem out of place, but if there is a significant explosion, and if that explosion does result from negligence by Duke, there will be a need for discussion of corporate crime.

And finally, my textbook "Emergency Response to Chemical Accidents" built on my experience here in Hamilton County as chairman of the local emergency planning committee.

I understand the burdens the local fire

1 agencies will face when a backhoe accident releases  
2 perhaps 700,000 cubic feet of natural gas in the pipe  
3 that is two-and-a-half miles between cutoffs.

4 I'm very concerned -- as a person of  
5 great detail, great research, I'm very concerned that  
6 the Staff has not done an adequate job of considering  
7 the public health risk that comes afterwards.

8 So first, I expect the PUCO Staff and  
9 their concern with financial aspects, will look very  
10 carefully at imposing an increase in the local gas  
11 user tariff on my community, Wyoming, to pay for what  
12 is essentially a southbound expressway of methane gas  
13 to the gulf.

14 The C314 expressway is a great plan if  
15 there were no people in a high consequence area. But  
16 there are indeed people living here, there are indeed  
17 people concerned with it.

18 It is a great opportunity, as the 2017  
19 Duke Energy Annual Report tells shareholders, the  
20 midstream carriage of gas is a major future  
21 opportunity.

22 And this expressway, although they have  
23 not mentioned C314 in their Annual Report, is one of  
24 the significant transmission carriage opportunities.

25 It comes through the Village of Fairfax,

1 which is a fine little village, but Fairfax is just  
2 an inconvenient location to bring real gas supplies  
3 to northern Hamilton County or to western Hamilton  
4 County, or to the City of Cincinnati. Fairfax is out  
5 of the way.

6 What Fairfax has is the route to  
7 Kentucky. What Fairfax has is the connection to the  
8 southbound pipeline. Fairfax makes sense as the  
9 terminal point if you're heading south with the gas  
10 that's heading south.

11 Please, do a job as PUCO Staff in  
12 evaluating the merits of the next shoe to drop. The  
13 next shoe to drop is going to be the demand by Duke  
14 that we who don't live immediately approximate to  
15 this plan, that we bear the cost in our electric and  
16 gas rates.

17 I am concerned that the gas that's going  
18 to serve the Gulf of Mexico is not going to benefit  
19 us. It's a significant cost to us for a superhighway  
20 leading to tiny Fairfax. For what reason? To get it  
21 across the river into Kentucky and southbound.

22 Secondly, I'm concerned that the OPSB  
23 should include sanctions if the OPSB studies what  
24 Duke has said about the high volume of gas that will  
25 be coming down C314.

1           And if the PUCO and OPSB studying that  
2 volume of gas determined that Hamilton County does  
3 not really have that urgent need for this massive  
4 amount of gas, well, there is a remedy. The PUCO can  
5 easily refer this to David Yost and the Attorney  
6 General's office in looking at the third degree  
7 felony terms in Ohio Revised Code 2921.11.

8           It is of concern that if Duke is making a  
9 statement about the volume of gas that's needed in  
10 Hamilton County, and it's not accurate, the Attorney  
11 General's office should look at it in terms of the  
12 perjury statutes.

13           I'm not saying that it's perjury, I'm  
14 saying it should be studied, because Fairfax is not  
15 the place we would bring gas to service western and  
16 northern Hamilton County.

17           Third, I believe that OPSB is setting  
18 conditions, and the Staff is working on conditions,  
19 and that's great. But one of the conditions must be  
20 a safe distance of this transmission pipe from  
21 occupied structures, especially schools and nursing  
22 homes.

23           Textbooks on environmental safety on  
24 schools, textbooks on safety in nursing homes have  
25 made me aware that it is very difficult to evacuate

1 in a rapid period, to evacuate from the explosion  
2 potential of a large methane gas release.

3 So I urge the OPSB to condition any  
4 further action on placement of warning signage about  
5 the varied gas pipe with visibility and sufficient  
6 bilingual -- and I'm saying bilingual clarity for the  
7 person who will be driving that construction backhoe,  
8 when that backhoe has contacted the pipe and the  
9 operator is not aware of it. We need to be aware  
10 that there is a risk, and that risk is real, and that  
11 risk will be continuing.

12 I encourage that the OPSB file contain  
13 the Federal National Transportation Safety Board  
14 report on the San Bruno disaster in California. The  
15 fatal pipeline accident there should not be  
16 replicated.

17 Duke should be officially on notice of  
18 what happened in San Bruno, and be warned not to be  
19 too close too much, too high speed, too high  
20 pressure.

21 The plan for having a shutoff  
22 two-and-a-half miles from the other shutoff is very,  
23 very extreme. We believe that there should be more  
24 shutoffs, more rapidly approach, and that Duke should  
25 not be encouraged to put lots of gas into a

1 vulnerability which perhaps an operator or backhoe,  
2 perhaps a person digging a trench, perhaps a person  
3 doing something else, breaks that pipe. There's a  
4 lot of gas in two-and-a-half miles at 400 psi.

5 So I encourage the Staff to meet with the  
6 Pipeline Safety Trust, who are some of the nation's  
7 experts on pipeline accidents, and I encourage you to  
8 listen to Pipeline Safety Trust accidents, to talk  
9 about what is the right shorter space for cutoffs for  
10 evacuation and for first responders' safety.

11 Future lawsuits might bring out Duke's  
12 defense, but the OPSB said it was okay, that the OPSB  
13 said two-and-a-half miles was fine. If that is the  
14 case, you as OPSB will have done a disservice.

15 I encourage you to look carefully at the  
16 safety parameters and be attentive to the concern  
17 that the Pipeline Safety Trust can bring to you.

18 Future lawsuits after disasters should  
19 not allow Duke to be shielded from liability. I've  
20 written books -- I'm not going to bore you with that  
21 stuff -- but the OPSB should not allow Duke the  
22 permission to make the least notice and the least  
23 separation of shutoff valves.

24 Duke needs to do a better job, and you,  
25 the OPSB Staff, have a critically important role in

1 making sure that it's done. I appreciate your time.

2 ALJ SEE: Any questions?

3 P.G. Sittenfeld.

4 Ms. Eagan, if you would raise your right  
5 hand. Do you affirm that the information you're  
6 about to give is true?

7 MS. EAGAN: I do.

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

10 MS. EAGAN: Katie, K-a-t-i-e, Eagan,  
11 E-a-g-a-n. I'm here today on behalf of the  
12 Cincinnati USA Regional Chamber. Their address is  
13 3 East Fourth Street, Cincinnati, Ohio.

14 ALJ SEE: Go ahead with your testimony.

15 - - -

16 KATIE EAGAN,  
17 presented herself as a public witness, and being  
18 first duly sworn, testified as follows:

19 DIRECT TESTIMONY

20 MS. EAGAN: Good afternoon. My name is  
21 Katie Eagan. I'm the Vice President of Government  
22 Affairs at the Cincinnati USA Regional Chamber of  
23 Commerce. The Cincinnati Chamber represents 4,000  
24 diverse businesses throughout our 15-county MSA.  
25 We're a bold voice for business, advocating for

1 economic development, transportation and  
2 infrastructure solutions, inclusion, and growth of  
3 our region's workforce and economic viability.

4 But for our region to thrive, we need  
5 infrastructure that supports and encourages growth.  
6 We need infrastructure that is dependable and  
7 reliable. If Duke Energy Ohio must upgrade and  
8 update its natural gas distribution system in order  
9 to ensure continued reliability, that work should be  
10 encouraged. We should not fight against necessary  
11 improvement that is vital for economic development in  
12 our region.

13 While we value growth in our region, we  
14 also value safety. Duke Energy has 200 years of  
15 history in our area and we've seen that they safely  
16 operate their system. They've been a leader in the  
17 industry, replacing at-risk gas mains and services  
18 well ahead of their peers across the country so that  
19 we can all continue to safely heat our homes and run  
20 our businesses. To continually point out pipeline  
21 incidents in other states, that have no correlation  
22 to the pipeline being proposed by Duke Energy Ohio,  
23 is misdirected. We should instead acknowledge the  
24 many additional safety measures that Duke Ohio has  
25 willingly incorporated into this project.

1           As long as Duke Energy Ohio continues to  
2       operate its propane facilities, we cannot advance.  
3       We won't find natural gas vehicles and natural gas  
4       vehicle fueling stations in our neighborhoods until  
5       the propane facilities are retired, and until then,  
6       manufacturing companies with equipment that cannot  
7       tolerate propane will have to continue to suspend  
8       operations at the request of Duke Energy Ohio. These  
9       limitations put southwest Ohio at a competitive  
10      disadvantage.

11           We must have a longer-term view and  
12      support development of infrastructure that will  
13      encourage our current employers to thrive and new  
14      employers to locate here. Looking only at recent  
15      population trends is shortsighted and actually  
16      undermines our communities' efforts to grow. Indeed,  
17      if we just rely on what others think will happen in  
18      Cincinnati, we'll be sorely disappointed.

19           We are working every day to increase our  
20      population by growing talent and attracting jobs, and  
21      we do that with our partners like REDI, our local  
22      economic development organization. But our efforts  
23      are challenged by aging infrastructure in our area,  
24      including existing natural gas infrastructure.

25           And I want to just share a couple of

1 statistics with you, today, from REDI:

2 In 2018, eight different prospects  
3 considered locating in southwest Ohio. Collectively,  
4 they would have created 2,400 jobs, invested about  
5 \$5.8 billion in capital projects, and provided  
6 employees with an average hourly wage of \$25.38,  
7 which equates to approximately \$53,000 annually.

8 Not one of these prospects is coming to  
9 our region. They all chose different locations, with  
10 many finding that the delays in getting reliable gas  
11 service were simply too much. These businesses, that  
12 will now take their 2,400 jobs elsewhere, needed the  
13 Central Corridor Pipeline to be in service.

14 We're at a competitive disadvantage when  
15 trying to attract new businesses that rely heavily on  
16 natural gas. If the best we can offer these new  
17 businesses is a natural gas supply that will be  
18 interrupted, given the current system limitations, we  
19 all lose.

20 There's so much positive momentum in our  
21 region. Yes, there are challenges, but there is a  
22 collective focus on finding solutions that will  
23 enable our region to prosper, but we need the safe,  
24 reliable infrastructure to support our growth. Thank  
25 you.

1 ALJ SEE: Any cross for this witness?

2 Thank you.

3 Chris Schaefer, if you can be ready.

4 Mr. Sittenfeld?

5 MR. SITTENFELD: Yes.

6 ALJ SEE: Could you raise your right  
7 hand. Do you affirm that the information you're  
8 about to give is true?

9 MR. SITTENFELD: I do.

10 ALJ SEE: Thank you. Please state and  
11 spell your name for the record, and --

12 MR. SITTENFELD: My name is --

13 ALJ SEE: -- provide us your address.

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

15 Sittenfeld. P period, G period. Last name

16 S-i-t-t-e-n-f-e-l-d. Address, 801 Plum Street,

17 Cincinnati, Ohio.

18 ALJ SEE: Go ahead with your testimony.

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'm a member -- I'm a

25 Council member for the City of Cincinnati which is

1 directly impacted and remains very concerned about  
2 this pipeline project, including a vote by a  
3 supermajority of the Council and with the support of  
4 the Mayor to intervene against the project.

5 I just got off the phone with one of our  
6 City attorneys, and the City has been and will  
7 continue to be asserting a number of important  
8 technical details and objections as this process  
9 unfolds.

10 Rather than my focusing on the technical  
11 pieces of this, I want to focus on the human aspect  
12 of this.

13 Now, my remarks today are addressed to  
14 members of the Ohio Power Siting Board. And I want  
15 to thank the four of you for your excellent public  
16 service. But I want to also make a point, that I've  
17 unfortunately had to make before, that it is truly  
18 staggering to me, and I bet to a lot of the people in  
19 the audience, that not a single member of the Ohio  
20 Power Siting Board could take the time to be here.  
21 That is incredible.

22 I don't know if you're allowed to respond  
23 to me while I'm giving these remarks, but it's a  
24 pretty hefty-paid position; is that correct? Is it  
25 a paid position?

1 ALJ SEE: It's not our --

2 MR. SITTENFELD: I guess "hefty" is in  
3 the eye of the beholder.

4 It's important to make that point because  
5 this is about community engagement and we're not  
6 being engaged.

7 On a positive note, I do want to say that  
8 I'm somewhat unique in offering this testimony in  
9 opposition of the project because, especially  
10 recently, I have worked very closely and very  
11 effectively with Duke Energy on other issues, in  
12 particular public safety. And I am genuinely and  
13 personally fond of Duke's market president Amy  
14 Spiller, who I know cares a lot about Greater  
15 Cincinnati.

16 Let me add, both as a citizen and wearing  
17 my Council member hat, that I appreciate Duke as an  
18 employer and as a contributor to our tax base.

19 With that being said, let me ask the  
20 questions that really get to the heart of this issue:

21 Do the people pushing this project and  
22 making this decision live within the blast zone of  
23 the proposed pipeline?

24 Do the people -- do the people pushing  
25 this project and making the decisions have kids who

1 go to school within the blast zone of the proposed  
2 pipeline?

3 Do the people pushing this project and  
4 making this decision attend a place of worship within  
5 the blast zone of the proposed pipeline?

6 Do the people who are proposing -- who  
7 are pushing this project and making this decision  
8 rely on a fire station or a hospital that is within  
9 the blast zone of this proposed pipeline?

10 Please correct me if I'm wrong, but I  
11 think all of us understand that the answer is no.

12 So now put yourself in the shoes of the  
13 community members who are here today, moms and dads,  
14 and senior citizens, and hard-working Cincinnatians  
15 of all backgrounds, and ask yourself a simple but  
16 fundamental question:

17 Would you want this excessively-large,  
18 risky pipeline next to your house?

19 Would you want it running alongside the  
20 school where your kids go?

21 Would you want it in close proximity to  
22 your church or synagogue?

23 Would you want it posing a threat to your  
24 parents' senior center?

25 This is not an abstraction. Just since

1 we were last together, and we've all gotten to do  
2 this several times now, we've all read the news  
3 articles which yes, we do take seriously, about  
4 devastating natural gas explosions happening  
5 elsewhere.

6 Let me conclude by saying that we  
7 unfortunately live in a time of staggeringly  
8 polarized politics. The fault lines in our society  
9 also run down to our local communities and are much  
10 more than we wish they were.

11 And yet, on this issue, people have come  
12 together across age, across race, across income,  
13 across geography, across political party to say no.  
14 No, we have not approved of this process. No, we  
15 have not been convinced of the need. No, our public  
16 safety concerns have not been alleviated. And no, we  
17 do not wish Duke and the Ohio Power Siting Board to  
18 move forward with the project as currently proposed.

19 We can do better. And let's work  
20 together to go down a path that results in a better  
21 outcome that's done with the community. Thank you  
22 very much.

23 ALJ SEE: Any cross for this witness?

24 Thank you.

25 Susan de Rosa?

1 MS. DE ROOS: No "a". "Susan de Roos."

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

5 MR. SCHAEFER: Yes.

6 ALJ SEE: Please state and spell your  
7 name for the record, and provide your address.

8 MR. SCHAEFER: My name is Christian J.  
9 Schaefer, S-c-h-a-e-f-e-r. I live at 3406 Sherbrooke  
10 Drive in Evendale, Ohio.

11 - - -

12 CHRISTIAN J. SCHAEFER,  
13 presented himself as a public witness, and being  
14 first duly sworn, testified as follows:

15 DIRECT TESTIMONY

16 MR. SCHAEFER: I guess I have basically  
17 two comments.

18 First comment is that it would seem that  
19 the Siting Board should conduct and publish an  
20 analysis of the potential for a number of leaks that  
21 pipelines seem to have. That hasn't been done. Most  
22 people that are here today, speaking, are worried  
23 about and concerned about the potential for  
24 catastrophic leaks. And so, I would ask that the  
25 Power Siting Board do that.

1                   Second thing is the A line goes about  
2   300 feet from my house. We had a non-catastrophic  
3   leak in that line, oh, I guess, a few months ago. It  
4   took Duke about three months or so to get that fixed.

5                   And what happens is it's -- you got this  
6   picture of this nice flat ground with a crane with a  
7   big piece of pipe and it just goes in, I guess.

8                   It didn't happen that way.

9                   What ends up happening is there's terrain  
10  in Cincinnati. Everything is not flat. So they  
11  brought a bunch of people with pieces of pipe in,  
12  they had to fabricate the pipe to weld it, cut it,  
13  weld it, so it would go up and around and over the  
14  hill and so forth and so on. It took, I guess, about  
15  three months.

16                  There's no sidewalks in my neighborhood,  
17  so the heavy equipment and the workers and the people  
18  were displaced because they couldn't get in their  
19  driveways. They all had to park in the street. The  
20  equipment was there day and night, with or without  
21  the flag people. You end up having cars going by,  
22  mixing with pedestrians, and it just presents a huge  
23  disruption to communities.

24                  Well, if you look at the map through  
25  Reading, through parts of Evendale, you've got

1 two-lane roads. If there's even a non-catastrophic  
2 leak, it creates a huge problem, especially for the  
3 people down in Reading because they're winding down  
4 neighborhoods with it and the streets are narrow.  
5 And if there's a non-catastrophic leak, it creates a  
6 huge problem for the community and people cannot  
7 quietly enjoy their property.

8 And so, I would ask that they reroute  
9 the pipeline so that it doesn't specifically affect  
10 small neighborhoods, small streets, and two-lane  
11 roads. Anyway, so that's all I have to say

12 ALJ SEE: Any cross?

13 Thank you.

14 Before you get started -- Andrew Pappas.

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

18 MS. DE ROOS: Yes, I do.

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

21 MS. DE ROOS: My name is Susan de Roos.  
22 S-u-s-a-n. Last name, de Roos, d-e R-o-o-s. I'm  
23 testifying on my behalf, as well as my husband John,  
24 J-o-h-n.

25 - - -

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SUSAN DE ROOS,

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

DIRECT TESTIMONY

MS. DE ROOS: We are residents of  
Evendale, Ohio. Our home is located at 3738 Monets  
Lane, within 1,000 feet of the proposed alternate  
route. We appreciate this opportunity to speak  
before the Ohio Power Siting Board.

Copies of my testimony, along with  
exhibits of quoted material, have been provided.

I'm speaking on behalf of my husband, as  
he's had a stroke and suffers from aphasia, which  
does not make it possible for him to communicate with  
you.

I would like to highlight some of the key  
points regarding Duke's application and why we  
request the Ohio Power Siting Board to reject both of  
Duke's proposed routes.

Duke's Application and the Ohio Power  
Siting Board Staff Report do not address the  
substantial risk that these proposed routes create  
for the environment and public safety.

The Staff Report, of March 2019, only  
addresses the risks and safety during the

1 construction phase of the pipeline. The Application  
2 and the OPSB Staff Report do not address operational  
3 pipeline risks.

4 Duke wanted to avoid classifying  
5 this pipeline as a transmission line. The Staff  
6 Report has acknowledged that "the pipeline would  
7 operate at a relatively high pressure, close to the  
8 20 percent SMYS threshold, and recommends the  
9 pipeline meet the requirements of a transmission  
10 line."

11 In 2015, the National Transportation  
12 Safety Board undertook a study of transmission lines,  
13 and I quote, "because of concerns about deficiencies  
14 in transmission line operators' integrity management  
15 programs and the oversight of these programs by  
16 Pipeline and Hazardous Materials Safety  
17 Administration and state regulators."

18 The abstract of the NTSB Study states  
19 also: "Although rare, the failure of these pipelines  
20 poses significant risk to the public, especially when  
21 pipelines traverse populated areas, known as high  
22 consequence areas."

23 Both of the proposed routes are high  
24 consequence areas with over 600 structures within  
25 200 feet of the right-of-way. These structures are

1 businesses, hospitals, places of worship, schools,  
2 parks, recreation centers, and homes. In addition,  
3 there are two- to three-thousand residents' homes  
4 within the 1,000-feet blast zone.

5 There is no mention or consideration in  
6 Duke's Application regarding the numerous gas station  
7 fuel tanks and industrial fuel tanks located within  
8 200 feet of the proposed routes. These fuel tanks  
9 dramatically impact the risk profile of co-locating  
10 the proposed high-pressure pipeline.

11 A failure of the proposed pipeline would  
12 pose significant risk to the public and environmental  
13 safety, yet that has been ignored by Duke and the  
14 OPSB Staff Report.

15 Duke would like us to believe that the  
16 risk of an incident is low. However, the NTSB Safety  
17 Study also concluded "there is no evidence that the  
18 overall occurrence of gas transmission pipeline  
19 incidents in high consequence areas has declined."

20 The Common Ground Alliance, CGA, of which  
21 Duke is a member, publishes an annual report based on  
22 data entered into their Damage Information Reporting  
23 Tool or DIRT. The CGA tool allows you to analyze  
24 data for natural gas pipelines by state.

25 The data shows that the number of

1 third-party damage incidents in Ohio for natural gas  
2 transmission lines for 2015 was 3,482. For 2016, the  
3 number of incidents was 4,756. And the number for  
4 2017 was 5,003. So in no way is the number of  
5 third-party damage incidents decreasing.

6 In over 60 percent of these third-party  
7 damage incidents, the root cause was insufficient  
8 excavation or location practices. The data also  
9 indicated that over 50 percent of the incidents  
10 occurred when the excavators were contractors/  
11 developers, utilities, and governments.

12 In summary, the proposed routes  
13 transverse high consequence areas; the routes are  
14 co-located near numerous fuel tanks; incidents of  
15 third-party damage to natural gas pipelines continue.  
16 These factors make the proposed pipeline routes  
17 disasters waiting to happen. The proposed pipeline  
18 routes pose ongoing risks to public and environmental  
19 safety.

20 We're asking for your thorough evaluation  
21 of all evidence presented, with consideration and  
22 recognition of risk to human safety.

23 We are relying on you to protect our  
24 community. Thank you.

25 ALJ SEE: Any cross for the witness?

1 Ann Chisko.

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

5 MR. PAPPAS: Yes.

6 ALJ SEE: Please state and spell your  
7 name for the record, and give us your address.

8 MR. PAPPAS: First name is Andrew,  
9 A-n-d-r-e-w. Last name is Pappas P-a-p-p-a-s.  
10 Located at 767 Dunwoodie Drive.

11 - - -

12 ANDREW PAPPAS,  
13 presented himself as a public witness, and being  
14 first duly sworn, testified as follows:

15 DIRECT TESTIMONY

16 MR. PAPPAS: I'm here as a business  
17 owner. I currently operate two dry cleaning  
18 operations in Hamilton County. At each location, I  
19 have approximately 12 employees, so I have two full  
20 plants in operation. And at each plant, my business  
21 operates on steam boilers. I use more natural gas  
22 than most homes do on a daily basis. And my  
23 businesses are in existence because I found the  
24 natural gas supply to be reliable, affordable, clean,  
25 and efficient.

1           My business cannot stay in operation if I  
2 cannot rely on uninterrupted gas being provided to my  
3 businesses. I have never had to close because of a  
4 gas interruption.

5           I have had to close down temporarily  
6 because of electrical interruptions after the storms  
7 we've had here in the midwest. But the one thing  
8 I've always been able to rely upon is having natural  
9 gas at each location and at my house, I might add.

10           I understand that this project -- and I  
11 do not -- I'm not here to comment on the route of  
12 either project -- of the project in general. I'm  
13 just here to comment on the project in general.

14           I understand this project will ensure the  
15 uninterrupted supply of gas in this area, and allow  
16 for maintenance and replacement of current existing  
17 lines, some of which are approaching 50 years in age.

18           That's of concern to me because, as we've  
19 seen some natural gas pipeline accidents, I think  
20 that age probably factors heavily into some of those  
21 accidents. And I hate to see infrastructure  
22 approaching that age, still being used without being  
23 maintained and/or improved.

24           The house I currently live in, I  
25 remember -- I've been in Cincinnati for approximately

1 20 years. My current residence, we had to wait on  
2 the closing because the prior owner had a heating oil  
3 tank in the front yard that we had to have removed  
4 before we could close on our house. I can't tell you  
5 how comforting it is to know that's not there anymore  
6 and we didn't have to have a heating oil truck show  
7 up and, you know, pull a fuel line across our yard  
8 and fill up a fuel tank, two or three times a season,  
9 depending on the severity of the winter.

10 We take natural gas for granted. And  
11 it's very comforting for me to know all I have to do  
12 is flick a switch and not worry about if I have  
13 enough gas in the yard to heat my house.

14 So, I understand you guys have a tough  
15 decision to make, but I just would like to let you  
16 know that as a business owner, I have come to totally  
17 and completely rely upon the uninterrupted supply of  
18 natural gas to my business. Thank you.

19 ALJ SEE: Any cross for this witness?

20 Gregory Schwartzberg. Gregory  
21 Schwartzberg. Thank you.

22 MS. CHISKO: My name is Ann Chisko.

23 ALJ SEE: Could you raise your right  
24 hand.

25 MS. CHISKO: Yes.

1           ALJ SEE: Do you affirm that the  
2 information you're about to give is true?

3           MS. CHISKO: Yes.

4           ALJ SEE: State and spell your name for  
5 the record, and provide us your address.

6           MS. CHISKO: Ann, A-n-n, Chisko,  
7 C-h-i-s-k-o. 6437 Ridge Avenue.

8                                 - - -

9                                 ANN CHISKO,  
10 presented herself as a public witness, and being  
11 first duly sworn, testified as follows:

12                                 DIRECT TESTIMONY

13           MS. CHISKO: When I tell friends in other  
14 states about this pipeline project, they are totally  
15 incredulous. They cannot believe it has gotten this  
16 far without Duke being told to go back to the drawing  
17 board.

18                                 Imagine you're hearing about this for the  
19 first time. This is what you hear:

20                                 Duke Energy proposes to build a new  
21 high-pressure natural gas pipeline to provide  
22 additional gas for only a handful of peak heating  
23 days during unusually cold winters. They say they  
24 need this. And for Duke, the only way they propose  
25 to meet this need is to build a large, expensive,

1 fossil-fuel infrastructure project.

2           Despite the facts that demand for natural  
3 gas in our area is flat or decreasing, that furnaces  
4 are more and more efficient, that use of renewable  
5 energy is increasing, and that the present pipelines  
6 have been being upgraded, they say they cannot  
7 replace peaking plants, but they are being replaced  
8 all over the country.

9           No. The only solution Duke can come up  
10 with is a 24/7, 365-day-a-year pipeline that is  
11 capable of transmitting more gas than can be used  
12 locally. Unbelievable.

13           Now, if that is not enough to disqualify  
14 this proposal, Duke wants to do something that is  
15 highly unusual, especially considering the alarming  
16 incidents of pipeline failures both in old and new  
17 pipelines, pipeline failures and fires and  
18 explosions. The only location for this high-pressure  
19 pipeline that Duke proposes is through a high  
20 consequence area of one of the most highly-populated  
21 counties of Ohio.

22           According to Duke, the very best routes  
23 for this pipeline to be built is past homes,  
24 businesses, schools, recreation areas, churches,  
25 synagogues, hospitals, daycare centers, and all those

1 places that make a community. Of the thousands of  
2 routes they say they considered, the only ones they  
3 chose were through urban cores of the community.  
4 Unbelievable.

5 It gets worse.

6 Despite an unprecedented public outcry  
7 against the pipeline from individuals,  
8 municipalities, businesses, places of worship,  
9 schools and others, the Staff of the OPSB recommended  
10 approval with only minor changes.

11 The Staff did not conduct a thorough  
12 assessment of this proposal. They did not ask  
13 whether Duke had adequately demonstrated need for  
14 this new pipeline and whether their proposed pipeline  
15 was the most responsible, financially prudent, and  
16 effective solution to address their need. They did  
17 not ask Duke to consider routes for the pipeline that  
18 had the least human impact. Unbelievable.

19 At the last public hearing, not one Board  
20 member was present. Were the comments even listened  
21 to by that Board?

22 And now we have a whole new Board, who  
23 may not know anything about this project. Will they  
24 listen? Or are these hearings just a sham?

25 The OPSB Board has the responsibility to

1 represent and protect the public. Please do that.

2 Deny this project.

3 ALJ SEE: Any cross?

4 Thank you.

5 Sally Dannemiller.

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

9 MR. SCHWARTZBERG: Yes.

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

12 MR. SCHWARTZBERG: Gregory Schwartzberg.  
13 My address is 6462 Elbrook Avenue, that's in  
14 Cincinnati, or Village of Golf Manor, Ohio.

15 - - -

16 GREGORY SCHWARTZBERG,  
17 presented himself as a public witness, and being  
18 first duly sworn, testified as follows:

19 DIRECT TESTIMONY

20 MR. SCHWARTZBERG: I wanted to ask a  
21 question, if I may, before I proceed, relative to the  
22 fact that I speak as a resident of Golf Manor, but I  
23 am also Mayor of Golf Manor Village, and I do not  
24 want to lose intervenor status with the Village as I  
25 speak.

1 Am I able to speak as a resident of Golf  
2 Manor similar to PG Sittenfeld speaking as a resident  
3 of Cincinnati, even though he's a council member of  
4 Cincinnati?

5 ALJ SEE: Go ahead.

6 MR. SCHWARTZBERG: Thank you.

7 As I just stated, my name is Greg  
8 Schwartzberg. I'm going to try not to echo the same  
9 sentiments as professed by Mr. Sittenfeld, and as by  
10 Ann Chisko, and so forth.

11 But I did want to say, I was a resident  
12 of the Village, and on behalf of all the residents  
13 and business owners, I'm opposed to the proposed  
14 central corridor pipeline extension project for the  
15 many safety reasons as already indicated by other  
16 people before me.

17 FROM THE FLOOR: Speak up, please.

18 MR. SCHWARTZBERG: I believe that this  
19 project will be disruptive to the residents and all  
20 the communities that it may effect, whether it be the  
21 Preferred Route or the Alternate Route as per Duke  
22 Energy's chart here to the left of me, or for that  
23 matter, the OPSB Staff Report that came out  
24 suggesting the Alternate Route.

25 I suppose in the short and long-term I

1 believe this will be disruptive to any of the  
2 residents and properties thereof.

3           The level of concern that I have is also  
4 tied to the exact location of the pipeline  
5 construction regarding, as Ann Chisko did mention,  
6 the various different types of establishments that  
7 this would effect safety-wise. So the bottom line is  
8 safety, as has been outlined before.

9           The other part is the type of economic  
10 effect that this will have on the various  
11 municipalities that this would effect overall as a  
12 general -- in the general nature, not only will  
13 disrupt the peace of the communities during  
14 construction, but also leave them the responsibility,  
15 cost, and the aftermath of any managing of any  
16 catastrophic event that may take place due to any  
17 failure of -- by the pipeline.

18           Safety is of critical importance, as I  
19 keep hearing over and over again, and just  
20 disappointed that this is still a conversation that  
21 has to continue, and that the -- these -- any  
22 possible unintended consequences that may happen as a  
23 result of normal course of business, even, that would  
24 result that people have to deal with, doesn't seem  
25 fair to the residents and businesses that this would

1 effect.

2 Bottom line is we -- I feel that we  
3 shouldn't have a project that will, in my case, have  
4 a long-term negative effect, and gets to the  
5 populated communities overall.

6 And I strongly encourage the Ohio Power  
7 Siting Board, that I believe is newly appointed  
8 compared to the prior one, at the Public Utilities  
9 Commission of Ohio, and Duke Energy, to re-evaluate  
10 the central corridor pipeline extension project as it  
11 is now, and find better alternatives that do not seem  
12 to be as devastating as this could be on a safety  
13 level, as we have heard so far.

14 I think just one more piece of safety  
15 factor I'd like to talk about, that hasn't been  
16 addressed yet, is especially relative to the current  
17 environment we live in today.

18 The world, unfortunately, with a  
19 seemingly alarming increase of hate attacks on  
20 various groups, as well as terrorist attacks around  
21 the world, my understanding is that this pipeline  
22 would have to be marked where it's placed.

23 With that being said, it provides an  
24 opportunity for those people that wish mal-intent on  
25 certain segments of the population of people, to

1 provide them an avenue to unleash very bad intentions  
2 or consequences that would have the people and  
3 businesses and/or hospitals, or synagogues or  
4 mosques, or anything like that, that we just saw in  
5 New Zealand, with bad intentions, do along any of the  
6 routes that are being proposed.

7 And I think that's something that has to  
8 be taken into consideration, that if something like  
9 that, God forbid, happens, then I think they have to  
10 understand that responsibility rests with all those  
11 that have the power to be able to make this happen.

12 And if, God forbid, it does happen, then  
13 nobody wants to be -- wants to say I told you so in  
14 that circumstance, but they will be the ones  
15 responsible. Thank you for providing me my testimony  
16 here today.

17 ALJ SEE: Any cross-examination?

18 (No response.)

19 ALJ SEE: Thank you.

20 Charlene Schneider.

21 Raise your right hand. Do you affirm  
22 that the information you're about to give is true?

23 MS. DANNEMILLER: I do.

24 ALJ SEE: Thank you. Please state and  
25 spell your name for the record.

1 MS. DANNEMILLER: Sally Dannemiller,  
2 D-a-n-n-e-m-i-l-l-e-r, one word.

3 ALJ SEE: And your address?

4 MS. DANNEMILLER: 3525 Biddle Street,  
5 Cincinnati, Ohio 45220.

6 ALJ SEE: Go ahead with your testimony.

7 - - -

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

11 DIRECT TESTIMONY

12 MS. DANNEMILLER: I'm here today to  
13 represent myself. I'm a long-time supporter and  
14 volunteer at Gorman Farm, which is located along the  
15 green line, which is right here.

16 ALJ SEE: The lighted yellow line.

17 MS. DANNEMILLER: Right here. I am the  
18 other Sally in the room, and I, unlike the other  
19 Sally, am opposed to this pipeline in either routing.

20 I'm concerned about the siting of the  
21 proposed pipeline extension on the route proposed by  
22 Duke and preferred by the OPSB Staff in their report,  
23 that of the green route from Blue Ash to Evendale,  
24 and down through Reading, Amberley, through Golf  
25 Manor and Bond Hill.

1           This is a very compromised route, and  
2           also a very fragile one. If you look closely at that  
3           plan you'll begin to see how certain areas take the  
4           brunt of industry, and therefore the consequences of  
5           pollution from those industries over and over again  
6           throughout time. This project, and Duke's proposed  
7           siting along this route, represents that pattern of  
8           abuse.

9           The Mill Creek was certainly a draw to  
10          industry, as Reading and other communities along its  
11          path. Many of those industrial concerns no longer  
12          grace her banks, but the Mill Creek valley still has  
13          many residuals of those operations.

14          First and foremost, there is the  
15          Pristine, Incorporated site, a Superfund site, in  
16          Reading, which has been and continues to be  
17          remediated.

18          Duke and the OPSB Staff missed the  
19          existence of this site when Duke first routed the  
20          green line through there, and when the OPSB chose  
21          that as their recommended route.

22          After a long pause in the siting  
23          application process, the route is now slightly  
24          adjusted to outside the official boundary of Pristine  
25          by about 100 feet. Unfortunately, contaminants don't

1 really read maps, they seep and flow underground  
2 where they wish.

3           Only the top one foot of the Pristine  
4 property has a clay cap, the rest below is open game.  
5 The other contaminated properties in this area, and  
6 there are many, contain residual chemical compounds  
7 such as organic compounds, heavy metal ions, acids,  
8 et cetera, have not been remediated at all. The  
9 vacant industrial property, which housed Dow and  
10 several different operations over the years, is  
11 contaminated. It is along Duke's revised path.

12           The land behind the new Hamilton County  
13 Library in Reading is brown field as well. It is  
14 along the green route. If the pipeline were to come  
15 in contact with a pollution plume, it would spread  
16 along the pipeline channel.

17           So if you look at the path chosen along  
18 industrial wastelands, and combine it with digging a  
19 trench, and filling it with gravel around a pipeline,  
20 you have now created a corridor for contaminants to  
21 flow. Hydraulic conductivity is higher in gravel  
22 filled trenches.

23           You might say well, Duke certainly has  
24 sufficient time to make sure these lands along their  
25 route are tested and approved by the EPA, so that

1 won't happen. But that testing was cursory. An  
2 analysis of that testing for contaminants will show  
3 it to be insufficient.

4 And what about Mill Creek valley itself?  
5 It flows in a buried valley, which is comprised of  
6 sand and gravel from glacial times. This is quite  
7 permeable and a perfect mix for conducting and moving  
8 things, such as contaminants.

9 Disturbing the soil here and allowing and  
10 promoting the movement of these contaminants is not a  
11 good idea. I'm sure the town of Golf Manor,  
12 downstream, would agree.

13 The area also sits on top of an upper  
14 aquifer and a much larger, lower aquifer, part of the  
15 Great Miami Buried Valley Aquifer system. It is used  
16 to provide the drinking water for the City of  
17 Reading, which had to abandon it years ago because of  
18 the Pristine, Incorporated.

19 The aquifer is important, as it is the  
20 treasure of water. It can recover over time if not  
21 further sullied. It is important to note, some  
22 municipalities, such as Wyoming, still use the  
23 aquifer.

24 The Mill Creek itself is starting to  
25 bounce back from all the pollution that it has

1 received over the last 150 years. It is on the mend  
2 according to groups that work on it.

3 Recently, dams have been removed, and  
4 more dam removal is planned. Fish are starting to  
5 swim up the Mill Creek from the Ohio River. But Duke  
6 wants to tunnel under this creek three times and  
7 disturb the soil and ecosystem. Why does Mill Creek  
8 have to keep taking abuse?

9 Along the path of the creek there's a  
10 flood zone, most especially in the Reading area. The  
11 green route traverses this flood zone area and its  
12 surroundings. Due to global warming, extreme weather  
13 events are occurring with greater and greater  
14 frequency.

15 Flooding and subsistence of land in the  
16 area has been seen and will continue to happen. The  
17 Mill Creek has incised several feet in the past.

18 According to The Wall Street Journal, a  
19 congressional research report said the 4-foot minimum  
20 bury depth appears to be insufficient to prevent  
21 riverbed pipeline exposure, unquote. Land  
22 subsistence and high-pressure natural gas pipelines  
23 are not a good mix.

24 Lastly, in talking about the environment  
25 of this area, I must note that it's highly populated

1 with homes, schools, workplaces, recreation centers,  
2 the Boy Scouts, and a lovely historic farm, Gorman  
3 Heritage Farm.

4 All of these people who live, work, and  
5 recreate here, along with the sheep, goats, chickens  
6 and other animals on the farm, do not deserve to have  
7 a high-pressure, potentially explosive pipeline in  
8 their community, nor have their Mill Creek land and  
9 aquifer further polluted by a natural gas pipeline  
10 highway. Thank you.

11 ALJ SEE: Any cross for this witness?

12 (No response.)

13 ALJ SEE: Feldman. Justin Feldman.

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

17 MS. SCHNEIDER: I do.

18 ALJ SEE: Please state and spell your  
19 name for the record, and give us your address.

20 MS. SCHNEIDER: My name is Charlene  
21 Schneider, C-h-a-r-l-e-n-e, Schneider,  
22 S-c-h-n-e-i-d-e-r. My address is 771 Prairie View  
23 Drive, Maineville, Ohio 45039. And I might add that  
24 just because I live in Maineville, I find this area  
25 where the pipeline is going through to really be what

1 I consider my community.

2 - - -

3 CHARLENE SCHNEIDER,

4 presented herself as a public witness, and being

5 first duly sworn, testified as follows:

6 DIRECT TESTIMONY

7 MS. SCHNEIDER: I lived and worked here  
8 for many years, and my family still lives here. All  
9 of my healthcare providers are in the area, and many  
10 of my dear friends are in the area.

11 I'm going to speak today on issues of  
12 environmental justice in regard to the siting of the  
13 central corridor pipeline.

14 Since everyone might not be familiar with  
15 the term environmental justice, I'll give a quick  
16 definition and a brief history of the topic so it's  
17 clear how this applies to the placement of Duke  
18 Energy's central corridor pipeline.

19 The EPA defines environmental justice as  
20 the fair treatment and the meaningful involvement of  
21 all people regardless of race, color, national  
22 origin, or income, with regard to the development,  
23 implementation, and enforcement of environmental  
24 laws, regulation, and policies.

25 Fair treatment means no group should bear

1 a disproportionate share of negative environmental  
2 consequences resulting from industrial, governmental,  
3 or commercial operations or policies.

4           Meaningful involvement means that people  
5 have an opportunity to participate in decisions which  
6 will impact their environment and health, that the  
7 public can influence a regulatory agency's decision,  
8 community concerns will be considered in the  
9 decision-making process, and decision-makers will  
10 seek out and facilitate the involvement of the  
11 affected people.

12           Now, that's a really important part, that  
13 the decision-makers will seek out and facilitate the  
14 involvement of the affected people.

15           Okay. To continue. A little history  
16 about environmental justice. The concerns about this  
17 issue have been around since the Civil Rights  
18 movement in the 1960s, and the first national study  
19 done on the topic was in 1987 by the United Church of  
20 Christ Commission on Racial Justice.

21           In 1994, President Bill Clinton enacted  
22 the first executive order, Executive Order 12898,  
23 Federal Actions to Address Environmental Justice in  
24 Minority Populations and Low Income Populations.

25           Over the next 25 years that followed, the

1 EPA has continued to develop and fine-tune  
2 environmental policy. Most recently in 2016, the  
3 agency developed a framework for federal Guidance for  
4 Assessing Environmental Justice in Regulatory  
5 Analysis, and then went on to develop the Final  
6 Framework for Environmental Justice for the 2020  
7 Action Agenda.

8 The goals for 2020 are these: To deepen  
9 environmental justice practices within the EPA  
10 programs to increase health and environment of  
11 overburdened communities, work with partners to  
12 expand the positive impact within overburdened  
13 communities, and demonstrate progress on significant  
14 national environmental challenges.

15 Now, how does this all apply and relate  
16 to the central corridor proposal? Well, I think if  
17 you ask Duke Energy or the OPSB, they would say it  
18 doesn't apply at all. They are not required to  
19 consider human safety or human health, much less to  
20 consider EPA federal guidelines.

21 Like many of those testifying here today,  
22 I believe that just because the OPSB isn't required  
23 to make such considerations, does not mean that they  
24 shouldn't consider them.

25 Both routes being considered by Duke

1 Energy and the OPSB for the placement of the central  
2 corridor pipeline impacts minorities, people of  
3 color, the elderly and the disabled, and those living  
4 in impoverishment and poverty, disproportionately.

5 Many nursing home facilities are on both  
6 routes. People with disabilities and the elderly  
7 live in these places. Although the OPSB isn't  
8 mandated to consider these populations in regard to  
9 environmental justice, I believe it's inhumane not  
10 to.

11 These populations do not come to town  
12 halls or public meetings or public hearings. They  
13 probably don't even know the pipeline might be sited  
14 in very close proximity to their home.

15 According to the EPA environmental  
16 justice guidelines, Duke should have reached out to  
17 those who are elderly and disabled who live along  
18 these proposed routes to get input from these  
19 populations about where they stand on siting the  
20 populations -- siting the pipeline close to their  
21 homes. These are people who could not escape if  
22 there was a pipeline related emergency.

23 In addition to deadly accidents, natural  
24 gas pipelines pose health risks because of frequent  
25 methane leaks these pipelines produce.

1           Hazardous pollutants and volatile organic  
2 compounds which lead to cancer and respiratory  
3 illnesses are also at issue. And these impact the  
4 elderly and the disabled even more than the general  
5 population who are supposed to be protected by the  
6 environmental justice considerations.

7           Neighborhoods of those living in poverty  
8 and neighbors where many minorities and people of  
9 color live are not being considered, either.

10           Again, Duke or the OPSB has not sought  
11 out input specifically from these communities about  
12 the siting of the pipeline through their  
13 neighborhoods.

14           Yet the dangers of explosions and fire  
15 causing major injury, property loss, and even death  
16 and health issues mentioned in the discussion of the  
17 elderly and disabled, because of methane leaks, also  
18 apply to minority communities, people of color, and  
19 those living in poverty.

20           It appears to be that Duke and the OPSB  
21 plan to do only what is specifically spelled out in  
22 the Ohio code in order to site the pipeline where  
23 Duke wants it.

24           Human safety is not mentioned  
25 specifically, so it's not been considered, even

1     though a majority of concerns raised by those who  
2     live in the community through which the pipeline is  
3     proposed to run are most concerned about their  
4     personal safety and the safety of their families.

5             Environmental justice is clearly not  
6     spelled out as a responsibility for Duke and OPSB to  
7     consider, and they clearly have not considered it.

8             I believe consideration for human safety  
9     environmental justice does fall under the broader  
10    mission statement of the OPSB, that says its mission  
11    is to support sound energy policies for the benefit  
12    of Ohio citizens.

13            The pipeline introduces safety risks to  
14    the community for able bodied citizens. Others that  
15    have been discussed above but -- others have  
16    discussed the impact of the accidental rupture of the  
17    pipeline by third party diggings, by land shifting,  
18    or erosion damage. An accident of this sort from the  
19    pipeline would be so significant that hundreds or  
20    maybe even thousands could be injured or killed.

21            The elderly and disabled, minorities,  
22    people of color and those living in poverty are often  
23    not involved in public discourse due to pressures of  
24    their everyday life and culture attitudes about such  
25    participation, or just plain lack of knowledge or

1 inability to participate.

2           Their lack of participation puts them at  
3 higher risk to be unfairly treated when important  
4 decisions regarding their lives and health are being  
5 made regarding the siting of this pipeline.

6           Under the guidelines set forth by the  
7 federal government and the EPA, those making the  
8 decisions should reach out to such populations so  
9 that they have a voice in the process.

10           Not only are those populations expected  
11 to be given a voice, their voices are to be listened  
12 to and considered. As stated earlier, Duke and the  
13 OPSB have not reached out to some of these  
14 communities to be sure they understand the proposal.

15           In fact, I'd like to point out that  
16 Jewish people are considered a minority. This route  
17 being considered for the pipeline runs through most  
18 of the Jewish communities in Hamilton County. Some  
19 could say I wonder if that was intentional, but we  
20 wouldn't want to say that.

21           And as far as seeking out the voices of  
22 the people from the Jewish community, this hearing is  
23 happening right now on a Jewish holiday.

24           Many people from the Jewish community  
25 cannot come to testify today, so not only are their

1 voices not being sought out, they are particularly  
2 not even being able to come and give their opinion  
3 and have their voices heard.

4 Given that the OPSB members did not even  
5 attend the June 2017 public hearing, the voices of  
6 residents who were trying to make their voices heard  
7 were ignored.

8 How likely is it that Duke and the OPSB  
9 want to listen to communities that are supposed to be  
10 protected through environmental justice guidelines?  
11 There goes the requirement that meaningful input is  
12 heard from these communities.

13 These populations are not -- are already  
14 unfairly burdened in our society. The added burden  
15 that living close to high-pressure transmission lines  
16 is extremely unfair to these groups, exactly the  
17 opposite of what environmental justice is meant to  
18 overcome.

19 ALJ SEE: Any cross-examination?

20 (No response.)

21 ALJ SEE: Thank you.

22 Paul Plotsker?

23 Mr. Feldman, if you could raise your  
24 right hand. Do you affirm that the information  
25 you're about to give is true?

1 MR. FELDMAN: Yes.

2 ALJ SEE: State and spell your name for  
3 record, and provide us your address.

4 MR. FELDMAN: Justin Feldman,  
5 J-u-s-t-i-n, F-e-l-d-m-a-n. I hope you can all hear  
6 me. Good. And my address is 1415 Market Street,  
7 Reading, Ohio.

8 - - -

9 JUSTIN FELDMAN,  
10 presented himself as a public witness, and being  
11 first duly sworn, testified as follows:

12 DIRECT TESTIMONY

13 MR. FELDMAN: I live about -- my living  
14 room and bedroom windows will be approximately 25 to  
15 30 feet from this pipeline.

16 I'm speaking from real life situation,  
17 and I just -- I'm not a professional anything, I'm  
18 retired, but I do want to give my opinion of some  
19 things on a short section of the route through  
20 Reading.

21 First of all, though, I want to speak to  
22 what Charlene had to say. We hand billed about 300  
23 people in Reading, some directly on the pipeline,  
24 some two, three, four blocks away.

25 We come to learn that Duke was not

1 required to send out notices to anyone who were  
2 tenants, renters, poor, disadvantaged through  
3 education, what have you. A lot of them didn't even  
4 know that this was happening because the deck is  
5 stacked, just about what Charlene was saying. And a  
6 lot of them feel too scared to come.

7 Let me start on my talk now. I just  
8 wanted to add to what she had to say, I think it's  
9 very important.

10 The Duke central corridor pipeline makes  
11 no sense at all. If you look at it, in the short  
12 area I'm going to discuss, and it's not the entire  
13 pipeline, I'll start at Pristine, which I believe  
14 Sally Dannemiller referred to. That's a federal  
15 Superfund site, as she said. It's still in the  
16 process of being cleaned up.

17 There are also two more potential brown  
18 fields in that same vicinity. You've got the PMC  
19 chemical plant, which was formerly a chemical  
20 production facility, and you have Rosemont  
21 Industries, a former metal plating, galvanizing, and  
22 metal powder coating plant, which uses heavy metals.  
23 There's heavy metals involved in plating, and there  
24 are acids.

25 The chemical plants, you're looking at

1 corrosives, acid, oxidizers, organic compounds, and  
2 heavy metals once again. There is a movement being  
3 made now by the EPA to review the PMC site for  
4 cleanup, a remedial surface cleanup. All these  
5 chemicals are still going to be in the ground.

6 And water migrates through the ground,  
7 I've learned. I've had to learn because of this  
8 situation. I didn't really care, but I had to learn  
9 because I'm very concerned with this.

10 What that creates, when a trench is cut  
11 through the ground, there is -- the flow of the water  
12 tends to flow through an open, newly cut trench.  
13 Once the pipeline is there and the backfill is there,  
14 it's still not packed as tightly as the soil that's  
15 already there.

16 That means that when we have a hard rain,  
17 this water is going to mitigate with the chemicals  
18 into this trench, carry the chemicals downstream.  
19 But before it does that, it's going to put a chemical  
20 cocktail around the epoxy coating and the steel pipe  
21 that's going to be there eating at the coating,  
22 eating at the steel.

23 When Duke runs their little whatever  
24 through the pipe to inspect it every so many months,  
25 it's looking at the inside of the pipe, not what's

1     happening to that coating. Why put it in a situation  
2     like that? That's an integrity management issue that  
3     I don't think anybody wants to look at.

4             I also have a problem that that pipeline  
5     is going to flow these contaminants all the way  
6     through Reading, through Golf Manor, through -- I  
7     think it goes through Roselawn, into -- and I hope  
8     I'm not leaving a community out, but I know it ends  
9     in Norwood.

10            Why should all these contaminants be  
11     unleashed to flow all the way through our valley?  
12     Who has looked at that? I have not heard a word  
13     about it, but I know it's there.

14            After it passes these facilities -- and  
15     that's actually an environmental issue, too. I want  
16     to mention that.

17            After it passes these facilities, it goes  
18     directly south on West Street, past our stadium,  
19     football stadium, our track, where track meets are  
20     held, it goes past -- on the other side of the  
21     street, there's three baseball fields, a soccer  
22     field, our community pool, and a fieldhouse.

23            On any given day year round there's going  
24     to be anywhere from 50 to maybe 2- to 3,000 people in  
25     that sport complex.

1           And we have got a pipeline going through  
2     there and a chemical -- soaking in a chemical bath,  
3     which we don't even know what chemicals are going to  
4     do, but we do know that these are some dangerous  
5     chemicals that are buried in the ground and aren't  
6     going away.

7           Then it goes on through Reading into the  
8     residential area. It's very densely populated. In  
9     this small route I'm telling you about, there are  
10    seven 90-degree turns.

11          I've never known of a gas transmission  
12    line that goes through -- a gas transmission line  
13    that makes that many turns in this short of an area.

14          There are two gas stations, one about 100  
15    feet and the other about 150 feet from this pipeline  
16    at the current route. It goes past more than 130  
17    homes, and small businesses.

18          That doesn't include all the businesses  
19    and homes that are two, three, or four blocks away  
20    that will be destroyed from the point of impact if  
21    this pipeline explodes.

22          All this risk and disruption just to put  
23    this pipeline, a 20-inch -- I've heard 500 pound, I  
24    hear 400, it just keeps changes, which I don't think  
25    is fair to the people either that are so concerned

1 about this, we should have accurate information.  
 2 Duke just seems to jump all over the place with this.  
 3 I'm sorry.

4 But all this, just to take this pipeline  
 5 less than one mile southward toward Norwood. Why?  
 6 Why run through all these neighborhoods making all  
 7 these 90-degree turns. This routing is more like a  
 8 paving project than a gas transmission line route.  
 9 Why? I can't get the answer.

10 By Duke's own documents -- I'm changing  
 11 subjects here, changing gears so to speak. The vast  
 12 majority of pipeline leaks -- I'm sorry, pipeline  
 13 disasters happen because a contractor, doing his  
 14 best, but he's not aware of the pipeline, he's got a  
 15 backhoe and he accidentally punctures the line. Most  
 16 of the -- they are caused by third parties, just to  
 17 say -- best way I can say it.

18 In front of my home on Market Street that  
 19 I spoke of at the beginning, there are six utility  
 20 lines already buried in the ground. That's six, plus  
 21 Duke wants to put this 20-inch pipeline in amongst  
 22 these pipes. Why?

23 Then you've got to consider these  
 24 pipelines, some of them are a hundred years old or  
 25 better. They leak. There are -- the small City of

1     Reading, their water department has repaired 43  
2     pipeline -- they made 43 pipeline repairs in 2018  
3     alone. That's not -- that's just the tip of the  
4     iceberg here.

5             The real issue is they buy, I don't know  
6     -- I couldn't get an exact figure, but they buy quite  
7     a bit more water from the City of Cincinnati  
8     Waterworks than they are actually billing people  
9     because there's so much leakage underground with  
10    these old pipelines.

11            They don't want us to know that. But I  
12    talk to people when I'm walking my dog. I talked to  
13    people that works at the water department. I won't  
14    go any further than that, you don't want to hear any  
15    more.

16            I guess my last point is when these aging  
17    pipelines develop a leak, and a repairing backhoe  
18    operator, in good faith, trying his best, but because  
19    he doesn't have knowledge of where exactly that  
20    pipeline is, punctures it with one of these teeth,  
21    how much death and destruction will the Ohio Power  
22    Siting Board have caused by approving this line?  
23    Thank you.

24            ALJ SEE: Thank you.

25            Haynes Goddard.

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

4                   MR. PLOTSKER: Yes.

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

7                   MR. PLOTSKER: Paul Plotsker. P-a-u-l.  
8 Plotsker is spelled P as in Peter, l-o-t-s-k-e-r. My  
9 address is 6761 Meadow Ridge Lane, Amberley Village,  
10 45237.

11                                   - - -

12                   PAUL PLOTSKER,  
13 presented himself as a public witness, and being  
14 first duly sworn, testified as follows:

15                                   DIRECT TESTIMONY

16                   MR. PLOTSKER: Ladies and gentlemen of  
17 the Ohio Power Siting Board, I'm a native New Yorker  
18 who moved to Amberley Village from Baltimore in 2007,  
19 after my wife, Dr. Elana Harris, completed her  
20 residency and fellowship at Johns Hopkins Hospital  
21 and was offered a dual-position as an attending  
22 physician in child psychiatry at Children's Hospital  
23 and as an Assistant Professor of Medicine at UC  
24 College of Medicine.

25                   I, myself, am an attorney in private

1 practice here in Cincinnati. I'm admitted in New  
2 York, Maryland, and Ohio, as well as the federal  
3 courts in Ohio, New York, and Washington, DC. I am a  
4 former Special Assistant Corporation Counsel for the  
5 New York City Law Department, and a former Staff  
6 Attorney for the Law Enforcement Bureau of the New  
7 York City Human Rights Commission.

8 I currently reside with Elana and our  
9 native Cincinnati-born three children in Amberley  
10 Village. And for the past eight years, I have served  
11 as Chairman of the Board of Directors of Golf Manor  
12 Synagogue, an Orthodox Jewish congregation originally  
13 founded downtown in 1901. And I personally offer  
14 several courses in Hebrew grammar, Bible, Jewish  
15 thought, and rabbinic philosophy there as well.

16 I am here with my son Michael, today, to  
17 inform this Board that the proposed pipeline at issue  
18 will be nothing less than devastating to my family  
19 and my community.

20 Roads will be ripped up. Trees will be  
21 destroyed wholesale. Pipes carrying dangerous  
22 amounts of natural gas will be laid specifically  
23 throughout the Jewish neighborhoods of Golf Manor and  
24 Amberley. They will be marked and easily tracked by  
25 those who have no love for us. There are several

1     synagogues and schools in our neighborhood. The  
2     results of explosions have been documented since so  
3     many have already occurred, and they are devastating,  
4     indeed catastrophic, for the neighborhoods and areas  
5     in which they occur.

6             It boggles the mind, and is, in a word,  
7     appalling, that we even have to be here today to  
8     fight this. The sheer nerve of Duke Energy knows no  
9     bounds. To route such a uniquely-dangerous pipeline  
10    through densely-populated neighborhoods, which would  
11    be destroyed in a fireball you would be able to see  
12    in Mason, bespeaks such corporate ill will, that one  
13    must arrive at the ineluctable conclusion that Duke  
14    is acting with intentional malice.

15            I am disgusted that Duke thinks this is  
16    an appropriate project to undertake, especially as we  
17    Americans move inexorably forward into renewable  
18    energy. Shame on Duke Energy for endangering the  
19    lives of thousands of Cincinnatians.

20            There is only one remedy: The pipeline  
21    must be laid throughout the neighborhoods in which  
22    Duke Energy Officers and Directors live with their  
23    families. When they are willing to undertake the  
24    daily danger of living with an oversized and  
25    overpressured natural gas pipeline under their

1 houses, then I'll respect them. But that will never  
2 happen since they're too smart and influential to  
3 have to suffer such a fate.

4 Listen well to us, Officers and Directors  
5 of Duke Energy, because I cannot say this any clearer  
6 or any louder: We don't want your pipeline and we  
7 don't need your pipeline. If you're hell-bent on  
8 making money, then put it under your houses and we'll  
9 see if you sleep well after doing so.

10 I thank the Siting Board for allowing me  
11 to inform the Board of the deep-seated opposition of  
12 my congregation and my neighbors to this pipeline.  
13 Thank you.

14 ALJ SEE: Any cross?

15 Marie Kocoski? Marie Kocoski? No. 16,  
16 Marie, I think it's Kocoski.

17 FROM THE FLOOR: Spell it.

18 ALJ SEE: K-o-c-o-s, I believe it's a  
19 k-i.

20 Miriam Karp.

21 Mr. Goddard, if you could raise your  
22 right hand. Do you affirm that the information  
23 you're about to give is true?

24 MR. GODDARD: I do.

25 ALJ SEE: State and spell your name for

1 the record, and provide us your address.

2 MR. GODDARD: My name is Haynes Goddard.  
3 Haynes is H-a-y-n-e-s. Goddard is G-o-d-d-a-r-d. My  
4 address is 2869 Ridgewood Avenue, Cincinnati, Ohio  
5 45213.

6 - - -

7 HAYNES GODDARD,  
8 presented himself as a public witness, and being  
9 first duly sworn, testified as follows:

10 DIRECT TESTIMONY

11 MR. GODDARD: Good afternoon. Thanks for  
12 making this great scenic tour to Cincinnati from  
13 Columbus.

14 I gave some testimony, two years ago, on  
15 this issue. My comments today are different from  
16 what they were then.

17 In this period of time, the Power Siting  
18 Board Staff has recommended a change in the route and  
19 my comments are directed mostly to the analyses that  
20 haven't been done.

21 So while there's been this change in the  
22 route, regrettably there isn't any change, that I can  
23 detect, in the superficial and, I will say,  
24 unprofessional analysis that the Staff has done of  
25 Duke's proposal. I will give my reasons for this

1 conclusion.

2 The major point I want to make is the  
3 complete and utter disregard for siting safety,  
4 demonstrated by both Duke and the OPSB Staff.

5 In particular, I've observed the  
6 following:

7 While there are two very general  
8 statements about safety in the PUCO Mission Statement  
9 that anyone can read, there are no specific  
10 discussions of what it means in application. In  
11 fact, there are zero statements, as well, in the OPSB  
12 guidelines about safety, presumably because PUCO does  
13 not require that safety be analyzed.

14 Duke and OPSB completely ignore siting  
15 safety and the threats of explosions, injury, and  
16 death by fire.

17 Duke does instruct -- I'm sorry. OPSB  
18 does instruct Duke to address the issue of need, but  
19 puzzling, it's a puzzle that there is no definition  
20 anywhere of what "need" means. It leaves the door  
21 open to self-serving definitions by Duke which they  
22 gladly fill.

23 This lack of discussion of "need" reminds  
24 me of when my sons were little, they would announce  
25 to my parents, my wife, and myself that they needed

1 cookies.

2 Economists, of which I am, I am a retired  
3 Professor of Economics at the University of  
4 Cincinnati, speaking here only as a private citizen,  
5 in economics we never talked about need, we talked  
6 about wants, if you remember your courses.

7 Duke's definition of "need" is the  
8 propane-air peaking plant is "old technology," and I  
9 quote from the first Application, and it needs to be  
10 retired. But as has already been pointed out today,  
11 this is not true as the industry is quite modern and  
12 very active these days. There are at least three  
13 manufacturers still very active in the United States.

14 The second dimension is that Duke  
15 indicates in its Application that it needs to improve  
16 the north-south flow of gas from Kentucky into the  
17 north of Ohio. By their own figures, this pipeline  
18 does not do that. It changes the flow from 55 percent  
19 from the south, 45 from the north, to 50 from the  
20 south and 50 from the north; so that would have no  
21 impact on the levels.

22 So my conclusions are, and I regret to  
23 say this, that we're badly served by the OPSB. The  
24 instructions it gave to Duke are very vague. And in  
25 the Staff review and analysis, there is no analysis

1 of the benefits, of the costs, of the safety risks of  
2 this proposed transmission line.

3 And regrettably, because I think there is  
4 lax oversight here, it makes the OPSB, in fact, a  
5 threat to public safety and health.

6 Allow me to elaborate a little bit. I'm  
7 usurping from my statements here.

8 So, Cincinnati residents really have two  
9 reasons to complain about this pipeline that Duke  
10 wants to place:

11 First, Duke conducted no analysis of the  
12 siting safety risk of the transmission line and in  
13 particular, as has been pointed out, the risk of  
14 third-party excavation penetrations, attendant  
15 explosions, and intense fires with human injury and  
16 property damage. And the second reason is that  
17 neither has the Ohio Power Siting Board Staff  
18 conducted any evaluation of this third-party  
19 excavation risk. And why not?

20 So if I read through or anyone reads  
21 through the Mission Statement for the -- for PUCO in  
22 the Ohio Revised Code, it says "The public utilities  
23 commission has general supervision over all public  
24 utilities," in particular "the safety and security of  
25 the public." And it also says that "The power," this

1 is of the PUCO, "The power to inspect includes the  
2 power to prescribe any rule or order...necessary for  
3 protection of the public safety."

4 Now, this is clear, but there's no  
5 elaboration whatsoever of this in Ohio Revised Code.  
6 In particular, there's nothing in the Administrative  
7 Code that directs the Power Siting Board and its  
8 Staff how to apply these standards to pipeline  
9 safety. Instead, there's guidance to the  
10 characteristics of the pipe itself, such as thickness  
11 and welds and its construction, which, in this  
12 industry, is termed "integrity management."

13 That said, there is not any directive not  
14 to pay attention to such safety and health risks;  
15 nonetheless, that's what's happened.

16 So, as a result, neither Duke or the OPSB  
17 Staff have paid any attention to siting safety,  
18 ignoring the much higher risk of third-party  
19 excavation errors.

20 From the Staff Report of its  
21 investigation of this application, the following is  
22 stated, this is on page 3, "That the facility  
23 represents the minimum adverse environmental impact."

24 Yet, by routing this high-pressure line  
25 through densely-populated areas with high daytime

1 populations, places of work, schools, hospitals, this  
2 placement, in fact, represents the maximum  
3 environmental impact. That's very clear.

4 So how can the OPSB Staff conclude that  
5 the proposal represents the minimum adverse impact?

6 The reason is fairly simple. That Duke  
7 and the Staff look only at the properties disturbed  
8 for excavation and construction, and simply counts  
9 the number of acres disturbed, which I think is about  
10 20 in this western route, and people are completely  
11 ignored.

12 Why is this? Well, part of it lies in  
13 the wording of the law, without a doubt, and the laws  
14 need to catch up with practice.

15 I spent many years training graduate  
16 students at UC, how to conduct professionally-done  
17 benefit-cost analyses, covering direct and indirect,  
18 market and nonmarket impacts. These kinds of  
19 analyses require an explicit risk analysis, using the  
20 tools of statistics and probability. There's none of  
21 that here. And I'm not sure what the reason would  
22 be, but being a former academic, I suspect it has to  
23 do with the training and the experience background of  
24 the Staff.

25 I conclude that Duke and the OPSB

analyses are woefully inadequate, that Duke and the Staff have placed our populations at unnecessary risk of injury and death by fire. And as I said before, regrettably, this makes the OPSB, in fact, a threat to public safety and health. The exact opposite of which is intended in the siting process. Thank you.

ALJ SEE: Any cross for this witness?

MS. KARP: Miriam Karp. M-i-r-i-a-m K-a-r-p.

ALJ SEE: Raise your right hand, please. Do you affirm that the information you're about to give is true?

MS. KARP: Yes.

ALJ SEE: Restate and spell your name for the record.

MS. KARP: Miriam Karp. M-i-r-i-a-m K-a-r-p.

ALJ SEE: And provide us your address.

MS. KARP: 7325 Elbrook Avenue in Amberley Village.

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

DIRECT TESTIMONY

1 MS. KARP: I'm here specifically not  
2 mandated by the Orthodox Jewish community, but as a  
3 member of the community to speak about some of our  
4 unique concerns and how they really are concerns that  
5 affect all the populations affected by this pipeline.  
6 And I very much appreciate all the environmental  
7 concerns that have been brought up and obviously the  
8 very great risk of human error, but I'm going to  
9 speak about just this specific topic.

10 First of all, I find it just unbelievable  
11 that safety is not one of the evaluation criteria,  
12 but it certainly should be, and I consider it a moral  
13 obligation to consider that.

14 And again, totally as a layperson without  
15 an engineering background or anything, but it just  
16 seems commonsense that going through such a  
17 densely-populated area is just ridiculous when we're  
18 in Cincinnati, we're not in New York City, where a  
19 few miles, basically, you know, to the west or to the  
20 east could be outside of the 275 corridor where there  
21 is much more open land and much less population.

22 Okay. The Orthodox Jewish community is a  
23 unique community in that one part of the Orthodox  
24 religion is that we have to be within walking  
25 distance of our congregations. We don't drive on the

1 Sabbath. So it is a very dense community and it is a  
2 very visible community. People are out walking on  
3 all the Jewish -- major Jewish holidays.

4 Today is a holiday where we're allowed to  
5 drive, but if you would drive through our  
6 neighborhood today, you would see children in  
7 costumes, running around, giving baskets of food to  
8 each other as this holiday is celebrated.

9 It's an extremely visible community. And  
10 there is an elementary school, a junior high school,  
11 a boys' high school, many synagogues, and several  
12 hundred families.

13 And I'm speaking -- although I'm speaking  
14 about my community as I say, I do not wish this  
15 pushed onto another community. And you'll see that  
16 our issues impact -- because we are kind of a target,  
17 we impact everybody and can kind of be seen as the  
18 canary in the coal mine.

19 Anti-Semitic acts are 58 percent of all  
20 religious-based hate crimes. They're up 37 percent  
21 according to the FBI. And we know that there's a lot  
22 of people out there who wish us harm. The incident  
23 in Pittsburgh this fall, in New Zealand just last  
24 week, show us -- I'm not into fear mongering -- this  
25 is real. And a lot of these people are smart,

1 they're sophisticated, they're well-funded, and they  
2 are looking for targets and, unfortunately, the  
3 Jewish community is a very high-level target. We  
4 have the dubious distinction of being a target of  
5 both the white supremacists and Muslim extremist  
6 terrorists, so we kind of seem to get it from  
7 everybody.

8 And just to show, again, that this is  
9 real. It's not, you know, it's not fear mongering.  
10 The Jewish community in Cincinnati, and I'm sure  
11 throughout the country, is receiving special federal  
12 funding. We have police protection now at every  
13 major event, and usually at most synagogues on the  
14 Sabbath.

15 There's a special organization called  
16 Safe Cincinnati that's been created within our  
17 community to provide -- my husband has a small Jewish  
18 educational nonprofit right in the pathway of  
19 the pipeline. He's been given extra surveillance  
20 equipment, extra locks, extra training. Every  
21 organization that you'll see within the Jewish  
22 community has all different kinds of landscaping and  
23 barriers. This stuff is real. This is a real  
24 threat. The federal government isn't giving us money  
25 because they want to be PC. It's because this stuff

1 is real.

2 So, again, we are a canary in the coal  
3 mine because we are such a vulnerable community.  
4 Obviously, if we were to be targeted, and  
5 this pipeline could, God forbid, be potentially a  
6 great way to, you know, get a lot of people in a  
7 short, easy way, all the other wonderful populations  
8 that are along the pipeline, especially the ones  
9 within miles of our community, would be targeted as  
10 well.

11 I just want to say on a personal note,  
12 I'm a chaplaincy student at the Christ Hospital now,  
13 and in the fall I'll be starting a chaplaincy  
14 residency at Children's Hospital. In both  
15 facilities, we're trained in disaster response.

16 I was at the Christ Hospital, this fall,  
17 when there was a shooting at Fifth Third Bank and we  
18 went on lockdown. As part of my orientation to  
19 Children's, I was taken to the trauma bay. And to  
20 imagine that bay filled with children, God forbid,  
21 from a disaster.

22 You know, not every disaster can be  
23 avoided, not every disaster can be predicted, but a  
24 disaster that could be prevented that is in our hands  
25 and in the hands of the Board to avert and to prevent

1 is just mind-boggling.

2 And, God forbid, should that ever come to  
3 pass, I really do believe that it will be on the head  
4 of every person on that Board who could have chosen  
5 to avert it So I encourage them all to open their  
6 eyes and to think and to really think deeply and  
7 think about the long-term possible consequences of  
8 this pipeline. Thank you.

9 ALJ SEE: Any cross-examination?

10 Jason D. Baker.

11 Audrey Pettengill.

12 Mr. Baker, if you can raise your right  
13 hand. Do you affirm that the information you're  
14 about to give is true?

15 MR. BAKER: I do.

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

18 MR. BAKER: All right. It's Jason,  
19 J-a-s-o-n, D., Baker, B-a-k-e-r. Address is 3860  
20 Towne Boulevard in Franklin, Ohio.

21 - - -

22 JASON D. BAKER,  
23 presented himself as a public witness, and being  
24 first duly sworn, testified as follows:

25 DIRECT TESTIMONY

1           MR. BAKER: Good afternoon. My name is  
2 Jason Baker, and I'm a Business Representative with  
3 the Ohio Operating Engineers, Local 18. I'm here  
4 today to testify in support of the proposed Duke  
5 Energy Central Corridor Gas Pipeline expansion --  
6 extension.

7           Prior to becoming a Business  
8 Representative with the Ohio Operating Engineers, I  
9 worked out in the field on numerous pipeline  
10 projects. Most of the projects were similar to the  
11 proposed Central Corridor Project, that is that we  
12 were replacing aging pipelines that were in place,  
13 serving nearby communities.

14           The main concern with pipelines has to do  
15 with leaks, explosions, and other negative buzzwords  
16 that surround the industry like "blast zone."

17           The proposed Central Corridor Project is  
18 another example of a state-of-the-art pipeline that  
19 will be safer, more efficient, and help prevent any  
20 pipeline failures.

21           The main concern from any anti-pipeline  
22 group should have to do with replacing of all old  
23 systems in place now, with new ones like the proposed  
24 project.

25           This project will not only bring jobs to

1 the men and women of the pipeline trades, but it will  
2 also be a safer method of delivering natural gas to  
3 all the customers along its proposed route.

4 Duke Energy's commitment to safety and  
5 the environment and the Union Trades building this  
6 project will prove to be a positive result for the  
7 community.

8 I urge the Board in joining me in  
9 supporting the Duke Energy Central Corridor Pipeline  
10 and approve this project. Thank you.

11 ALJ SEE: Any cross?

12 Thank you.

13 Bess Sturgill.

14 If you could raise your right hand,  
15 Ms. Pettengill. Do --

16 MS. PETTENGILL: My name is Audrey --

17 ALJ SEE: Do you affirm that the  
18 information you're about to give is true?

19 MS. PETTENGILL: Yes.

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

22 MS. PETTENGILL: My name is Audrey  
23 Pettengill. A-u-d-r-e-y. Last name  
24 P-e-t-t-e-n-g-i-l-l. I live at 4011 St. Johns  
25 Terrace in Cincinnati, 45236, which is in Deer Park.

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

DIRECT TESTIMONY

MS. PETTENGILL: I come before you to  
express my opposition to Duke Energy's plans to  
expand its pipeline. I understand that the focus of  
this expansion has been weighted heavily on the  
environment, and potential environmental impact.

Consider that the environment, however,  
is tightly intertwined with the community's people,  
with the businesses they frequent, and with their  
families.

As you've been hearing, this proposed  
pipeline poses grave danger to the surrounding  
environment, to our communities, and cities.

The burn zone around this pipeline would  
be 900 feet, meaning that anything within that  
distance would be vaporized, charred, burned,  
destroyed.

Imagine this. Imagine the intersection  
of Blue Ash and Galbraith Roads which, on the map, is  
where the line ends in Deer Park and goes east. The  
railroad tracks are there, yes, but so is the Shell

1 gas station which is across the street from Deer Park  
2 Veterinary Hospital. All of these are within the  
3 900-foot burn zone.

4 Deer Park Vet, in fact, would only be  
5 116 feet from this pipeline. There would be nothing  
6 left of Deer Park Vet should that pipeline explode.  
7 And if it did explode, it would set off a chain  
8 reaction with that gas station across the street.

9 If you don't believe that a vaporized vet  
10 hospital or an exploding gas station are big enough  
11 environmental priorities, then consider Amity  
12 Elementary School which would also be within the  
13 900 feet. Within that 900-foot burn zone. Hundreds  
14 of children attend school there, kindergarten through  
15 6th grade.

16 The CDC has published a white paper on  
17 its website, that I will attach here for you, that  
18 explains the various impacts blast pressure could  
19 have on the environment and on the human body.

20 Windows shatter at 1 psi. Eardrums also  
21 rupture at 1 psi. Heavily-built concrete buildings,  
22 such as Amity's brick structure, would be severely  
23 damaged or completely demolished at 20 psi. Think of  
24 the children in that school, less than 900 feet away,  
25 when a pipeline carrying 500 psi ruptures.

1 Environmentally, there would be no more school, but  
2 there would also be no more children.

3 Down the street, and directly in the path  
4 of the proposed pipeline, is this area's closest  
5 hospital facility for nearly 10 miles. Jewish  
6 Hospital would sit right on top of the orange  
7 pipeline. If this pipeline blows, and we have to get  
8 our pets, our children, and ourselves to the  
9 hospital, what do we do when there is no hospital?  
10 At 500 psi, there would be no hospital left. Another  
11 dramatic impact to our environment.

12 Your role here is to represent us and our  
13 environment and our communities. I implore you to  
14 ask the questions and hold Duke accountable to  
15 explain why this pipeline is even necessary and to  
16 reject their proposal outright. Thank you.

17 ALJ SEE: Any cross-examination?

18 No. 21 will be Mr. Todd Portune.

19 MR. PORTUNE: I'm heading there.

20 ALJ SEE: Ms. Sturgill, do you affirm  
21 that the information you're about to give is the  
22 truth?

23 MS. BESS STURGILL: Yes.

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

MS. BESS STURGILL: My name is Bess,  
B-e-s-s, Sturgill, S-t-u-r-g-i-l-l. I live at 1548  
West Street, Reading, Ohio.

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

DIRECT TESTIMONY

MS. BESS STURGILL: My husband and I work  
hard to own our own home. We have three beautiful  
daughters. We chose our home for its close proximity  
to public parks, public pools, public library.  
Truly, the list goes on.

I cannot tell you how upsetting the  
thought of this high-pressure pipeline running past  
our home and through our community is.

The only thing that is more upsetting is  
that you, the Power Siting Board, don't take any of  
that into consideration in your decision to  
potentially kill us, and kill us all and destroy the  
homes and communities we have all worked so hard for.

At first I just thought you all must be  
money hungry, heartless, monsters, but after praying  
and introspection, I realized there had to be an  
another reason, and then it came to me.

1 All of the previous high-pressure  
2 pipelines that you have decided on have been run  
3 through rural, very low population areas, completely  
4 opposite of this route.

5 So all of the ways that previous pipeline  
6 siting decisions were made are not applicable to this  
7 installation. I have thought of a few reasons.

8 First, pipelines in rural areas run in  
9 straight lines for miles. This proposed pipeline has  
10 multiple 90-degree turns in a single mile. Each of  
11 these turns increases stress and potential pipeline  
12 failure.

13 Second, rural pipelines do not have heavy  
14 trains, trucks, or buses being driven over them. I  
15 frequently can feel the vibrations from the heavy  
16 trains two blocks away, from in my home.

17 If I feel these vibrations in my home,  
18 just imagine how much the ground underneath the track  
19 is vibrating and pushing down.

20 Third, areas do not have -- rural areas  
21 do not have work and digging going on on a daily  
22 basis around them. In our communities there is  
23 always some type of repair or digging going on.

24 This non-Duke digging increases the  
25 chance of accidental rupture. Duke states that this

1 it the most likely reason for failure. I really  
2 could go on and on about the differences between  
3 rural and urban issues, but I feel I have made my  
4 point.

5 I just beg of you to reconsider how you  
6 have judged this request. Think about how very  
7 different this proposed route is than a rural one.  
8 Please consider us, all of us, the people you are  
9 passing over. Thank you for your time and  
10 consideration.

11 ALJ SEE: Any cross?

12 (No response.)

13 ALJ SEE: Any cross?

14 MS. KINGERY: No.

15 ALJ PARROT: Katie Sturgill.

16 Mr. Portune? Good evening. Raise your  
17 right hand. Do you swear or affirm the testimony  
18 you're about to give will be the truth?

19 MR. PORTUNE: I so swear.

20 ALJ PARROT: Please state your name and  
21 address.

22 MR. PORTUNE: My name is Todd Portune,  
23 Hamilton County Commissioner, 138 East Court Street,  
24 Cincinnati, Ohio.

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TODD PORTUNE,

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

DIRECT TESTIMONY

MR. PORTUNE: Thank you for being here tonight. I know everyone assembled, you have made great efforts to be prepared, to adjust their schedules to be here this evening to share their very heartfelt stories about what will happen if this proposed pipeline is constructed in the manner as proposed, and in the location as proposed.

They have taken the time to be informed, they have taken the time to get educated, they have consulted experts in the field.

Hamilton County, of which I am one of three Commissioners, and stand in a representative capacity this evening, has resolved to support the citizens of our county and the communities that are affected by this decision.

We have engaged our legal counsel to be part of a legal team to represent the individuals who are here before you, and every person here stands as a representative of hundreds of others who are unable to be here.

Our ask of you is this, and that is that

1 you not just listen to what is being presented this  
2 evening, but you accept it for what it is, which is  
3 fact.

4 It is factual statements, factual  
5 representations, factual testimony, factual  
6 documentation of what is known about pipelines, what  
7 is known about compressed natural gas, what is known  
8 about what can happen, and does happen, with respect  
9 to pipelines such as this, and the accidents that do  
10 occur, not that might occur, could occur, possibly  
11 may occur, but that accidents do occur in pipelines  
12 similar to this, and have occurred in the United  
13 States, and to give the testimony that you are  
14 receiving from the people here tonight represented,  
15 give it the weight that is deserves, which is equal  
16 weight, important weight, the kind of weight that  
17 attorneys and courts across the country give every  
18 single day where evidence is presented, and that the  
19 paper of that evidence is what is necessary in order  
20 to persuade the decisions that are made.

21 I would say in addition to that, that you  
22 listen to the emotion in the room. This is not --  
23 and often times I think people are asked to ignore  
24 emotion, but what you're hearing is an expression of  
25 the real and present and future impact this pipeline

1 is going to have on the people who live in these  
 2 communities, who work in the communities, who go to  
 3 church in the communities that are affected by this,  
 4 whose playgrounds and schools and places of business  
 5 are going to be directly affected because of their  
 6 proximity to the pipelines, and whose homes where  
 7 people go to sleep at night, gather around a dinner  
 8 table every evening, when they kiss their kids in the  
 9 morning and send them off to school, husbands and  
 10 wives say so long, I love you to one another as they  
 11 go to work.

12 The motion that you're hearing is not  
 13 unreasonable fear, it's not the product of hysteria,  
 14 it is the product of a very real and factual impact  
 15 that this line, and proposed line, is having upon  
 16 them, and if built, will continue to have on the  
 17 people who are going to be directly affected and who  
 18 you are hearing from this evening.

19 And that's why our Board of Commissioners  
 20 is unanimously in support of the people of Hamilton  
 21 County who are going to be affected if this line is  
 22 built as proposed, as opposed to building the line in  
 23 a manner and place that will have far less impact on  
 24 people and on the environment in which the people  
 25 live, all the matters that you are supposed to take

1 into consideration.

2 Let me close by saying this: Our  
3 commitment, meaning our Board's commitment, is real.  
4 We didn't enter into this fight frivolously. We did  
5 not decide to enter into the fight to engage legal  
6 counsel and to make the commitments and to adopt the  
7 resolutions of support that we have on a whim.

8 We did so after considering sound legal  
9 advice. We did so after listening to experts in the  
10 field. We did so after making sure that there was  
11 firm legal footing, and just as firm factual  
12 foundation for the decision that we have made.

13 The Ohio Power Siting Board needs to take  
14 heed to what our representative capacity says, to the  
15 voting members of the Board, and what the people who  
16 are here tonight are saying to the voting members of  
17 the Board.

18 And if I'm not mistaken, with all due  
19 respect, and I do thank you for being here tonight,  
20 but none of you are voting members on the Power  
21 Siting Board; is that correct? It is correct?

22 ALJ PARROT: We're Administrative Law  
23 Judges.

24 MR. PORTUNE: Correct, but you are not  
25 the voting members who will be making a decision on

1 this matter.

2 ALJ PARROT: We're assigned to this case.

3 MR. PORTUNE: Thank you for acknowledging  
4 that and admitting that.

5 So I will say what I said at the last  
6 hearing in this same room on this same topic when it  
7 was convened, that I think that it is unconscionable,  
8 unconscionable, that the voting members of the Ohio  
9 Power Siting Board could deem it appropriate to  
10 schedule a public hearing for the purpose of  
11 listening to and hearing from the very people who are  
12 affected by the decision that they will make, a  
13 decision that will affect these good people for the  
14 rest of their lives, so long as they live in the  
15 homes that they currently own, or lease the premises  
16 that they rent, so long as they go to the churches  
17 where this pipeline will be run being adjacent to, or  
18 use the playgrounds where their children play, so  
19 long as they go to work in the businesses where the  
20 line will go directly adjacent to those properties,  
21 so long as they are in places where this pipeline  
22 will go through backyards, properties, or within  
23 close proximity to front doors and porches, that this  
24 decision that they will make that will effect all of  
25 these good people for the rest of their lives, that

1 they are in those positions, it is unconscionable  
2 that not a single member who will cast a vote on this  
3 important issue feels it important enough to spend  
4 five hours here in Hamilton County to listen to and  
5 to see and to be in the same room with the people who  
6 they will affect based upon their decision.

7 It is unconscionable that a setting could  
8 be created where that could occur, that somehow this  
9 is appropriate due process for the people of Hamilton  
10 County who will be affected by this.

11 And I'm not laying this on you, I'm  
12 saying this to you to carry back to the voting  
13 members, how unconscionable, how unreasonable and  
14 inappropriate it is that not a single one of them is  
15 here today to hear from the very public who they will  
16 affect.

17 And if anything speaks more to the  
18 illegitimacy of this process, and the decision that  
19 they will make, unless it is a decision that has  
20 received, accepted, understood, and appropriately  
21 addresses and responds to in a way that is acceptable  
22 to the people of the communities that I represent  
23 here, you know, unless they do anything other than  
24 that, this process is an illegitimate one on the fact  
25 that they are not here.

1           So I'll close with this: What we ask is  
2 what any representative would ask, and that is you  
3 listen to the people who you are going to affect by  
4 the decisions that you make, and that you take the  
5 comprehensive and holistic and complete volume of the  
6 testimony and the evidence presented by the people of  
7 Hamilton County about this decision, and that you  
8 respond accordingly, and that you decide that the  
9 siting of the pipeline as presented by Duke Energy,  
10 and as is before you, is located in an inappropriate  
11 location, and that the Board deem that the pipeline,  
12 if it should be constructed, will not be constructed  
13 as proposed, but will be constructed in another place  
14 and in another manner. Thank you very much.

15           ALJ PARROT: Any questions? Thank you.

16           Katie, are you ready?

17           Jeff Powell?

18           Katie, can you raise your right hand? Do  
19 you swear or affirm the testimony you're about to  
20 give will be the truth?

21           MS. KATIE STURGILL: I do.

22           ALJ PARROT: Can you state your name and  
23 address?

24           MS. KATIE STURGILL: Katie Sturgill,  
25 K-a-t-i-e, S-t-u-r-g-i-l-l.

1 ALJ PARROT: Just state your address.

2 MS. KATIE STURGILL: 1548 West Street,  
3 Reading, Ohio.

4 ALJ PARROT: Thank you. Go ahead.

5 - - -

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

9 DIRECT TESTIMONY

10 MS. KATIE STURGILL: Hi. I'm Katie  
11 Sturgill. I am 11. I live at 1548 West Street.  
12 Although I am only 11, I can see that this pipeline  
13 is tearing my community apart.

14 When I am only -- when I'm out riding my  
15 bike I see lots more houses on sale throughout my  
16 neighborhood.

17 I worry about the animals and wildlife  
18 throughout my community because I know that for the  
19 pipeline you will be cutting down the trees and  
20 destroying their habitat.

21 Did Duke look into how many animals will  
22 be injured and displaced year round? Lots of adults  
23 say we have to protect the world for the future  
24 children. How does this protect the earth for future  
25 generations. Thanks.

1 ALJ PARROT: Thank you.

2 Rabbi Yaakov Karp.

3 Rachel Ainsworth?

4 Mr. Powell, if you could raise your right  
5 hand. Do you swear or affirm the testimony you're  
6 about to give will be the truth?

7 MR. POWELL: I do.

8 ALJ PARROT: Please state your name and  
9 address.

10 MR. POWELL: Jeff Powell, 2118 Hathaway  
11 Road, Union, Kentucky.

12 ALJ PARROT: Go ahead.

13 - - -

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

17 DIRECT TESTIMONY

18 MR. POWELL: Good afternoon. My name is  
19 Jeff Powell, and I'm here to speak a behalf of the  
20 Operating Engineers, Local 18, and our 15,000  
21 statewide members.

22 I want to say first and foremost, the  
23 Local 18 is a full support of the proposed Duke  
24 Energy central corridor gas pipeline extension.

25 For the Operating Engineers, this project

1 will create jobs for our members during the initial  
2 construction phase, and also for ongoing routine  
3 maintenance of the pipeline while operating.

4 The work generated from this project will  
5 help continue to pay for benefits and training for  
6 all our active members, as well as the pension  
7 benefits our retirees enjoy every day.

8 If the central corridor project is  
9 approved and it is built by our members and fellow  
10 tradesmen and women, it will be built safe,  
11 efficiently, and correct the first time. Our members  
12 not only live here, but also their families live here  
13 as well, so they have the same concerns about the  
14 community as your neighbors have.

15 Currently there are several similar  
16 projects being built in other areas of the state with  
17 our members on the job. The areas where they are  
18 being built had nothing but a positive impact in the  
19 communities and have employed hundreds of Operating  
20 Engineers.

21 IUOE Local 18 urges the Board to join us  
22 in supporting the Duke Energy central corridor  
23 pipeline and approve this project. The men and women  
24 of Local 18 are ready to build it. Thank you.

25 ALJ PARROT: Questions?

1 Mark Evans? Mark Evans?

2 Patty -- I believe it's Patty Gilbert?

3 Mrs. Ainsworth, if you could raise your  
4 right hand. Do you swear or affirm that the  
5 testimony you're about to give will be the truth?

6 MS. AINSWORTH: Yes.

7 ALJ PARROT: Please state your name and  
8 address.

9 MS. AINSWORTH: My name is Rachel,  
10 Rachel, Ainsworth, A-i-n-s-w-o-r-t-h. My address is  
11 10255 Evendale Commons Drive, Cincinnati, 45241.

12 - - -

13 RACHEL AINSWORTH,  
14 presented herself as a public witness, and being  
15 first duly sworn, testified as follows:

16 DIRECT TESTIMONY

17 MS. AINSWORTH: I am here today as house  
18 counsel and an employee of Kinetic Vision. Kinetic  
19 Vision is a product designed and developed by a  
20 company that was started in 1985 just as a one-man  
21 consulting firm.

22 Today it's grown to employ over 140  
23 people, and has an international customer base. We  
24 are currently considering construction of a fourth  
25 building to our campus located in the Village of

1 Evendale.

2 Our first three buildings are located at  
3 10255, 10191, and 10176 Evendale Commons, and  
4 combined represent a \$6 million investment. Of our  
5 three buildings, one will be as close as 20 to 30  
6 feet from the proposed Alternate Route.

7 Today we have heard a lot about how  
8 Duke's proposed pipeline will catalyze commercial  
9 growth in Cincinnati. But we have to ask what may  
10 happen when it instead catalyzes a devastating  
11 explosion, or what happens when these risks are high  
12 enough to divert business away that exist today.

13 We must consider what effects this would  
14 have on our existing community, because new  
15 infrastructure will ultimately be far less useful  
16 without it.

17 Construction was completed in late 2017  
18 on our third building. The proposed alternate route  
19 of the pipeline would be approximately 25 feet from  
20 that building's exterior, and also placed very near  
21 existing power lines. About 40 people currently  
22 occupy that building, but another 100 occupy the  
23 other two buildings on our campus.

24 We are also planning a fourth building  
25 for construction in 2020, representing a 2.5 million

1 portion of the Phase II construction expansion  
2 project.

3 Modern pipelines are surely advertised as  
4 being far safer as their older counterparts, but even  
5 the best engineered systems on our planet fail  
6 unexpectedly. Despite extensive engineering, testing  
7 and quality control, there is no way to guarantee  
8 absolute safety for any man-made project.

9 Natural disasters, design or construction  
10 flaws, random events or acts of terrorist, cannot be  
11 predicted. The best we can do is mitigate the  
12 potential for tragedy, not increase it.

13 Specifically, I believe the Village of  
14 Evendale's commercial market will bear a significant  
15 negative impact from installation of the central  
16 corridor pipeline. For instance, the property of  
17 Kinetic Vision and many other adjacent businesses  
18 will be greatly devalued. Potential buyers may  
19 reasonably be value weary of the risk such that they  
20 would not seek purchase.

21 Because of the actual pipeline's risk  
22 combined with the potential for a lack of future  
23 demand for commercial property in close proximity,  
24 the future resale value of Kinetic Vision's property,  
25 in particular, would be significantly lessened.

1           More importantly, owners of businesses  
2     have certain fiduciary duties to provide safe working  
3     conditions for their employees. It is likely that  
4     many business owners could determine that they simply  
5     cannot and will not ask their employees to inhabit  
6     company facilities that are in such close proximity  
7     to a potential explosion capable of destroying an  
8     entire building without warning.

9           I have personally heard comments at work  
10    by concerned employees contemplating whether or not  
11    they would retain their employment if the pipeline is  
12    placed that closely to our buildings.

13          When taking into account the potential  
14    for property and asset damage, Worker's Compensation,  
15    personal injury, premises liability, emotional  
16    distress, loss of payroll, property devaluation and  
17    an increase in insurance premiums, it's not  
18    unreasonable to assume that future financial damages  
19    may exceed 20 million or more for a company like us.

20          Considering such insurmountable damages,  
21    and the impact on our employees' emotional distress,  
22    it's also not unreasonable that when we weigh these  
23    risks, many businesses could choose to close.

24          In the case of Kinetic Vision alone, if  
25    that was chosen, the community would be losing 140

1 high paying jobs, and 100 additional jobs that we  
2 have planned for our 2020 expansion.

3 The end result, also, the total future  
4 payroll tax base that the Village of Evendale would  
5 lose would be over \$20 million per year.

6 I urgently request that a route be chosen  
7 that is not immediately adjacent to any business,  
8 residence, or public building. Thank you.

9 ALJ PARROT: Questions?

10 Thank you.

11 Tommy Timm?

12 Ms. Dilbert, please raise your right  
13 hand. Do you swear or affirm the testimony you're  
14 about to give will be the truth?

15 MS. DILBERT: Yes.

16 ALJ PARROT: Please state your name and  
17 address.

18 MS. DILBERT: My name is Patty Dilbert.  
19 I live at 1511 Market Street, Reading, Ohio.

20 - - -

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

24 DIRECT TESTIMONY

25 MS. DILBERT: It appears that the reason

1 for this pipeline is to move the shale generated gas.  
 2 The only consideration of cost is what would be  
 3 incurred by Duke. Duke is passing the cost on to the  
 4 people on the routes.

5 I do not want my home devalued, or the  
 6 cost of my gas and electric to go up. And certainly  
 7 I do not want to die in an explosion that could  
 8 happen on this pipe, and the pipe is running right in  
 9 front of my house. Thank you.

10 ALJ PARROT: Questions?

11 Greg Reese.

12 Mr. Timm, please raise your right hand.  
 13 Do you swear or affirm the testimony you're about to  
 14 give will be the truth?

15 MR. TIMM: I do. Tommy Timm, 4329 Erie  
 16 Avenue, Cincinnati, Ohio 45227.

17 ALJ PARROT: Go ahead.

18 - - -

19 TOMMY TIMM,  
 20 presented himself as a public witness, and being  
 21 first duly sworn, testified as follows:

22 DIRECT TESTIMONY

23 MR. TIMM: Well, I'm a grandpa, and I  
 24 live within one block of the proposed line. And I,  
 25 like so many people, are -- maybe too few people, are

1 aware of how authorities have given assurance that  
2 pipelines are safe, but to no avail, because we've  
3 seen what's happened in so many places where so much  
4 devastation has taken place.

5 It's really almost unbelievable to me  
6 that a company would have such disregard of the  
7 people to build a pipeline through such a populated  
8 area.

9 If there is an explosion, which is  
10 possible, in my community there will be so much  
11 devastation on churches and businesses and schools  
12 where the pipeline actually runs right in the front  
13 yard of John Parker School where there are so many  
14 children in attendance.

15 I am concerned for all of my neighbors  
16 and my friends, and my children and grandchildren,  
17 who live so close to the pipeline.

18 There's a Yiddish word that says -- of  
19 course I can't think of it now, but it means gall  
20 beyond gall, and this is what this situation is, gall  
21 beyond gall. Thank you.

22 ALJ PARROT: Questions?

23 Thank you.

24 Carol Conover. Carol Conover.

25 Number 31, I believe, was to have been

1 Karen Palatchi. My understanding is she has offered  
2 a written statement in lieu of testimony; is that  
3 correct? Karen Palatchi.

4 32 is Dick Croy.

5 Mr. Reece, please raise your right hand.  
6 Do you swear or affirm the testimony you're about to  
7 give will be the truth?

8 MR. REECE: I do.

9 ALJ PARROT: Please state your name and  
10 address.

11 MR. REECE: Gregory Reece, 2616  
12 Briarcliffe Avenue, Cincinnati, Ohio.

13 ALJ PARROT: Thank you, please proceed.

14 - - -

15 GREGORY REECE,  
16 presented himself as a public witness, and being  
17 first duly sworn, testified as follows:

18 DIRECT TESTIMONY

19 MR. REECE: I live in Pleasant Ridge, and  
20 at the end of our street is Hilton Davis Chemical  
21 Company or whatever the variation of it is named at  
22 this point.

23 It took us years to get that cleaned up  
24 and make the neighborhood viable, that people wanted  
25 to move into, and now the alternative route, the

1 terminus, where they are going to build the terminus  
2 station, is right next to Hilton Davis Chemical  
3 Plant.

4 I don't know about you, but it scares the  
5 crap out of me. So for that reason I think they need  
6 to go back to the designing board and find an  
7 alternative route that doesn't go to all these areas  
8 and ends by a chemical plant. Thank you.

9 ALJ PARROT: Any questions?

10 So, I may get this one wrong. Is it  
11 Leonid Turkevich?

12 Mr. Croy, please raise your right hand.  
13 Do you swear or affirm that the testimony you're  
14 about to give will be the truth?

15 MR. CROY: I do.

16 ALJ PARROT: Please state your name and  
17 address.

18 MR. CROY: Dick Croy, C-r-o-y. 9413  
19 Southgate Drive in Blue Ash, 45241.

20 - - -

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

24 DIRECT TESTIMONY

25 MR. CROY: I think, in my opinion, the

1 position of the people in opposition to the pipeline  
 2 is really pretty simple: There's no place for a  
 3 high-pressure pipeline in densely-populated suburbs.  
 4 When they blow up, and they have, the temperature is  
 5 too intense for fire departments to contend with.  
 6 Anyone unfortunate enough to be caught in the blast  
 7 or incineration zone is beyond the help of  
 8 firefighters.

9 That's what happened in San Bruno,  
 10 California, just 10 years ago, when several city  
 11 blocks were destroyed. And last year, in western  
 12 Pennsylvania as well. The huge difference is that in  
 13 San Bruno, 60 people were burned alive or seriously  
 14 injured; while in rural Pennsylvania, only one  
 15 farmhouse was involved.

16 The single resident was severely burned,  
 17 not from fire, but just the heat of the explosion  
 18 alone, while firefighters could only sit in the truck  
 19 or trucks on the county road until the gas was turned  
 20 off. That's why high-pressure gas lines belong out  
 21 in rural areas.

22 On the two remaining routes Duke has  
 23 proposed for their 20-inch, 500-psi transmission  
 24 line, there are schools and churches, nursing homes  
 25 and a major hospital, many businesses, and

1 Cincinnati's premier shopping center.

2           Try to imagine what would happen if  
3 there's a catastrophic explosion near any of these  
4 facilities. And keep in mind that the Wall Street  
5 Journal reported there were 1,400 pipeline spills and  
6 accidents in the United States from 2010 to 2013  
7 alone. We hear about them all the time. And it  
8 isn't just the old pipes that blow up; it's the new  
9 ones as well. So that's the main reason we're  
10 against this pipeline.

11           Number 2, we don't believe Duke's stated  
12 reason for tearing up our communities and putting the  
13 lives of thousands of people at risk.

14           Demand for natural gas in Greater  
15 Cincinnati is decreasing, but Duke claims they need  
16 to run their high-pressure transmission line through  
17 our suburbs because of the dozen or so days in winter  
18 when demand is excessive.

19           Our own experts, however, have pointed  
20 out that it will be less expensive and, God knows,  
21 far safer to upgrade their existing propane peaking  
22 plants for that purpose than to construct this very  
23 dangerous \$120 million pipeline.

24           And speaking of cost, people will ask,  
25 "Why can't Duke go around our urban area instead of

1 right through the heart of it?" Well, then who would  
2 pay for it? Duke wants us to pay for it.

3 We think the real reason, as others have  
4 said today, for the pipeline, by the way, is to  
5 transport fracked gas from eastern Ohio on what will  
6 eventually be an interstate pipeline, maybe all the  
7 way to the Gulf Coast. In any case, we want no part  
8 of it.

9 Let me summarize: Duke wants to tear up  
10 a dozen or so beautiful, densely-populated  
11 communities and put thousands of lives at risk, and  
12 they want us to pay for a potentially deadly natural  
13 gas transmission line that we don't need; that may,  
14 in fact, not be for us at all. And that's  
15 unconscionable.

16 ALJ PARROT: Questions?

17 Ron Schilling.

18 Mr. Turkevich, raise your right hand. Do  
19 you swear or affirm the testimony you're about to  
20 give will be the truth?

21 MR. TURKEVICH: You bet.

22 ALJ PARROT: Please state your name and  
23 address.

24 MR. TURKEVICH: My name is Leonid  
25 Turkevich. L-e-o, n as in Nancy, i-d. T as in Tom,

1 u-r-k, e as in Edward, v as in Victor, i-c-h. I live  
2 at 3650 Carpenters Creek Drive, Post Office  
3 Cincinnati, but politically it's in Evendale.

4 - - -

5 LEONID A. TURKEVICH,  
6 presented himself as a public witness, and being  
7 first duly sworn, testified as follows:

8 DIRECT TESTIMONY

9 MR. TURKEVICH: So, good afternoon, and  
10 thank you for letting me address the Siting Board  
11 even if it's in absentia.

12 As you know, my name is Leonid Turkevich.  
13 I reside in Evendale, about a half a mile from  
14 Glendale-Milford Road, which is on the route of the  
15 proposed green line of the pipeline.

16 My Ph.D. is in Physics, and I work at  
17 NIOSH, the National Institute for Occupational Safety  
18 and Health, which is one of the centers of the CDC,  
19 Centers for Disease Control and Prevention. However,  
20 my remarks are my individual professional opinions  
21 and do not reflect policy of either NIOSH or the CDC.  
22 I have published peer-reviewed research articles in  
23 the area of dust explosions.

24 I previously testified before the Siting  
25 Board, again in absentia, on the 15th of June 2017.

1 I want to reiterate the main point of that testimony.

2 The safety issue that has not received  
3 much attention -- albeit, Mrs. Sturgill, in red  
4 there, did refer to it -- is the relationship of the  
5 siting location to the structural integrity of the  
6 pipeline and, hence, to community safety.

7 Both proposed pipeline routes, the  
8 preferred and the alternate route, pass through  
9 densely-populated residential and business areas, and  
10 this inherently poses a safety risk in the event of a  
11 pipeline failure.

12 However, there is an elevated risk of  
13 failure due to the proximity of the proposed routes  
14 to highly-traveled roads and to active railroad  
15 lines. For example, Glendale-Milford is a  
16 heavily-used commuter artery. More seriously, both  
17 proposed pipeline routes parallel and cross several  
18 active railroad lines.

19 My concern is with vibration-induced  
20 damage. There are at least two effects that  
21 excessive vibration might cause:

22 A) Damage to the pipeline structure, in  
23 particular to welded joints; and

24 B) Acceleration of metal fatigue of pipe  
25 components.

1 I have a whole list of references here,  
2 which I will not give the public, but are in my  
3 written testimony.

4 Bajcar studied the impact of road traffic  
5 on a buried pipeline, and a similar study is  
6 warranted to quantify the impact of the larger  
7 amplitude vibrations generated by rail traffic.  
8 There are some hints, from mathematical modeling, as  
9 to how rail traffic might affect pipeline integrity,  
10 but an experimental evaluation certainly needs to be  
11 conducted. The effect of excessive vibration on  
12 metal fatigue is very well documented.

13 Absent any understanding of the magnitude  
14 of potential damage to the pipeline by road traffic  
15 and by rail-induced vibrations, siting the pipeline  
16 along the currently proposed routes is, frankly,  
17 irresponsible.

18 I strongly urge you not to situate the  
19 pipeline in our densely-populated communities. Thank  
20 you.

21 ALJ PARROT: Questions?

22 I believe it's Stefan Densmore.

23 Mr. Schilling, please raise your right  
24 hand. Do you swear or affirm the testimony you're  
25 about to give will be the truth?

1 MR. SCHILLING: I do.

2 ALJ PARROT: State your name and address.

3 MR. SCHILLING: My name is Ron Schilling.  
4 R-o-n S-c-h-i-l-l-i-n-g. I live in Evendale. 3660  
5 Sherbrooke Drive, 45241.

6 - - -

7 RON SCHILLING,  
8 presented himself as a public witness, and being  
9 first duly sworn, testified as follows:

10 DIRECT TESTIMONY

11 MR. SCHILLING: I'm here wearing two hats  
12 today, and I thank you all for taking the time here.  
13 I know it's an ordeal -- well, it's a long time.

14 I, as a resident, am concerned. I relate  
15 to all the concerns the people have been expressing  
16 who live near where the route of the pipeline is  
17 proposed, so I share those concerns but I'm here in  
18 another capacity.

19 I am Director of The Schilling School for  
20 Gifted Children, and also the Secretary and Treasurer  
21 and Officer of the school. And we've been looking  
22 for a building to house the school, and one of the  
23 buildings we would have looked at was in Evendale on  
24 Glendale-Milford Road, adjacent to the pipeline. It  
25 runs right past the building we were looking at, and

1 that was of concern and the reason that we did not  
2 buy the building.

3 We had a contract on the building. When  
4 we found that the proposed pipeline was going to run  
5 right by there, I mean it's within a hundred feet,  
6 probably even closer, we felt it would be  
7 irresponsible to house children or a K through 12  
8 school to house children on a daily basis on that  
9 route. It just seemed unconscionable to us, so we  
10 did not buy that building.

11 The other concern we had as a Board, I  
12 don't want to -- is an economic concern. Our chief  
13 concern was the health and safety of the children and  
14 the faculty and the staff, but the other concern was  
15 how do you run -- how do you run a school and attract  
16 parents?

17 You've heard the emotion here. We get  
18 parents who come in with their kindergarten child,  
19 third-grader. These kids need guidance of how to go  
20 from A to B, not alone in a crisis. And our concern  
21 was that the parents are very emotional about this  
22 issue.

23 Whatever you believe about what the issue  
24 is on the reality of an explosion or whatever, we, as  
25 a Board, our School Board felt that it would cause a

1 problem with enrollment and a concern on the part of  
2 the parents of the students who were enrolled in the  
3 school.

4 So I just wanted to make those  
5 statements, and I appreciate you for listening.  
6 Thank you.

7 ALJ PARROT: Any questions?

8 Bridget, I believe it's Broyler? Bridget  
9 Broyler?

10 Ken Dallat? No. 38. Ken, maybe Dallas?

11 Carl Boeckman.

12 Mr. Densmore, please raise your right  
13 hand. Do you swear or affirm the testimony you're  
14 about to give will be the truth?

15 MR. DENSMORE: Yes.

16 ALJ PARROT: Please state your name and  
17 address.

18 MR. DENSMORE: My name is Stefan  
19 Densmore. S-t-e-f-a-n D-e-n-s-m-o-r-e. 2606  
20 Canterbury Avenue in Golf Manor.

21 - - -

22 STEFAN DENSMORE,  
23 presented himself as a public witness, and being  
24 first duly sworn, testified as follows:

25 DIRECT TESTIMONY

1           MR. DENSMORE: I have six children under  
2 the age of 8. We've lived in Golf Manor for just  
3 over 10 years now. I'm a native Cincinnati. I've  
4 lived here all my life. I grew up in the Montgomery  
5 area, Blue Ash area.

6           I've been very involved in -- I'm very  
7 civic minded, all right? I'm not here to speak as an  
8 elected official but I am an elected official. I'm  
9 Vice Mayor in Golf Manor. I have been involved with  
10 the Village Council there for about five years now.

11           My experience as a resident of Golf Manor  
12 has afforded me information that some of the other  
13 residents don't have with regard to how village  
14 operations work and, as a resident, I'm very  
15 concerned about how the pipeline can affect that.

16           Specifically, when we look at the  
17 pressure of this pipeline and its location in our  
18 community, it is within the blast range of our first  
19 responders, all right?

20           The statistical estimates are that our  
21 entire municipal building, that's our fire  
22 department, that's our police department, and then  
23 one of the oldest synagogues in the area, which is a  
24 block and a half behind, are all within the blast  
25 zone, all right? So the people who would respond and

1 protect us as residents would be eliminated by a  
2 blast there, all right?

3 Statistically it says that actually those  
4 first responders would have 17 minutes to get out of  
5 the building and, if not, 100 percent of them would  
6 be dead, all right? 11 minutes and it would be  
7 50 percent of them.

8 Now, if you can imagine being in a  
9 building like this and there's a sudden rumble and  
10 you're disoriented and you're not even sure what's  
11 going on, that's going to affect your response time,  
12 all right?

13 We don't have training in any of this,  
14 all right, that I'm aware of as a citizen in this  
15 community, all right?

16 So would you be able to get out of this  
17 building, and not just out of this building but a  
18 block and a half away from this building in 11  
19 minutes? And if not, 1 in 2 of us would be dead, all  
20 right? That's our first responders within 11 minutes  
21 of a blast like this.

22 Where the proposed pipeline is in our  
23 community, it goes along the railroad track. So,  
24 other people have spoken to the concerns that, you  
25 know, that can affect the integrity of the pipeline

1     itself. Well, imagine an accident there, all right?  
2     So there's a concern there.

3             My bigger concern though, as a citizen  
4     concerned with civics, is this whole process that  
5     safety isn't a factor that's considered, all right?  
6     How can that -- I mean, how can that be?

7             And I would ask for members of the Siting  
8     Board, if they feel at all restrained from  
9     considering safety factors, I would ask you to be an  
10    activist, frankly, and vote your conscience on this.

11            We've heard testimony that this has  
12    nothing to do with transferring gas across our  
13    country, that it has to do with it's just local  
14    concerns that the gas pipelines have to be built. I  
15    don't believe that there has been -- I haven't heard  
16    sufficient evidence that that's really the case.

17            When I look at federal mapping of the  
18    pipelines in our area -- and they break them down  
19    presumably for security purposes so you can't, like,  
20    view the whole thing. You have to, by county, pull  
21    them up and then put them all together, right, to see  
22    what's going on.

23            My concern is we know that it's been  
24    estimated that 60 percent of our gas comes from  
25    fracked gas and there's a booming industry in

1 northern Ohio, right? And suddenly we have this need  
2 for not regular transmission lines. These are larger  
3 ones, all right?

4 If there's an issue with, "Oh, we've got  
5 aging lines," then let's fix those aging lines, not  
6 make the bigger ones of the size that are used to  
7 transport gas across the country.

8 You know, we have elected officials that  
9 have been opposing this. Elected officials, people  
10 who represent their communities that have been  
11 opposing this and, yet, if the concerns of security  
12 and safety aren't allowed to be heard, it seems like  
13 a broken process and it seems like it's one in which  
14 a company is going to be able to trump elected  
15 officials.

16 I mean, when you look at the elected  
17 officials of all these communities, and I'm speaking  
18 as a citizen who's seen all these elected officials  
19 saying that their communities are opposed to this and  
20 that they're opposed to it, all right? We're  
21 essentially having a situation where companies are  
22 trumping the individuals in these areas who will be  
23 directly affected, their position.

24 So that concerns me and that's probably  
25 my biggest concern beyond the -- beyond the safety

1 issue is the fact that the system in which you're  
2 hearing testimony seems broken if you're not allowed  
3 to hear safety concerns, that those aren't allowed to  
4 factor into the decision whether these pipelines come  
5 directly through this highly-populated area or go  
6 around.

7 That's all. I appreciate it.

8 ALJ PARROT: Maxine Bookbinder.

9 Mr. Boeckman, please raise your right  
10 hand. Do you swear or affirm the testimony you are  
11 about to give will be the truth?

12 MR. BOECKMAN: I do.

13 ALJ PARROT: Please state your name and  
14 address.

15 MR. BOECKMAN: My name is Carl Boeckman.  
16 C-a-r-l B-o-e-c-k-m-a-n. I own property at 5700  
17 Marmion Lane in Cincinnati, Ohio. That is the  
18 neighborhood known as Pleasant Ridge. The green line  
19 was the line that ran closest to my property.

20 - - -

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

24 MR. BOECKMAN: I am opposed to the idea  
25 of Duke Energy building a pipeline mainly because of

1 the reputation of the company. Here are my specific  
2 reasons:

3 1, Duke Energy is unable to process  
4 payments in a timely manner. There's a service  
5 charge to make an electronic payment. It used to be  
6 a 5-dollar service charge. On February 26th, I wrote  
7 a check to Duke Energy. It is 23 days later and the  
8 check has not been cashed. It is a late payment. I  
9 made an electronic payment and paid the service  
10 charge. Essentially, I paid my February bill twice.  
11 That was a large bill due to the cold weather that we  
12 had. On September 25, 2018, it took Duke Energy 14  
13 days to process my check. That created alarm. Was  
14 my check lost in the mail? No company takes that  
15 long of a time to process payments.

16 2, The monthly gas bills are already too  
17 high. If Duke builds this pipeline, we, the  
18 ratepayers, are going to be paying for it. The  
19 distribution charge is \$33 per month. In May of  
20 2008, the distribution charge was only \$6 a month.

21 We were told, when Duke Energy bought  
22 Cinergy, we would have low energy costs. We were  
23 told that when Duke completed the Accelerated Main  
24 Replacement Program, we would have low energy costs.  
25 I don't think anyone thinks that the rates are that

1 low.

2 3, The planned construction is going to  
3 put our roads into gridlock. We are in gridlock now.  
4 The government is unable to fix the potholes at the  
5 present time. If the construction is completed and  
6 an explosion occurs, we will not be able to evacuate.  
7 First responders will not be able to respond.

8 In fact, about a month ago, there was a  
9 simple auto accident on Ridge Road, close to the  
10 municipal building in Amberley Village, which shut  
11 down the whole road between Section and Galbraith.  
12 It occurred at rush hour, in the evening, and traffic  
13 was a nightmare.

14 When Duke Energy replaced the gas lines  
15 on my street in 2009, the street was inconvenienced  
16 for three months. I did not have free access to my  
17 driveway. I could not have work done on my house  
18 because of all the gas line work. I couldn't take a  
19 vacation because the workers needed access to my  
20 house on numerous occasions. The new meter, that was  
21 installed in my house, leaked gas.

22 4, I encourage you to read the online  
23 comments about Duke Energy. I was on one website  
24 yesterday, and I meant to write it down, I don't have  
25 it, it was a consumer affairs website. As you might

1     imagine, the comments bashed the company pretty  
2     heavily.

3             5, Duke Energy should never have been  
4     allowed to buy Cinergy. There was no due diligence  
5     per my deceased friend Albert Lane. Google "Albert  
6     Lane, Duke Energy." Albert Lane was an intervenor  
7     during the rate increase hearing due to Hurricane Ike  
8     which occurred back around 2008-2009.

9             6, Duke Energy is a shell company. Can  
10    Ohio regulators really enforce an action against a  
11    Charlotte, North Carolina corporation? They say they  
12    can, but I question that with the way the company is  
13    being run.

14            7, Duke Energy has exhibited a culture of  
15    corruption. I am referencing the lawsuit Williams  
16    versus Duke Energy. You can't trust them.

17            To the intervenors in the room, I would  
18    advise you to ask simple questions at the hearing.  
19    For example, I found out that during the rate  
20    increase hearing, after Hurricane Ike, Duke didn't  
21    even use a mathematical formula to compute the rate  
22    increases.

23            It sounds like we are in a terrible fix.  
24    We're going to have to pay for it, I know Duke wants  
25    to build the line, I know they want gas, but I would

1 ask you to give consideration to the opinions that  
2 were expressed here today.

3 Thank you so much. Any questions?

4 ALJ PARROT: Mr. Boeckman, do you want to  
5 leave your written statement for us?

6 MR. BOECKMAN: I prefer to keep it for  
7 the next -- for 10 years down the road. I had the  
8 same thing prepared 10 years ago.

9 ALJ SEE: John Tafaro.

10 Denise Conroy.

11 ALJ PARROT: Ms. Bookbinder, can you  
12 raise your right hand. Do you swear or affirm the  
13 testimony you're about to give will be the truth?

14 MS. BOOKBINDER: Yes.

15 ALJ PARROT: Please state your name and  
16 address.

17 MS. BOOKBINDER: My name is Maxine  
18 Bookbinder, B-o-o-k-b-i-n-d-e-r. 10653 Kenridge  
19 Drive, Blue Ash, Ohio 45242.

20 - - -

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

24 DIRECT TESTIMONY

25 MS. BOOKBINDER: I'm a resident living

1 within the 900-foot blast zone of one of the proposed  
2 lines.

3 Last year, when Duke held an information  
4 session, I asked about potential accidents during  
5 construction and then daily maintenance upon  
6 completion. I was told that the pipeline is  
7 carefully monitored during construction and  
8 throughout its lifetime, thus preventing accidents.

9 There have been more than 3,200 accidents  
10 since 1987. I realize that technology improves and  
11 becomes more sophisticated, but in 2017 there were  
12 still about 38 accidents or equipment malfunctions  
13 across the country.

14 I'm sure that in every case the local  
15 energy companies assured concerned residents that  
16 every safety precaution possible was used and that  
17 they should not worry.

18 Duke's Central Corridor Pipeline  
19 Extension is designed to pass within just feet of  
20 residential houses, a mall, a hospital, schools,  
21 houses of worship, and other numerous retail and  
22 restaurant venues. There are thousands of people at  
23 any given time who are vulnerable in case of a  
24 pipeline mishap.

25 The reality is that there is no

1 100-percent assurance of safety, which means that  
 2 during construction and for years to follow  
 3 afterwards, my house, my property, will all be at  
 4 risk within the so-called blast and poisonous gas  
 5 zones. Will that impact my property value? My  
 6 ability to sell my house? My ability to live a  
 7 peaceful, safe existence without fear of impending  
 8 explosion?

9 This may sound histrionic, but I'm sure  
 10 that's what residents thought in some other areas.

11 For example, on March 29th, a natural gas  
 12 leak of a high-pressure pipeline in Providence, Rhode  
 13 Island, owned by Spectra Energy, released about  
 14 19 million cubic feet of natural gas. Approximately  
 15 2 gallons of PCBs were also released in the form of  
 16 contaminated natural gas condensate.

17 On April 13th and 14th, this is again  
 18 2017, it was discovered that Energy Transfer Partners  
 19 spilled drilling fluid into two separate wetlands in  
 20 rural Ohio while constructing the Rover Pipeline.  
 21 The spills occurred in wetlands near Richland County,  
 22 Ohio. Two million gallons spilled on April 13, and  
 23 50,000 gallons on April 14.

24 These are just a sampling of the long  
 25 list of accidents that were, I assume, carefully

1 planned, prepared, watched, maintained, and  
2 ultimately built.

3 Is the pipeline necessary? What is the  
4 evidence that a new pipeline is crucial to serve the  
5 energy needs of local residents? Or is this a  
6 transit pipeline carrying gas through our area and  
7 not even serving us?

8 Who is paying for it? The same residents  
9 who have, for the past two years, told Duke we do not  
10 want it, have written letters opposing it, spoken up  
11 at hearings like this in town halls against it, and  
12 pleaded with siting commissions, committees, and with  
13 Duke, not to build it. We are the ones who will pay  
14 for it.

15 What will be the environmental impact of  
16 a pipeline we do not want? How many trees, roads,  
17 yards, and houses will be permanently impacted?

18 How much will our energy bills increase  
19 to pay for a pipeline we do not want?

20 Do we need a pipeline of this size? The  
21 estimated population in this area is not expected to  
22 increase; in fact, in some areas there is little room  
23 to even expand real estate. According to a  
24 third-party analysis, Duke's own model for how much  
25 gas we need is excessive.

1 All this means is that Duke is going to  
2 raise consumer energy costs to build an over-the-top,  
3 excessive pipeline that is unnecessary, poses  
4 potential health and safety risks, will create  
5 absolute ecological harm to homeowners' property, and  
6 is overwhelmingly opposed by residents.

7 Do we even have a say? Do our opinions  
8 matter? Why are we forced to appear at these  
9 hearings multiple times, write letters, contact our  
10 representatives over and over, appeal to the Siting  
11 Board again and again, have our councils hire  
12 lawyers, and appeal to the Governor if our opinions  
13 and wishes truly mattered?

14 I am dismayed, discouraged, and  
15 disheartened by our repeated attempts to plead to the  
16 Siting Board and to Duke's judgment and compassion to  
17 listen to us.

18 But, in the end, I fear that Duke Energy  
19 will do what it wants, the Siting Board will ignore  
20 our wishes and, against our wills, residents such as  
21 myself will be forced to deal with the financial,  
22 ecological, and emotional repercussions of a  
23 pipeline, again, we do not want and possibly do not  
24 need.

25 I'm asking for you to consider the

1 following:

2 Is this pipeline absolutely and  
3 unequivocally necessary?

4 What are the alternatives?

5 Is this pipeline 100-percent safe?

6 Is it necessary given the risk to life  
7 and property?

8 Why must it run through densely-populated  
9 areas, next to multiple schools, shopping areas,  
10 houses of worship, and hundreds or thousands of  
11 residential homes?

12 Has the OPSB ever completed a  
13 cost-benefit analysis or risk assessment?

14 Have you ever completed an independent  
15 examination of the size of the proposed project  
16 versus the actual need? Or has it just taken Duke's  
17 word for it?

18 Does the OPSB consider it safe to approve  
19 a high-pressure pipeline, although regulations for  
20 high-pressure pipelines in high consequence areas  
21 still have not been passed?

22 Will the OPSB release another report  
23 which takes into account residents' concerns for due  
24 diligence and human safety considerations?

25 And does the Siting Board actually listen

1 to residents, consider our pleas, and listen to our  
2 concerns?

3 And finally, what assurances do we have  
4 that the voting members will hear our concerns and  
5 know how we feel?

6 Thank you.

7 ALJ PARROT: Questions?

8 Thank you.

9 MS. BOOKBINDER: I'm enclosing also the  
10 list of all of the accidents just from 2017, with  
11 references.

12 ALJ SEE: Jeff Capell.

13 Ms. Conroy, do you affirm that the  
14 information you're about to give is true?

15 MS. CONROY: I do.

16 ALJ SEE: I'm going to need you to speak  
17 up. State and spell your name for the record, and  
18 provide us your address.

19 MS. CONROY: Denise Conroy, D-e-n-i-s-e,  
20 C-o-n-r-o-y, address is 3810 Sherbrooke Drive,  
21 Evendale, Ohio.

22 - - -

23 DENISE CONROY,  
24 presented herself as a public witness, and being  
25 first duly sworn, testified as follows:

DIRECT TESTIMONY

MS. CONROY: I'm requesting that the OPSB obtain an independent review of the environmental safety and economic impact to residents, businesses, and schools affected by the proposed path for the pipeline.

This pipeline would be a permanent installation that would expose many to catastrophic incidences for years to come, especially as these pipes age, unless a need to construct a pipeline in this heavily populated area is established.

Please reject this proposed pipeline. If there is a valid need, citizens, businesses, schools, and hospitals, should not be subjected to such environmental safety and economic consequences.

Thank you.

ALJ SEE: Any cross?

Ann Feldman.

Mr. Capell, raise your right hand. Do you affirm that the information you're about to give is true?

MR. CAPELL: I do.

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

MR. CAPELL: Jeff Capell, J-e-f-f,

C-a-p-e-l-l, I live at 9354 Hunters Creek Drive in Blue Ash, Ohio.

- - -

JEFF CAPELL,

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

DIRECT TESTIMONY

MR. CAPELL: I was elected to Blue Ash City Council in 2017, where this is a very big issue given that both of the proposed routes run through our city.

Now, I would hardly be described as a NIMBY, and on these type of issues I don't automatically gravitate to one side or the other, preferring instead to look at the specific facts of each proposal before determining the best policy outcome.

As to the present issue, this has to be one of the worst proposals I have ever seen. This would create a safety hazard by putting a rather high-pressure pipeline through densely occupied areas.

The data shows that demand for natural gas has not been increasing, and isn't projected to. And this project would soak ratepayers with \$100

1 million of rate hikes to pay for an unsafe pipeline  
2 that isn't needed. It is a fiscally reckless and a  
3 safety hazard.

4 As government bodies, we are obligated to  
5 independently evaluate proposals and all the claims  
6 made from either side. It is not sufficient to take  
7 Duke Energy's statements at face value.

8 My two requests are: Number 1, to  
9 independently evaluate the claims in Duke's proposal,  
10 and 2, use your intelligence to realize that this  
11 pipeline is not necessary, and poses a needless  
12 safety and financial hazard.

13 If at some point in the future we saw a  
14 spike in the demand for natural gas, I would hope  
15 that those future proposals would be done in a much  
16 more fiscally and environmentally responsible manner  
17 than what we are seeing here. Thank you for your  
18 time.

19 ALJ SEE: Any cross?

20 Bonnie Bishop? Bonnie Bishop?

21 Ms. Feldman, if you'd raise your right  
22 hand. Do you affirm that the information you're  
23 about to give is true?

24 MS. FELDMAN: Yes, I do.

25 ALJ SEE: State and spell your name for

1 the record, and state your address.

2 MS. FELDMAN: Ann Feldman, F-e-l-d-m-a-n.  
3 I live at 1415 Market Street, Reading, Ohio.

4 - - -

5 ANN FELDMAN,  
6 presented herself as a public witness, and being  
7 first duly sworn, testified as follows:

8 DIRECT TESTIMONY

9 MS. FELDMAN: I'm on the green route. I  
10 did not realize until recently that the Power Siting  
11 Board can only consider environmental and financial  
12 matters in a decision-making process. To me, and  
13 everyone on the proposed pipeline, it is financially  
14 devastating.

15 Our homes and properties are our biggest  
16 investments. The proposed pipeline would decrease  
17 their value considerably. Who would want to live  
18 within 25 feet of a ticking time bomb? I wouldn't,  
19 would you?

20 The only person I can think of is someone  
21 who is looking for a good deal, or someone who is in  
22 my shape, position, and doesn't have a choice. I  
23 can't afford to lose that much money.

24 I always thought that this would be my  
25 retirement home. Now, with the proposed pipeline, it

1 will become my retirement prison.

2 When walking through Reading on the green  
3 route, I'm amazed at how many homes are for sale, and  
4 I'm also amazed at how much mailings and phone calls  
5 I get from people offering to buy my property for  
6 cash, no fix-ups, no fees, just cash.

7 And this tells me two things: One, they  
8 are people looking for a quick fix on money, and two,  
9 they smell -- they are sharks and they smell fear,  
10 and they are right. They are right, I am afraid,  
11 very afraid. The threat of this pipeline alone is  
12 destroying the fiber of good old communities.

13 For years I have been under the  
14 impression that government regulators protect the  
15 people. Now it seems they protect big businesses  
16 like Duke. They protect their wants, not the  
17 people's needs and safety.

18 Duke has yet to provide proof of a need  
19 for the pipeline, or a valid reason for it to go  
20 through densely populated areas. Please don't put me  
21 or anyone else in prison. People have value, and  
22 your decision should reflect that value.

23 Duke has put my family and the Reading  
24 community geographically in line with these proposed  
25 residential pipeline routes. These areas are densely

1 populated. Consider how you would feel if you were  
2 in my position.

3 If you let this happen, it's just the  
4 beginning of the destruction of residential  
5 neighbors. No one would be safe from corporate  
6 greed.

7 There's one more thing I would like to  
8 say. The stress of this pipeline is making me, my  
9 husband, and every senior person on the proposed  
10 pipeline sick. It's killing us. Please don't let  
11 this happen.

12 I hope and pray that when you are as old  
13 as I am you are not put under the stress that I am  
14 under because of this pipeline. Duke doesn't care  
15 about us, I hope you do. Thank you.

16 ALJ SEE: Any cross?

17 Kerry Baker.

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

21 MS. BISHOP: I do.

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

24 MS. BISHOP: Bonnie, B-o-n-n-i-e, Bishop,  
25 B-i-s-h-o-p, 11316 Marlette, M-a-r-l-e-t-t-e, Drive,

1 Cincinnati 45249.

2 ALJ SEE: Go ahead.

3 - - -

4 BONNIE BISHOP,

5 presented herself as a public witness, and being

6 first duly sworn, testified as follows:

7 DIRECT TESTIMONY

8 MS. BISHOP: I understand the concept of  
9 a pipeline, that you want to get gas from one  
10 location to another; however, the area that we live  
11 in, as everybody has told you today, is a very highly  
12 -- very densely populated area. And I've also been  
13 very impressed by the sincerities of the people here  
14 that have spoken on this issue.

15 The people that have spoken for the  
16 pipeline, I realize a lot of it is about jobs, but to  
17 the people of our community, it's more than that,  
18 it's about our very lives, and the lives of our  
19 families, our schools, and our churches.

20 A few years ago I went to the meetings  
21 that were held around here about the pipeline, and I  
22 decided I wanted to become more familiar with the  
23 route, so what I did, I actually drove the part of  
24 the route portrayed on the map to find out exactly  
25 where the areas were. I spent two days doing this,

1 and sometimes I got out of my car and went to the  
2 different areas.

3 As a retired administrator, elementary  
4 principal, high school assistant principal, and  
5 former assistant superintendent, my concern is all  
6 the schools that it is going to go by.

7 When I leave my house and pull out of the  
8 driveway and make a right turn on to Cornell, I am by  
9 the Schilling Gifted School, and it's also connected  
10 with the Synagogue that the gentleman spoke about  
11 here.

12 I also go by Sycamore High School, and  
13 with any kind of a problem, an explosion, it would  
14 take out thousands of children that attend Sycamore  
15 High School.

16 Also, as I make a turn down Deerfield  
17 Road I go by Point Blank, which for people that don't  
18 know that are in Columbus, it is a shooting gallery  
19 where they shoot. There would be a lot of guns  
20 there, and also a lot of ammunition.

21 Also as I go down the street, I go past  
22 another Sycamore Elementary School, and then I turn  
23 on Kenwood Road. On Kenwood Road is a Kenwood Mall,  
24 shopping center, plus it is all kind of -- the whole  
25 road is businesses that are very, very close

1 together.

2 And as I continue down to Kenwood Road  
3 where I got to Kenwood and Montgomery, there were two  
4 churches. I got out of my car. They were very large  
5 churches. I even walked back to the back of the  
6 church, and there was a nursery school. There was  
7 two large nursery schools that meet there five days a  
8 week with little children, you know, to five years  
9 old. So they would be attending the school every  
10 single day.

11 Also, you are sending this pipeline  
12 through one of the most densely populated areas of  
13 all. Cincinnati is a place where we all shop at the  
14 mall. If you would go there, a lot of times it's  
15 bumper-to-bumper traffic as we go down the roads to  
16 get to where we're going.

17 Also, you would be going right next to  
18 Jewish Hospital. That is one of our main hospitals  
19 in Cincinnati that we all go to. It's not a small  
20 hospital, it's a very large hospital.

21 And this proposed pipeline touches my --  
22 where my subdivision area is, and in my subdivision  
23 there's around 350 houses. And I know that there's a  
24 lot of -- in Cincinnati, sometimes they have  
25 earthquakes, it's not very often, and also there's a

1 lot of traffic, big trucks going around this whole  
2 area.

3 I am a little bit saddened today that the  
4 people on the Commission did not come and talk to us,  
5 and want to see us, because we really wanted to see  
6 them.

7 So I urge them, please do like what I did  
8 the one day, get in your car, have somebody drive the  
9 route, you go by our churches, you go by our schools,  
10 and you go by all our families that are going to have  
11 this. So thank you very much.

12 ALJ SEE: Any cross?

13 Heather Sturgill. Heather Sturgill.

14 Please raise your right hand. Do you  
15 affirm that the information you're about to give is  
16 true?

17 MS. BAKER: I do.

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

20 MS. BAKER: Kerry, K-e-r-r-y, Baker, 4169  
21 Webster Avenue, Deer Park, 45236.

22 - - -

23 KERRY BAKER,  
24 presented herself as a public witness, and being  
25 first duly sworn, testified as follows:

DIRECT TESTIMONY

MS. BAKER: I want to thank you for coming back. I was here for the last presentation.

I have to start by saying I had high hopes for this meeting. I understood we have a new Siting Board group, but it has become obvious that nobody bothered to listen or read anything we said last time.

Nobody could have gone through that and heard how many people were upset by the fact that nobody from the Siting Board could bother to come down last time, that you didn't care enough, that you were in the pocket of Duke so much, that we were nothing. And I thought, maybe this time.

Well, obviously it's the same thing. I would like to remind them that we are part of the people paying the salaries, so it would be nice if they showed up to do their job. It doesn't have to be all of them, somebody could have drawn the short straw and come down.

Number two, this is merely the spearhead. If Duke rams this through, there will be no community safe except where Duke executives live, where communities like Indian Hill are. The rest of us, nobody will be safe because greed knows no

1 boundaries.

2 I said last time that my family had been  
3 military for three generations; we're up to four now.  
4 And we were taught duty, we were taught service, we  
5 were taught integrity. What I would like to see is  
6 some of that float out.

7 I said last time it was dereliction of  
8 duty that the Board members didn't show up. Now that  
9 you know our opinion from then, it has become gross  
10 dereliction of duty. This is not right. Too many  
11 people are affected; not just us right this minute,  
12 but people living in communities don't know what is  
13 coming down the line.

14 Duke is perfectly willing to say anything  
15 to get their way, because money is god in their book,  
16 people don't matter.

17 While they are not required by -- the  
18 Siting Board does not require to take safety into  
19 consideration, that doesn't mean they can't do it, it  
20 just means they are not required to.

21 Our safety, the safety of our  
22 communities, are in a few people's hands who  
23 apparently don't care. I find that the most  
24 appalling thing that you can say about somebody who  
25 is supposed to be a public servant.

1 Duke isn't going to stop. This is a --  
2 my English mother use to say nibbled to death by  
3 ducks. Well, that's exactly what is going to happen,  
4 a little here, a little there, a little there, and  
5 oh, what do you know, we hit the ocean.

6 The reason they are doing it is because  
7 they don't want to have to answer to the feds,  
8 because you know the feds may take people's lives as  
9 important, where apparently the State doesn't.

10 So I would just like to say, I would like  
11 to know that one person at least will read or listen  
12 to what is happening, because apparently it didn't  
13 happen last time. And this time I would also like to  
14 say that there is still time to put a stop to this  
15 insanity, because that's what it is.

16 No matter how many improvements you make  
17 -- you may not know, but we just had a small plane go  
18 down in Madeira, caught on fire. Well, if that  
19 happened over a 20-inch pipeline, we're going to have  
20 problems; vibration, dust, all the stuff that we  
21 brought up last time.

22 Every time a pipeline spills they tell  
23 you oh, well, now we have improved it, until the next  
24 time; then they've improved it. Things happen.

25 This is going to be in the ground for 50,

1 75 years. Don't tell me that there aren't going to  
2 be problems, because there will be.

3 It makes no sense to run it through the  
4 most vulnerable areas in Cincinnati. It makes no  
5 sense whatsoever.

6 Apparently the Siting Board is unable to  
7 conduct a reasonable due diligence, so I would  
8 strongly suggest you get an outside agency to do it  
9 so we can get some real answers. Thank you.

10 ALJ SEE: Any cross?

11 Chris Schroeder.

12 Ms. Sturgill, if you'd raise your right  
13 hand. Do you affirm -- do you affirm what you're  
14 about to say is the truth?

15 MS. HEATHER STURGILL: Yes.

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

18 MS. HEATHER STURGILL: Heather Sturgill,  
19 H-e-a-t-h-e-r, Sturgill, S-t-u-r-g-i-l-l, address is  
20 4352 Haight, H-a-i-g-h-t, Avenue, Cincinnati, Ohio  
21 45223.

22 ALJ SEE: Continue with your testimony.

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HEATHER STURGILL,  
presented herself as a public witness, and being  
first duly sworn, testified as follows:  
  
DIRECT TESTIMONY  
  
MS. HEATHER STURGILL: On a side note,  
this isn't accessible. That ramp to get down here to  
speak is way too steep. I feel like I went down a  
luge. Aside from that --  
  
So looking at just a quick Google search  
for gas line explosions, and I found 14 that happened  
last year alone. And one of them, September 10th, in  
Pennsylvania, the pipeline exploded after operating  
for only one week.  
  
So we're not talking old pipelines that  
might happen in the future or after we're dead 50  
some years down the road, we're talking one week from  
being in operation. That's -- we're going to have to  
think about this?  
  
I'm against it. I have been from the  
beginning. I'd written a letter the last time.  
Hopefully that will still be considered. And this  
time it's just as important to say no, not in my  
city.  
  
And why are we investing in an industry  
that is so last century, from one perspective, it's

1 kind of like investing in horse-drawn carriages after  
2 the automobile was introduced. We have renewable  
3 energy sources. Let's invest in that.

4 ALJ SEE: Any cross?

5 Christine Hedger? Christine Hedger?

6 Robert Wehr?

7 Please raise your right hand. Do you  
8 affirm that the information you're about to give is  
9 true?

10 MS. SCHROEDER: Yes.

11 ALJ SEE: State and spell your name.

12 MS. SCHRODER: Chris Schroder.

13 C-h-r-i-s, S-c-h-r-o-d-e-r.

14 ALJ SEE: Address?

15 MS. SCHRODER: 2540 Briarcliffe Avenue,  
16 45212.

17 ALJ SEE: Go ahead.

18 - - -

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

22 DIRECT TESTIMONY

23 MS. SCHRODER: Thank you for giving us  
24 the opportunity to speak. Thank you for listening  
25 and really hearing. Although I saw in the back they

1 are filming, and these papers don't do anything to  
2 what the people are telling you in their eloquence,  
3 and I hope the Power Siting Board has to sit down and  
4 listen and watch the film, and hear the people.

5 I'm a 36-year resident of Pleasant Ridge.  
6 We're on the edge of the route. My history and  
7 background, I'm a nurse, mom, grandma. My late  
8 husband and I raised four now adult children in a  
9 great city neighborhood, Pleasant Ridge.

10 On the original routes, Pleasant Ridge  
11 wasn't really part of it, but we don't want it in any  
12 neighborhoods and we'll fight for any neighborhood.

13 It's unconscionable, as Todd Portune  
14 said, for a pipe of this size, pressure, and near the  
15 surface, to be in any area. My passion is children,  
16 especially for children, the dangers.

17 Also I have questions, I think it was  
18 addressed before I got here, about the inequality of  
19 certain neighbors being chosen for this, especially  
20 the lower income neighbors, the people of color, the  
21 systemic racism.

22 Indian Hills, Hyde Park, Mt. Lookout,  
23 most of Madeira and Montgomery are not in any of  
24 this. Interesting.

25 And finally, the need about needing such

1 a pipeline, we weren't really told the truth. And I  
2 forget the woman's name, Christine, who just spoke  
3 before me, said fossil fuel is not what we should be  
4 investing in and risking people's lives for. Lives  
5 here, hundreds could be lost.

6 But over the world, the global  
7 implications are millions, millions, of children  
8 dying right now because of our first world use of  
9 fossil fuel, in Africa, Asia, South America.  
10 Drought, cyclones, hurricanes, like nothing we even  
11 can imagine.

12 So to me I -- just please listen. Thank  
13 you.

14 ALJ SEE: Any cross?

15 Katherine McClure.

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

19 MR. WEHR: I do.

20 ALJ SEE: State and spell your name for  
21 the record, and also state your address.

22 MR. WEHR: Robert J. Wehr, W-e-h-r, 10136  
23 Arnold Drive, Woodlawn, Ohio 45215.

24 ALJ SEE: Okay. Go ahead with your  
25 testimony.

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

DIRECT TESTIMONY

MR. WEHR: I'm going to edit my remarks  
down in the interest of time. So many good points  
have been made, and thank you for listening.

I helped my daughter purchase a 100 year  
old Victorian home in Reading on Third Street about  
three years ago, and my grandchildren live there, and  
I'm a grandfather so obviously I'm concerned about  
the safety issues that have been brought up here.

I'm concerned, too, how this line --  
these high compression lines have been promoted by  
Duke Energy. In their campaign to get this approved  
by the Siting Board, it's been extensive and in a few  
areas, I think misleading.

For example, in its April 2018 newsletter  
on this project, Duke Energy made a claim, "In fact,  
there are no residential properties crossed along the  
Alternate Route." They are talking about the green  
route.

The pipeline going down the middle of  
Third Street in Reading might not be crossing any

1 residential properties, but it's certainly placing  
2 blocks of homes immediately in the danger zone along  
3 both sides of Third Street.

4 Financially, homes in the affected area  
5 will become devalued significantly by their proximity  
6 to this hazardous development.

7 Unlike a bridge or road project where a  
8 government, under eminent domain, takes private  
9 property for public use, and must fairly compensate  
10 the owner, we're told that this is a government  
11 approving a private company's actions that would  
12 adversely affect property values without fair  
13 compensation.

14 Though we are told eminent domain is not  
15 applicable in this case, I think our Fifth Amendment  
16 rights are being violated. Duke Energy should be  
17 required to drop this project, or site it in a  
18 nonpopulated rural area.

19 With great respect I would like to ask  
20 each of you a question. I thought there would be  
21 eight people here, not two nonvoting members. Would  
22 any of you want to have your home located near or  
23 next to a high-pressure transmission line?

24 In anticipating your answer, it leads to  
25 another question that I hope you will pose to the

1 upper management and Board members of Duke Energy.  
 2 The question: How many of them live near a  
 3 high-pressure gas transmission line? I think you  
 4 know the answer. Thank you for listening.

5 ALJ SEE: Any cross?

6 Ms. Rueve-Miller.

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

10 MS. MCCLURE: Yes, I do.

11 ALJ SEE: State and spell your name for  
 12 the record, and also state your address.

13 MS. MCCLURE: My name is Katherine  
 14 McClure, K-a-t-h-e-r-i-n-e, M-c-C-l-u-r-e, and I live  
 15 at 6082 Bresher Avenue in Blue Ash.

16 - - -

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

20 DIRECT TESTIMONY

21 MS. MCCLURE: First of all I'd like to  
 22 thank you for coming to this event and listening to  
 23 facts being presented from the public.

24 I do find it a dereliction of duty for  
 25 the Siting Board not to consider safety as part of

1 the decision-making process to install a transmission  
2 natural gas line.

3 But let's talk about need, because that  
4 is part of the deciding factors for this Ohio Siting  
5 Board.

6 According to the United States census,  
7 the population growth for Hamilton County for the  
8 next ten years is 1.4 percent. Surrounding counties,  
9 such as Butler County at 3.4, Clermont at 3.5, and  
10 Warren at 7.5, are growing at a much higher rate than  
11 Hamilton County.

12 It is not necessary to put this  
13 high-pressure pipeline through Hamilton County, and  
14 our population does not merit this much of an  
15 expensive overconsumption of gas. We're not going to  
16 use all of that.

17 So that leads me to ask this question:  
18 Once that gas gets to the two substations, or one  
19 substation, what is going to happen to all that gas  
20 then?

21 We're going to have to pay Hamilton  
22 County citizens additional utility costs to bring  
23 this gas in. And guess what. Once it's here, we're  
24 going to have to pay to send it somewhere else  
25 outside of Hamilton County.

1           That is not fair to our citizens. And I  
2       don't think that the Siting Board really understands  
3       that this is a part of a larger regional energy plan.

4           That is something I think we need to take  
5       into consideration. There's been so many wonderful  
6       points made, so I will keep my remarks to the bare  
7       minimum.

8           What I'd like to know, the question to  
9       the Siting Board is, will Hamilton County prosper  
10      from this natural gas line transmission line? Will  
11      we prosper? No.

12          The amount of gas provided by this line  
13      exceeds the energy requirements for the population,  
14      while causing a financial burden to the citizens and  
15      local governments of Hamilton County.

16          Will Duke Energy physically prosper from  
17      the installation of this transmission gas pipeline?  
18      Yes. This transmission pipeline provided options for  
19      future development of regional energy systems and  
20      increases capital required to fund future projects in  
21      other areas.

22          Based on these facts, the central  
23      corridor pipeline transmission pipeline does not  
24      serve the citizens of Hamilton County now, nor will  
25      it serve the citizen in decades to come. So that

1     being said, this is about money.

2                 This is not about safety, it is not about  
3     what the citizens of Hamilton County need or require  
4     in their energy consumption. This is about Duke  
5     Energy and their bottom line.

6                 So I would hope that the Siting Board  
7     would take into account the needs and the safety,  
8     which is not a part of the Siting Board's process of  
9     decision-making, I would hope that they would take  
10    that into account, because the Federal Bureau of  
11    Transportation, they take into account public safety.  
12    They are -- a part of their decision process is high  
13    density areas where transmission lines are not  
14    allowed to go.

15                Why doesn't Ohio perform their duty? Why  
16    doesn't the Siting Board of Ohio perform their duty,  
17    as well as the representatives of the Siting Board  
18    for the federal transportation system? That's what I  
19    want to know.

20                And I thank you for coming, and I'm sorry  
21    that the voting members did not have -- did not have  
22    the courage to come out here and face the citizens of  
23    this community, and face the governmental  
24    representatives of this community.

25                But I thank you for doing so.

1 ALJ SEE: Any cross?

2 Susan Farber.

3 Ms. Rueve-Miller, if you'd raise your  
4 right hand. Do you affirm that the information  
5 you're about to give is true?

6 MS. RUEVE-MILLER: I do.

7 ALJ SEE: State and spell your name for  
8 the record, and also provide your address.

9 MS. RUEVE-MILLER: My name is Elizabeth  
10 Rueve-Miller. E-l-i-z-a-b-e-t-h. R-u-e, v as in  
11 Victor, e, hyphen, Miller, M-i-l-l-e-r. I live at  
12 9288 Bluewing Terrace in Blue Ash, Ohio.

13 - - -

14 ELIZABETH RUEVE-MILLER,  
15 presented herself as a public witness, and being  
16 first duly sworn, testified as follows:

17 DIRECT TESTIMONY

18 MS. RUEVE-MILLER: So, for the past three  
19 years, I've been frustrated by Duke and the Ohio  
20 Power Siting Board's response to our concerns and  
21 vehement opposition to Duke's Central Corridor  
22 Pipeline.

23 Despite the fact that this project has  
24 received thousands of letters and comments against  
25 it, both Duke and the Ohio Power Siting Board barely

1 acknowledge the very valid concerns for safety, and I  
2 don't understand it.

3 I started my career at P&G in consumer  
4 and market understanding, and P&G's mantra is that  
5 the consumer is boss and we value what they had to  
6 say. When we were debating decisions, a common  
7 question would be, "Well, how do the consumers feel  
8 about this?" From the top down of the company, the  
9 corporate culture was one of valuing consumers and  
10 treating our relationship with them as an important  
11 and valuable partnership.

12 It has become clear to me that that  
13 culture does not exist in the upper levels of  
14 management at Duke Energy. In fact, I would describe  
15 the attitude of Duke management towards their  
16 customers as one of contempt.

17 People who oppose this pipeline project  
18 are a barrier to Duke getting their way. As a human  
19 being, who has been fighting this project for the  
20 past three years, I feel abused and violated by Duke.

21 I've seen them use nasty tricks like  
22 disguising legal notifications as junk mail to  
23 depress opposition to the project. At their open  
24 houses, they send people on wild goose chases to get  
25 answers to their questions which they know will never

1 be answered, and their written materials are designed  
2 to mislead.

3 Here's one example: "The propane-peaking  
4 facilities were installed in the 1960s. They  
5 include valves, compressors, pipelines." From that  
6 you might conclude that the valves, compressors, and  
7 pipelines were installed in the 1960s, but that's  
8 not the case. You'd be wrong. Every document is  
9 like that. You have to tear it apart to even  
10 understand it. And it amazes me that a company like  
11 Duke, with millions of dollars of resources, would  
12 resort to such underhanded tactics.

13 I'm even more disappointed with the Ohio  
14 Power Siting Board because they have the duty to look  
15 out for us. The Staff Report was shocking. They  
16 described our very valid concerns as a high level of  
17 interest. Real people could be burned and people can  
18 die.

19 The Ohio Power Siting Board did not  
20 leverage learning and recommended practices that have  
21 been developed by PHMSA after the San Bruno tragedy.  
22 These are all directed at preventing another San  
23 Bruno from happening in a high consequence area like  
24 ours. And I don't understand that.

25 PHMSA, and they have a risk modeling

1 group, have recommended many approaches for  
2 identifying and quantifying risk; yet, none of these  
3 approaches have been applied by Duke or insisted upon  
4 by the Ohio Power Siting Board Staff.

5 In fact, it appears to me that Duke does  
6 not want to assess or quantify risk, particularly up  
7 front in the planning stage, because then they would  
8 be required to do something to avoid or minimize that  
9 risk, and Duke would rather approach it afterwards  
10 where they rank order the risks to the company once  
11 the pipeline is in the ground, when it is too late to  
12 make safer, more informed decisions.

13 So I'm including a paper here which is  
14 entitled "Approaches for Preventing Catastrophic  
15 Events" that was prepared for PHMSA in 2016. And it  
16 would be really helpful to the public if Duke and the  
17 Ohio Power Siting Board would become familiar with  
18 the information in the report and follow some of the  
19 recommendations.

20 Now, despite safety precautions,  
21 accidents, involving pipelines like this, happen all  
22 the time. Industry bad behavior remains unchecked.  
23 There is insufficient oversight. And the  
24 consequences for bad behavior are so small, they are  
25 not a deterrent.

Duke was recently fined \$10 million for failing to protect our energy grid. And Duke of Ohio's two subsidiaries, across the river, have both received serious integrity management violations in the past year. And yet, we're supposed to trust Duke when they say they are confident that they can safely operate this pipeline?

Duke has not demonstrated that a pipeline of this size and scale is needed. The propane peaking facilities it is supposed to be replacing are used only a few days a year. This is an irresponsible use of ratepayer dollars and an unnecessary safety burden to our community, particularly when there are alternatives available which neither Duke nor the Ohio Power Siting Board has adequately investigated.

Duke has used a statistically-invalid forecasting methodology to support this project, according to an independent audit, which the Ohio Power Siting Board did not mention or consider.

If Duke or the Cincinnati Chamber of Commerce are anticipating market growth from this project, then they should be providing valid database volume forecasts to justify it. Building a pipeline and hoping that it will lead to growth is not a valid

1 reason for the project. The needs of one or two  
2 business customers, at the expense of thousands, is  
3 not a justification for the project.

4 And finally, very little attention has  
5 been paid to Duke's long-term plans and the  
6 relationship of this project to their long-term  
7 plans.

8 Duke has 11 other projects in their  
9 long-term plans over the next decade that include  
10 plans to upgrade or increase the pressure for V Line,  
11 D Line, AA Line, which are all 175-psi right now,  
12 which they plan to upgrade to 500-psi; and A line,  
13 EE line, C251, CG07, all upgrading to 500-psi. All  
14 of this upgrading is occurring in high consequence  
15 areas. So if this pipeline here does not affect you,  
16 certainly their upgrades might.

17 Neither Duke nor the Ohio Power Siting  
18 Board has discussed that whatever is done on this  
19 pipeline will also be done on the other ones and what  
20 the implications are for our communities. It will  
21 exponentially increase the amount of gas that moves  
22 through our area and increase the risk to our safety,  
23 without justification.

24 The cost for this infrastructure will  
25 have a negative impact on the economic health and

1 vitality in our area and will discourage business  
2 development because rates will increase  
3 significantly. According to a PUCO report, we  
4 already have the highest natural gas rates in the  
5 state, compared to the other major cities.

6 The ratepayers will end up paying for  
7 whatever it is that Duke implements. We are  
8 demanding something different for our money. Thank  
9 you.

10 ALJ SEE: Any cross?

11 Thank you.

12 MS. RUEVE-MILLER: Can I leave this with  
13 you? This is the report and Duke's long-term plans.

14 ALJ SEE: Ellen Volkov. Volkov. Ellen  
15 Volkov.

16 All right. Please raise your right hand.  
17 Do you affirm the information you're about to give is  
18 true?

19 MS. FARBER: My name is Susan Farber, and  
20 I affirm what I tell you is the truth.

21 ALJ SEE: Please state and spell your  
22 name for the record, and give us your address.

23 MS. FARBER: My name is Susan Farber.  
24 S-u-s-a-n F-a-r-b-e-r. I live at 3220 Oakley Station  
25 Boulevard, Cincinnati, Ohio 45209.

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

DIRECT TESTIMONY

MS. FARBER: I know that I personally am  
not directly impacted, but I know so many people who  
are. I feel compelled to be here today and take some  
of my time to wait my turn.

I also want to thank that there are  
people out here who have chosen to be here to share  
their thoughts as well as to listen to what is being  
stated. A lot of people have spoken very beautifully  
and eloquently and heartfelt thoughts about how this  
decision should not be taken.

And I just want to reiterate, as another  
citizen, another member of this greater community of  
Greater Cincinnati, that our local municipalities  
have made it clear they do not want this pipeline.  
Many citizens have come forward before this as well  
as now.

We don't know that it's truly needed.  
It's not been clarified. There are other alternative  
forms of energy. It's important that we're listened  
to, but it's becoming obvious to me that maybe we're

1 not. Possibly not. And I just hope we are listened  
2 to, because, otherwise, it's other evidence that our  
3 democracy is imperilled. Thank you.

4 ALJ SEE: Any cross?

5 Thank you.

6 Kathleen Wilke.

7 Pronounce your name.

8 MS. VOLKOV: Ellen Volkov. Volkov. V as  
9 in Victor, o-l-k-o-v.

10 ALJ SEE: Raise your right hand, please.  
11 Do you affirm that the information you're about to  
12 give is true?

13 MS. VOLKOV: Yes, I do.

14 ALJ SEE: State your name and give us  
15 your address.

16 MS. VOLKOV: My name is Ellen Volkov, and  
17 I live at 10740 Fallsington Court.

18 - - -

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

22 DIRECT TESTIMONY

23 MS. VOLKOV: Okay. I live in Fallsington  
24 Court. It's a small community, short street. It's  
25 22 houses. It's Blue Ash. And the rest of

1 Fallsington division is condos.

2 My house is the last on the street. It's  
3 outlet, an outlet, but my house is the closest to  
4 highway. What's important, it was our choice that we  
5 live so close to highway. But I want to say  
6 high-pressure gas pipeline is not our choice.

7 If you look in the map which gives us  
8 worst-case scenario, it looks like our house will be  
9 approximately 343 feet from pipeline and have  
10 100-percent chance of death in 5 minutes and 52  
11 seconds in worst-case scenario.

12 The same applies to community swimming  
13 pool which is located approximately the same  
14 location. And as you can understand, the swimming  
15 pool is packed with children in summertime.

16 It is very hard to imagine situation when  
17 you see explosion, you have to grab your spouse, grab  
18 your children, grab your visiting grandchildren in  
19 our case, and try to escape. The question is where  
20 to escape because all street is very close proximity  
21 to pipeline.

22 My neighbor, my nextdoor neighbor have  
23 four kids. Next house has three kids. Another one  
24 has one child. So a lot of young families live in  
25 this neighborhood because of Sycamore Schools and

1 because the neighborhood is good.

2 So it actually doesn't matter if it's  
3 green route or if it's red route, because similar  
4 situation can happen anywhere if you're trying to put  
5 high-pressure pipeline through existing communities.

6 I have Master's Degree of Engineering and  
7 a lot of years of experience in the manufacturing  
8 environment, and I can tell you with confidence there  
9 is no matter how robust manufacturing process and how  
10 efficient quality control because mistakes do happen  
11 and accidents do occur.

12 I don't think that any family should  
13 become hostage in their own home and live in the fear  
14 of a neighbor like high-pressure gas line waiting for  
15 disaster to happen. And, of course, we shouldn't  
16 become collateral damage in a situation like that.

17 I would like to receive answers for  
18 following questions:

19 What government regulations exist for  
20 location of high-pressure gas line in relationship to  
21 location of private house, commercial building,  
22 schools, hospitals, et cetera?

23 Second question is: Why this pipeline  
24 should receive aviation agency approval?

25 And another question: What is less

1 intrusive option as alternative for this project?

2 I would like to thank you for the  
3 opportunity for me to speak. And I would like to  
4 hope, like the rest of the people said, that our  
5 voices will be heard and considered. Thank you.

6 ALJ SEE: Any cross?

7 Last name is spelled L-o-s-e. It's -- is  
8 that you, ma'am?

9 MS. LOSE: Yes.

10 ALJ SEE: Ms. Wilke, if you would raise  
11 your right hand. Do you affirm the information  
12 you're about to give is true?

13 MS. WILKE: I do.

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

16 MS. WILKE: Kathleen Wilke.  
17 K-a-t-h-l-e-e-n W-i-l-k-e. 2741 Ridgewood Avenue,  
18 Cincinnati, Ohio 45213.

19 - - -

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

23 DIRECT TESTIMONY

24 MS. WILKE: As a resident of Ridgewood,  
25 part of Columbia Township, I just have concerns that

1 my property value will drop. That's a desirable area  
2 to live in, and I'm afraid that people are going to  
3 lose confidence in living there should this pipeline  
4 come into this area and become a reality.

5 I teach high school Spanish, a profession  
6 I've been a part of for 20 years. And I got into  
7 this because I felt like it was my drop in the bucket  
8 of peace and harmony between people and nations. And  
9 I'm proud to be a part of an honorable profession  
10 where teachers put in countless hours for the  
11 betterment of the community and future generations.

12 But, Duke clearly has another intention  
13 with the expansion of this unnecessary pipeline which  
14 could absolutely destroy communities and future  
15 generations.

16 I wonder how many people, within Duke's  
17 corporation or the voting members of the Ohio Siting  
18 Board, saw any pictures or heard any interviews  
19 pertaining to the power line explosion in Mexico on  
20 January 19, 2019, in which 31 people died and some of  
21 the only evidence found afterwards was a shoe.

22 I feel like it's very telling and highly  
23 disturbing that no members of the Siting Board  
24 bothered to attend this public hearing today, but I  
25 do -- I do feel it's important to speak my concerns.

1 And I thank you for being here today.

2 ALJ SEE: Any cross?

3 Thank you.

4 Kent Fennell. Fennell.

5 Pronounce your name.

6 MS. LOSE: My name is Linnea Lose.

7 ALJ SEE: Okay. Ms. Lose, could you  
8 raise your right hand. Do you affirm the information  
9 you're about to give is true?

10 MS. LOSE: I do.

11 ALJ SEE: State and then spell your name  
12 again.

13 MS. LOSE: I will. Linnea Lose. It's  
14 spelled L-i-n-n-e-a. Last name is L-o-s-e. I live  
15 at 6530 Bracken Ridge in Cincinnati, which also is a  
16 member of the Ridgewood subdivision.

17 - - -

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

21 DIRECT TESTIMONY

22 MS. LOSE: Ridgewood is one of nine  
23 islands of Columbia Township. We're scattered  
24 throughout Hamilton County. Ridgewood happens to be  
25 located near, pinned in between Golf Manor, Pleasant

1 Ridge, and Amberley.

2 Columbia Township islands are scattered,  
3 as I said, throughout Hamilton County, and both  
4 pipelines, both proposed pipelines run either  
5 directly through an island of Columbia Township or  
6 adjacent to a part of Columbia Township.

7 I oppose the Central -- the Central  
8 Corridor Pipeline extension at this time.

9 While I agree with Duke Energy's effort  
10 to replace aging pipelines and to balance  
11 distribution of gas, I question the magnitude of the  
12 volume of gas that Duke says our community needs.

13 More pressing, I question the safety of  
14 the project which is what I want to discuss today,  
15 especially in light of the fact that the Ohio Power  
16 Siting Board has very few safety standards required  
17 of Duke or any other utility company.

18 Homes, churches, businesses, hospitals,  
19 schools, parks, athletic fields, entertainment  
20 centers, all of these places are places where people  
21 congregate. All of these places are in the path of  
22 the proposed Central Corridor Pipeline Extension.

23 In Greater Cincinnati, the ground beneath  
24 our feet naturally and consistently shifts. We've  
25 watched hillsides move before our very eyes,

1     literally. We're watching this on the news every  
2     day.

3                 If hillsides can move, it makes sense  
4     that underground pipelines can move with them. What  
5     state or federal safety standards exist to make  
6     certain that pipeline structures can withstand  
7     constant earth movement?

8                 Let me give you a personal example.

9                 Alongside my driveway runs a  
10    stone-and-mortar retaining wall. It stands 4-feet  
11    high. The stone wall was re-mortared three years  
12    ago. The top stone mason in Cincinnati told me that  
13    repairs would last a quarter-century.

14                But in the last two rainy, hot years, the  
15    earth behind the wall has shifted and the wall has  
16    moved 5 inches. The 4-foot-wall is severely leaning  
17    forward. It is likely to collapse. And next week, I  
18    will have the wall entirely rebuilt. So the wall  
19    that was to last 25 years, in fact, lasted 3 due to  
20    natural weather conditions.

21                I ask myself if there were a 20-inch  
22    pipeline buried 4 feet underneath the same bank of  
23    yard in my front yard, wouldn't the pipe shift just  
24    as my stone wall did? Could a pipeline move 5 inches  
25    and its weld still hold? How could that pipe be

1 monitored every few months to make certain that the  
2 welds are holding? If the welds fail, gas leaks or  
3 explosion are possible and likely fatal.

4 So, in conclusion, I testify today  
5 because I am worried. I have not seen evidence from  
6 Duke Energy nor the Ohio Power Siting Board that any  
7 legislation exists at the Federal or State of Ohio  
8 levels to continuously monitor the pipeline's  
9 integrity.

10 I feel that I am being more vigilant  
11 about a stone wall in my front yard than Duke Energy  
12 or the State of Ohio is being with its pipeline  
13 running directly through densely-populated  
14 neighborhoods.

15 So I urge the State of Ohio, its  
16 legislators, and especially the voting board members  
17 on the Ohio Power Siting Board who aren't here, to  
18 postpone the construction of the Central Corridor  
19 Pipeline Extension until rigorous safety standards  
20 are in place for the pipeline construction and for  
21 its post-construction inspection and maintenance.  
22 Thank you.

23 ALJ SEE: Any cross?

24 Joanne Gerson. Joanne Gerson.

25 Mr. Fennell, do you affirm that the

1 information you're about to give is true?

2 MR. FENNELL: I do.

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

5 MR. FENNELL: Kent Fennell, K-e-n-t,  
6 F-e-n-n-e-l-l, 6637 Kenwood Road, Madeira.

7 - - -

8 KENT FENNELL,  
9 presented himself as a public witness, and being  
10 first duly sworn, testified as follows:

11 DIRECT TESTIMONY

12 MR. FENNELL: I was here to talk about  
13 the technical aspects of the design, construction,  
14 testing, and inspection of this pipeline regardless  
15 of where it goes.

16 At last year's meeting we were -- there  
17 was a lecture and a slide show, and then we split up  
18 and went into another room and were allowed to ask  
19 questions.

20 But I was glad to hear the young lady  
21 that gave the talk and said we really weren't given  
22 answers, and we were bounced from one place to the  
23 next, and I did experience that.

24 My question was pretty simple. When the  
25 vice-president of gas transmission, or whatever he

1 was, with Duke said that this pipeline was designed  
2 to be run at 400 psi, and had a safety factor of  
3 20-to-1, I did the math real quick and that's 8,000  
4 psi that he's saying that pipe could handle.

5 That made me wonder, so I went to the  
6 room next door, and I went to the Duke booth, and  
7 they said they had no idea how thick the pipe was  
8 going to be, or what kind of pressures it would  
9 handle. They threw me over to the engineering table,  
10 and surprisingly, they had no idea.

11 I find that hard to believe. I think  
12 they knew and weren't saying anything about that.  
13 8,000 psi is bursting pressure. That is not criteria  
14 for design. Never is, never will be.

15 Criteria for design is maximum allowable  
16 working pressure. That determines your safety  
17 factor.

18 At maximum allowable working pressure,  
19 depending on the thickness of that pipe -- which I  
20 couldn't find that information out, either, so if you  
21 go to the chart, standard wall 20-inch pipe will  
22 handle 399 psi, maximum allowable for design  
23 criteria, for construction criteria, for welding  
24 criteria. That predicates everything. The engineers  
25 didn't say that. I don't think they are stupid guys,

1 but I do think maybe they thought we were.

2 And so what I'm trying to tell you here  
3 is, if I knew how thick that was going to be -- the  
4 thicknesses it comes in is 1.96 inches. That's  
5 almost two inches thick. That will handle maximum  
6 allowable 2,600 -- 2,663 psi, not 8,000.

7 I would not want to be near -- the  
8 testing criteria is 1.25 percent higher than the  
9 maximum allowable. So when they test that pipeline  
10 in your backyard, they are putting air in there at  
11 one-and-a-half times maximum allowable, which is 600  
12 psi. I might stand near that.

13 If you've ever seen an airline blow at  
14 600 psi, with 20 inches, the volume is huge. Air  
15 compresses. It is a dynamic explosion. You don't  
16 want to be standing too close to it. It's a shrapnel  
17 explosion.

18 If a natural gas line of 400 psi blows,  
19 throw in the factor that you've got a very explosive  
20 gas coming out of there. It needs an ignition.  
21 Maybe the static alone is enough, I'm not that  
22 familiar with that, to ignite it. I've never seen a  
23 gas line explode, I will tell you that. But I don't  
24 want to.

25 My house is approximately -- property

1 line is approximately 300 feet near one of the  
2 proposed pipelines. So I just wanted to share that  
3 information. I didn't get an answer as to whether  
4 the line was going to have mercaptan in it, which is  
5 an odorant, so if there was a leak, we might have an  
6 early warning.

7 Gas is odorless, natural gas is odorless.  
8 Does the mercaptan go in at the distribution center,  
9 or is it already in there? I didn't get an answer on  
10 that. I don't think they knew.

11 The location of this pipeline is going to  
12 be classified as the location Class 4, because of the  
13 density of population. That adds a whole other realm  
14 of design, construction, testing, and inspection.

15 The inspection I was told that would be  
16 done was a robotic-like piece of equipment that would  
17 go through the pipeline, and with ultrasonic testing,  
18 test the thickness of that pipe.

19 Okay. You can test thickness of pipe  
20 through ultrasound, but is the deficiency coming from  
21 the outside in, or the inside out? You aren't going  
22 to know that.

23 It could be corroding from the inside  
24 out. It could be corroding from the outside in.  
25 They will probably know whereabouts it is, so they

1 could go down and check the outside, but again,  
2 everything was pretty ambiguous, and I just wanted to  
3 share that with everybody.

4 I felt like we were kind of dancing  
5 around, maybe a little bit of pulling the wool over  
6 our eyes, and I just wanted the Siting Board to know  
7 that, that I think Duke has been somewhat derelict in  
8 really divulging exactly what is going through our  
9 backyards.

10 ALJ SEE: Any cross?

11 Luke Brockmeier. Luke Brockmeier.

12 Denise Olden.

13 Could you raise your right hand? Do you  
14 affirm that the information you're about to give is  
15 true?

16 MS. GERSON: Yes.

17 ALJ SEE: And please state and spell your  
18 name for the record, and also state your address.

19 MS. GERSON: Joanne, J-o-a-n-n-e, Gerson,  
20 G-e-r-s-o-n. 7714 Stonehenge Drive, Cincinnati, very  
21 close to Green School, which by the way is the middle  
22 school for Sycamore, and is in the blast zone.

23 - - -

24

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JOANNE GERSON,

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

DIRECT TESTIMONY

MS. GERSON: Thank you for being here. I  
really hope that you have appreciated all the effort  
from the eloquent speakers prior to me, and I'm sure  
after.

A document from Duke Energy, Duke Energy  
Corp, for 2018 earnings conference call transcript  
states: In our gas segment our LDC investments will  
support new gas infrastructure. Our investments  
remain aligned with our vision, generate cleaner  
energy, expand natural gas infrastructure. We will  
also strategically deploy capital, minimizing  
regulatory lag. That, to me, was a very disturbing  
statement.

I live near the proposed orange line for  
the central corridor 12-mile extension pipeline. I'm  
here as a concerned citizen, and ask you,  
representing the Ohio officers of public trust, to  
consider how the proposed gas line adversely affects  
our rights to our welfare, safety and health. This  
proposal is phase one of five planned phases for this  
project.

1 Duke Energy falsely claims that natural  
2 gas is a cleaner energy resource. Natural gas is  
3 methane gas, and it should be called what it is.  
4 From extraction to the supply chain, to delivery,  
5 methane gas is as harmful to the environment as coal,  
6 as shown with supportive data from scientific  
7 studies, from sources including Duke University,  
8 Cornell University, the Environmental Defense Fund,  
9 and NOAA. And I have stapled those documents to my  
10 talk.

11 Methane gas is a fossil fuel. Fossil  
12 fuels are important because they have been buried for  
13 millions of years. Burning fossil fuels, releasing  
14 carbon dioxide and methane from the deep hole  
15 reservoirs, drastically changes the balances of  
16 greenhouse gases in the air, leading to climate  
17 change.

18 As a greenhouse gas, methane is 84 times  
19 more potent over a 20-year period than carbon  
20 dioxide.

21 The process of extracting natural gas  
22 through slick water hydraulic fracking, known as  
23 fracking, releases both carbon and methane gases in  
24 the air. Methane gas leaks into the atmosphere at  
25 the well pad, at the temporary storage tanks, and

1 along the pipelines.

2 The amount of leakage that's been  
3 published in peer reviewed scientific journals,  
4 supports the loss of nine percent of methane gas into  
5 the atmosphere, again attached, sending tons of this  
6 potent greenhouse gas escaping into our atmosphere  
7 every day.

8 If you have children, grandchildren,  
9 you're concerned. You should be concerned. Massive,  
10 industrial scale, diesel fuel pumps the leaked carbon  
11 dioxide, are used to create the hundreds of pounds of  
12 pressure to move the captured gas for miles.

13 Approximately every hundred miles  
14 additional industrial size pumping stations, which  
15 operate 24/7, are needed to continue moving the gas.

16 The 20-inch, 20-mile transition pipeline  
17 Duke is proposing requires 500 pounds of pressure per  
18 square inch to keep the gas flowing through it.

19 I don't know how many of you watch PBS  
20 Newshour. Last Friday, March 15th, Mike O'Brien  
21 reported gas companies know pipelines leak, but the  
22 priority is avoiding gas explosion, and it is not  
23 cost effective to fix every leak.

24 Deanna Haines of the Southern California  
25 Gas Company stated in the interview, quote, There are

1 some leaks that it's been either very difficult to go  
2 after, it costs a lot of money to go after, but more  
3 importantly, we need to prioritize safety. When we  
4 find leaks, we need to fix them in a reasonable  
5 amount of time. We cannot and do not fix all of  
6 them.

7 Can we trust Duke Energy? Can we trust  
8 Duke Energy to fix the dangerous leaks when they  
9 perform so few inspections, have a track record that  
10 shows their bottom line is more important than our  
11 safety.

12 And it should be interesting to Duke  
13 Energy that Duke University is now, through its  
14 study, finding that rather than methane gas, biomass,  
15 which does not harm the environment, is the future.  
16 It's a renewable resource. It, according to Duke  
17 Energy studies, can provide the energy needed. I  
18 hope Duke Energy officials check that out. Thank  
19 you.

20 ALJ SEE: Any cross?

21 Gloria Kemp.

22 ALJ PARROT: Raise your hand. Do you  
23 swear or affirm the testimony you're about to give  
24 will be the truth?

25 MS. OLDEN: I do.

1           ALJ PARROT: Please state and spell your  
2 name, and provide your address.

3           MS. OLDEN: Denise Olden, D-e-n-i-s-e,  
4 O-l-d-e-n. I live at 5387 Hickory Trail Lane.

5                           - - -

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

9                           DIRECT TESTIMONY

10           MS. OLDEN: So I can't believe I'm  
11 standing here. I'm a person of very few words, but I  
12 feel motivated by all the previous speakers to put in  
13 my two cents.

14                       I bought in Blue Ash because I thought it  
15 was a safe place. It wasn't next to a chemical  
16 plant, it wasn't next to some of the dangerous  
17 places. I thought I was safe.

18                       I'm 415 feet away, and I am told that I  
19 will be incinerated in 10 seconds. I bought in Blue  
20 Ash because I thought my investment was sound, and I  
21 would get a return on my investment when I decided to  
22 move on.

23                       Already people are not able to sell their  
24 homes. They are finding that offers on their homes  
25 are withdrawn because they don't want to live there.

1 I find that to be very scary as a person  
2 entering retirement that my home, which I've invested  
3 in and upgraded and thought I would get resale value  
4 back on, is shaky at best.

5 I don't think it's a surprise that the  
6 Commissioners are against this because, guess what?  
7 If every person along these lines suffers economic  
8 hardship and cannot sell their home, you now have a  
9 ghetto.

10 You have a ghetto along these lines,  
11 because no one wants to buy there, no one wants to  
12 live there. You will have a decimated area in the  
13 heart of a wonderful community of Cincinnati, Ohio.

14 That's really all I have to say other  
15 than I'm so disappointed that the OPSB people aren't  
16 here to hear, and I feel like my words are probably  
17 in vein, but that's all I have to say. Thanks.

18 ALJ SEE: Questions?

19 Thank you.

20 ALJ PARROT: Leslie Wormely.

21 Ms. Kemp, please raise your right hand.

22 Do you swear or affirm the testimony  
23 you're about to give will be the truth?

24 MS. KEMP: Yes.

25 ALJ PARROT: Please state your name and

1 address.

2 MS. KEMP: My name is Gloria Kemp. I  
3 live at 10417 Sharondale Road, Cincinnati -- or  
4 Evendale, Ohio 45241.

5 ALJ PARROT: Thank you.

6 - - -

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

10 DIRECT TESTIMONY

11 MS. KEMP: Dear Honorable Ohio Power  
12 Siting Board members, and all others included in the  
13 decision-making process for the central corridor  
14 pipeline: Do you have a conscience and are you  
15 conscientious?

16 I and all others in this Hamilton County,  
17 and all cities, villages, townships which make up  
18 Cincinnati, request you to do your due diligence and  
19 avoid the risk to those registered voters and their  
20 families and those to come. This is a permanent  
21 decision to greatly impact generations to come.

22 Pipelines are able to deteriorate, and  
23 this County has had numerous landslides, and we are  
24 in an earthquake area, there are natural springs  
25 under ground, sinkholes, hills, and historical areas.

1                   Part of your duties were put into the  
2                   Magna Carta regarding civil liberties for the  
3                   citizens. Please protect us, safeguard water,  
4                   ecosystems, and wildlife. Just the construction of  
5                   putting this in place will disrupt everyone and  
6                   everything.

7                   As a property owner I will still have to  
8                   pay property taxes on part of the property that Duke  
9                   will mess with, and nothing can be planted there  
10                  without getting their permission.

11                  The green line is part of state route of  
12                  Glendale-Milford, also known at Pfeiffer Road, which  
13                  is two lanes through the residential area I live in,  
14                  and has numerous emergency vehicles traversing 24  
15                  hours a day, seven days a week, 365 days a year.

16                  The other part of the green line is  
17                  Reading Road. This is a state route and is where  
18                  traffic moves daily, sometimes quicker than the  
19                  interstates.

20                  Reading Road is historical for its  
21                  existence from the time most of the area was farms  
22                  and the main route from north to south before the  
23                  interstate systems were developed.

24                  Same for Montgomery Road on the orange  
25                  route. Montgomery Road is a state route and the main

1 route before the interstate system was developed, and  
2 the way to travel if that alternative road -- if the  
3 interstate is moving at a snail's pace or less.

4 This route is also where the only  
5 shopping mall and hospital, doctor's offices are for  
6 the area up and down Montgomery Road.

7 The Kenwood Mall is the only in-door mall  
8 that is not shutting down. The only other in-door  
9 mall is a 40-minute drive or more from either the  
10 northeast, or in Kentucky.

11 Kenwood Mall, from November through mid  
12 January, during the holidays, is very crowded and  
13 most times you have to wait to get in and out due to  
14 the amount of traffic in the area, as well as  
15 parking.

16 Please look at the routes and request  
17 Duke to extend their route to a broader area around  
18 to the rural areas away from the people and the seven  
19 hills of Cincinnati.

20 On your way here did you see the road  
21 construction on both interstates that are the ways in  
22 and out of the area?

23 Duke is putting their trust in this  
24 project by hiring subcontractors. How skilled and  
25 qualified are they in doing their due diligence that

1 nothing will happen from the work they perform?

2           Would they do this in their  
3 neighborhoods, or yours? Not in mine. But I do not  
4 have the right to vote on this. Why not have Duke  
5 redo its green energy? The houses being built now  
6 and previously are all electric. None of this gas is  
7 a supply for residents already there. Why not have  
8 them go federal to get this done? Could it be that  
9 would take too many years, and the short route is the  
10 easy way out for Duke?

11           I can't sue them for damages if something  
12 happens, or in the future for generations to come.  
13 How are you guaranteeing our rights as citizens and  
14 our safety? Do you have any professionals who know  
15 the ins and outs previewing this case, who have not  
16 been politically motivated or paid in some way with a  
17 donation? How honest are you in learning all you can  
18 about what Duke says they are proposing, and what you  
19 will vote to allow?

20           I as a citizen of the State of Ohio have  
21 put my trust, livelihood, and welfare for myself,  
22 neighbors, families, strangers, in your knowledge  
23 that you will have studied this and know what may or  
24 may not happen as a consequence of your power to make  
25 this decision.

1 Will you be able to prove to us you have  
2 done your duty and not take this task at hand lightly  
3 and nonchalantly? Consider past performance, civic  
4 duty. Certain areas where the pipelines were put in  
5 decades ago were farmlands, and now they are suburbs,  
6 living areas, and are populated.

7 My brother graduated from the University  
8 of Cincinnati as a nuclear engineer. He spends more  
9 time overseas. The energy company that was here  
10 converted their plant to coal, and now it's closed.  
11 But we had to pay for it. When will you answer our  
12 questions and concerns?

13 Have you read the complete case and all  
14 the documents as voting members, or do you pass that  
15 on to another member from your staff who does not  
16 vote? How will this not be a perfect weapon for a  
17 terrorist or someone else to tamper with?

18 Think of the potential for destruction,  
19 or do you not care because it does not affect you or  
20 your family? Have you studied pipeline safety and  
21 construction, or considered an alternative for the  
22 future?

23 Consider this decision affects all  
24 persons living and in the future, not just  
25 homeowners, property owners, but those who rent,

1 live, visit, play in parks, recreation activities,  
2 walk, workout, animals, schools, churches, hospitals,  
3 shoppers, large and small business owners, work and  
4 travel along these routes.

5 Do you have any idea of the numbers  
6 involved? I own three properties affected by these  
7 proposed routes. What good will that be if something  
8 happens?

9 Remember our civil liberties as a citizen  
10 put in place by our forefathers when they began this  
11 country that they fought and died for, and  
12 incorporated into the Constitution.

13 Many citizens could not be here today to  
14 voice their opinion or think their opinions do not  
15 matter. This is not a one-sided decision.

16 Thank you for being here. Listening is  
17 one part in this huge decision and determination.  
18 Your consideration of benefit or risk is in your  
19 hands alone, for the decision to be made, we cannot  
20 vote on it.

21 Our trust, prayers, future are in your  
22 hands to make a dutiful decision on our behalf. Do  
23 not take this lightly, we don't.

24 Power is in the people and in the numbers  
25 and in the voters. Respectfully, Gloria Kemp.

1 ALJ PARROT: Randy Ivins.

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

5 MS. WORMELY: I do.

6 ALJ PARROT: Please state your name and  
7 address.

8 MS. WORMELY: Leslie Wormely,  
9 W-o-r-m-e-l-y. I live at 4812 Glenshade, Cincinnati,  
10 45227.

11 - - -

12 LESLIE WORMELY,  
13 presented herself as a public witness, and being  
14 first duly sworn, testified as follows:

15 DIRECT TESTIMONY

16 MS. WORMELY: I wasn't here when this --  
17 I'm a new homeowner just in the last year, and when I  
18 looked at the map and understood what was happening,  
19 I was really glad that I am not on this pipeline.  
20 But that doesn't mean that I don't have the  
21 responsibility to stand up here and speak for those  
22 who can't.

23 This goes by four schools and a Jewish  
24 Hospital, which I'm a healthcare worker, that's my  
25 competitor. I still would not want to be part of

1 what would happen if there were to be an accident on  
2 the pipeline in front of Jewish Hospital, or either  
3 of those four schools. I understand that safety  
4 isn't necessarily the first concern. I understand  
5 that accidents happen.

6 As human beings, that's just part of what  
7 goes on, and we have to consider what will happen.  
8 There's been no amount of population increase in the  
9 areas that would warrant this level of gas coming in.

10 And other people have spoken about it  
11 much more eloquently than I, but I want to thank you  
12 all for sitting here and listening so intensively.

13 ALJ PARROT: Questions?

14 Cornelius Wormely.

15 Mr. Ivins, please raise your right hand.  
16 Do you swear or affirm the testimony you're about to  
17 give will be the truth?

18 MR. IVINS: I do.

19 ALJ PARROT: Please state your name, and  
20 spell your last name, please.

21 MR. IVINS: I-v-i-n-s, 3480  
22 Glendale-Milford Road.

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RANDY IVINS,  
presented himself as a public witness, and being  
first duly sworn, testified as follows:  
  
DIRECT TESTIMONY  
  
MR. IVINS: I'm here to oppose this, and  
I'm on behalf of -- speaking on behalf of my wife,  
fellow residents, employees, and business owners of  
Evendale, Reading, Golf Manor, Blue Ash, Amberley  
Village, that oppose this Duke pipeline.  
  
It absolutely boggles my mind to think  
that this is a safe and sound decision by Duke to dig  
up 13 or 15 miles of private property, commercial  
property, nature preserves, and city parks.  
  
This is a transmission line, not intended  
to service the homes, but to move large amounts  
through different regions of the country. And they  
would have us believe this is to ensure customers to  
have heat in the winter months, and it's in our best  
interest, but that is a lie.  
  
I am a welder by trade, so I know the  
less than acceptable standards regarding workmanship  
and x-ray that happens in the field. The San Bruno,  
California is a good example.  
  
The human factor, or loss of life, is a  
nonissue for Duke when it comes to the money. Sadly,

1 the environment seems to be of more importance.

2 Hospitals, schools, elementary schools,  
3 churches, and retirement homes do not seem to be  
4 important enough to discourage a possible danger and  
5 explosive situation.

6 Shocked to see that Duke's path proposing  
7 will undermined I-75 and General Electric. 2011 we  
8 had a lightening strike in my driveway. I'm still  
9 picking up bolderite today. So imagine this on top  
10 of that pipeline. This pipeline has no business in a  
11 residential area.

12 Thousands of citizens are asking you to  
13 please save our future, our children's future, the  
14 equity in our homes, in our family businesses, and  
15 put a stop to this. Thank you.

16 And by the way, Mike DeWine took over  
17 \$200,000 in contributions from Duke.

18 ALJ PARROT: Questions?

19 Myron Gerson.

20 Mr. Wormely, please raise your right  
21 hand. Do you swear or affirm the testimony you're  
22 about to give will be the truth?

23 MR. WORMELY: It is.

24 ALJ PARROT: Please state and spell your  
25 name, and provide your address.

1 MR. WORMELY: Cornelius Wormely,  
2 C-o-r-n-e-l-i-u-s, last name W-o-r-m-e-l-y. I'm at  
3 4812 Glenshade Avenue, Cincinnati, Ohio 45227.

4 - - -

5 CORNELIUS WORMELY,  
6 presented himself as a public witness, and being  
7 first duly sworn, testified as follows:

8 DIRECT TESTIMONY

9 MR. WORMELY: A lot of people have been  
10 here and said a lot of stuff to the Board. I guess  
11 I'm going to approach it a little differently.

12 I used to be a school teacher, and one  
13 day I was teaching at a Catholic school in  
14 Cincinnati, Ohio, and we had a gas leak.

15 There was some construction going on  
16 right outside of our school, and they ruptured a gas  
17 line. Luckily we were able to get our kids evacuated  
18 to another local school, and we were able to kind of  
19 get everybody safe. And like I said, luckily, no  
20 kids were harmed, no one lost their life.

21 But what that day did is it showed me how  
22 dangerous -- according to everyone, it was just a  
23 mistake by a contractor. But that could have gone so  
24 horribly wrong and right in the pathway of the  
25 school.

1                   Now, a lot of people here, I hear them  
2                   talking they are on the green route for Blue Ash and  
3                   Amberley and everything. I'm on the orange route.  
4                   I'm on the Preferred Route, and that goes right by  
5                   John P. Parker Elementary.

6                   Luckily, my children have already aged  
7                   out of that, so I can say hey, this doesn't affect  
8                   me. Hey, I can move on and pretend like nothing  
9                   happened. But there's a bunch of kids in my  
10                  neighborhood who are that age, and the contractor can  
11                  make a mistake by their school.

12                  And something else could happen, because  
13                  that's also right along Southern Hills, that's also  
14                  right along 71. Any number of things can happen, and  
15                  it could be -- I don't even want to say how scary it  
16                  is, because again, it's just terrifying, the level of  
17                  gas that's going to be going through there.

18                  And, quite frankly, the fact that it even  
19                  proposed this two years ago, we told resoundingly no,  
20                  and they come back two years later with a similar  
21                  plan, and I know you guys have been sitting up here,  
22                  I have question why your bosses couldn't be here  
23                  themselves.

24                  Because all this passion and everything,  
25                  the people who are making decisions, they should be

1 hearing this for themselves instead of letting you  
2 guys take the brunt of this.

3 So that's what I would ask you guys to  
4 consider as well. But I've already gone on too long,  
5 so thank you for your time.

6 ALJ PARROT: Questions?

7 Robert Goen.

8 Mr. Gerson, please raise your right hand.  
9 Do you swear or affirm the testimony you're about to  
10 give will be the truth?

11 MR. GERSON: I do.

12 ALJ PARROT: Please state your name and  
13 provide your address.

14 MR. GERSON: Myron Gerson. G-e-r-s-o-n.  
15 7714 Stonehenge Drive, Cincinnati, Ohio.

16 - - -

17 MYRON GERSON,  
18 presented himself as a public witness, and being  
19 first duly sworn, testified as follows:

20 DIRECT TESTIMONY

21 MR. GERSON: My name is Myron Gerson. I  
22 am speaking as a physician and specifically as a  
23 resident of a neighborhood adjacent to Kenwood Road,  
24 along the orange proposed pipeline route. Children  
25 from our neighborhood attend the Edwin Greene

1 Elementary School that is within a third of a mile  
2 from the orange proposed pipeline route.

3 I do not see that Duke Energy has  
4 provided compelling arguments establishing the need  
5 for a 20-inch, 500-psi natural gas transmission line  
6 in a high consequence, densely-populated area.  
7 Replacement of a functioning, backup propane  
8 facility, for which upgrades are available, does not  
9 provide a credible explanation.

10 Furthermore, the population of Hamilton  
11 County has declined by 12 percent in recent years.  
12 There is not an increased requirement in Hamilton  
13 County for natural gas.

14 From 2010 to 2018, I have read that 2,003  
15 natural gas line incidents in the United States  
16 resulted in 116 fatalities, 572 injuries, 27,081  
17 evacuees, 277 explosions, and \$1.5 billion in  
18 property damage.

19 According to page 133 of the Ohio State  
20 Hazard Mitigation Plan, Hamilton County is one of the  
21 highest-risk counties in Ohio for landslides. This  
22 increases the risk of a pipeline-related explosion or  
23 fire incident.

24 The Federal Government has observed that  
25 disruption of high-pressure transmission natural gas

1 lines usually results in pipeline rupture rather than  
2 leaks, suggesting that the public can have little  
3 reassurance by Duke's program of pipeline  
4 surveillance to detect gas leaks.

5 Duke Energy has made plans to focus its  
6 operations as a natural gas transmission company, and  
7 you heard earlier the transcript from the 4th Quarter  
8 2018 Duke Energy Economic Statement.

9 So I ask the Board, would Duke Energy  
10 proceed with this pipeline extension if the Ohio  
11 Siting Board approval was contingent on Duke Energy  
12 signing a binding legal agreement not to extend the  
13 pipeline outside of the State of Ohio?

14 In summary, Duke Energy has not  
15 established the need for a pipeline extension, has  
16 not provided a reasonable case for placing such a  
17 pipeline in a high consequence area, and cannot  
18 justify requiring residents of Hamilton County to  
19 accept the hazard and the cost of a pipeline  
20 extension.

21 In my view as a physician and a citizen,  
22 it is irrelevant whether safety is within the purview  
23 of the Ohio Siting Board. Being a member of the  
24 Board does not absolve individual Board members of  
25 their responsibility as public servants and as

1 individual human beings to address the safety of Ohio  
2 children and adult citizens. Thank you.

3 ALJ PARROT: Questions?

4 Thank you.

5 Perry Leitner.

6 Mr. Goen, please raise your right hand.  
7 Do you swear or affirm the testimony you're about to  
8 give will be the truth?

9 MR. GOEN: I do.

10 ALJ PARROT: Please state and spell your  
11 name.

12 MR. GOEN: My name is Robert Goen.  
13 R-o-b-e-r-t, last name is G-o-e-n. I live at 10373  
14 Giverny Boulevard in Evendale.

15 - - -

16 ROBERT GOEN,  
17 presented himself as a public witness, and being  
18 first duly sworn, testified as follows:

19 DIRECT TESTIMONY

20 MR. GOEN: I can't even believe I'm here,  
21 first of all, because I've never acted politically in  
22 the community, I leave that to others to do.

23 But this is really personal to me because  
24 the way the Giverny comes into the Park Hills area,  
25 it comes right off of Glendale-Milford.

1                   You come into the Park Hills  
2 neighborhood, and I'm not on Giverny there, I'm on a  
3 little service road that goes off to the side. There  
4 are five homes on that service road. There is my  
5 front lawn, there is a one-lane service road, and  
6 then there's a berm, and then there is  
7 Glendale-Milford.

8                   From my understanding, this pipeline  
9 would go into that berm and would be -- I've never  
10 walked it off, but you tell me, what's that, 75 feet  
11 from my bedroom? It is very close proximity.

12                  The berm is there and it's covered with  
13 trees and shrubbery and bushes because it mitigates  
14 the sound of the traffic on Glendale-Milford. From  
15 my understanding, again, all that foliage would have  
16 to be removed so that access to the pipeline could be  
17 there.

18                  It's unconscionable to me that something  
19 of such magnitude could be so close to homes; my home  
20 and my neighbors' homes.

21                  The infrastructure of Evendale and Blue  
22 Ash is already so compromised because of Summit Park.  
23 The traffic and the ability to exit quickly down  
24 Glendale-Milford is already a major problem and it's  
25 only going to get worse as Summit Park continues to

1 develop. The fact that you could add a 20-inch gas  
2 pipeline to that already-compromised situation sounds  
3 like madness to me.

4 I kind of expected to come here and hear  
5 a lot of wailing and concerned, you know, citizens,  
6 quote/unquote, but I'm telling you these people are  
7 lucid people. These people have thought this through  
8 and these people are scared, and I am too, and I  
9 don't want to see this thing happen. Thanks for  
10 listening.

11 ALJ PARROT: Any questions?

12 Marcy Ziek or Zick.

13 Mr. Leitner, please raise your right  
14 hand. Do you swear or affirm the testimony you're  
15 about to give will be the truth?

16 MR. LEITNER: I do.

17 ALJ PARROT: Please state and spell your  
18 name, and provide your address.

19 MR. LEITNER: My name is Perry Leitner.  
20 P-e-r-r-y L-e-i-t-n-e-r. 3835 Blackwood Court in  
21 Blue Ash.

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

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DIRECT TESTIMONY

MR. LEITNER: What I'd like to do is address you, the OPSB, with facts that I don't think have been proposed before.

And what I saw today and took pictures of today, I don't think anybody in this room has seen before. And this has to do with the natural environment and the consequences of earth movement, thereof, happening right here in this city.

Right on Glendale-Milford Road, within 200 feet of the transmission line, I took pictures today because my wife went on a walk, just two days ago, through Rest Haven Memorial Park, and saw taped-off sinkholes. And these were not small sinkholes. And there's a second one developing. These holes are as long as your table and almost as wide and 6-feet deep.

A sinkhole, which is known as a karst, happens unexpectedly because of ground that is still settling in the Ohio Valley because the glacial movement which stopped at Tylersville Road is about a thousand feet higher than our elevation, thus forming what we call the Ohio Valley.

Because our dirt is 41 million years old, it's collapsing. And there's underground streams,

1 and this soil can virtually drop 100-feet to 200-feet  
2 deep. Corvettes in Brown County are still in the  
3 ground.

4 Now, one cubic foot of soil which is  
5 3-foot by 3-foot by 3-foot, 9 square feet, wet,  
6 weighs 3,000 pounds. One cubic yard is 3,000 pounds.  
7 To fill that hole that's sitting there now that still  
8 is only 6-foot deep, would be 360,000 pounds of soil.

9 What would that do to a 20-inch pipeline?  
10 Is it designed for something like that? It would  
11 snap it like a popsicle stick. Right on  
12 Glendale-Milford Road. You want to take a walk  
13 through Rest Haven Memorial Park? It's right up the  
14 street.

15 There's another one 30 feet away. Now  
16 mind you, I'm walking to this hole, seeing the yellow  
17 tape around it and saying to myself, "Better take a  
18 breath. It could be your last one." These two holes  
19 may be connected. A hundred feet of soil could drop  
20 right below my feet. I could be killed in an  
21 instant. Don't think I wasn't sweating taking these  
22 sick pictures I'm going to leave with you.

23 And to think these residents could be --  
24 and we do know landslides and sinkholes are happening  
25 unexpectedly all of the time. This natural

1 environmental hazard is truth. These are the  
2 pictures that prove that truth.

3 We the people will not stand for it. Our  
4 elected officials will not stand for it. I trust the  
5 Ohio Power Siting Board will make the right decision  
6 for all of us people and all of our communities. To  
7 put us all at risk and the environment, not to say  
8 what that would do to our roads, our schools, our  
9 structures, our foundations, our water supply if  
10 there was a rupture. Thank you.

11 ALJ PARROT: Questions?

12 Jeff Wallace.

13 Please raise your right hand. Do you  
14 swear or affirm the testimony you are about to give  
15 will be the truth?

16 MS. ZIEK: I do.

17 ALJ PARROT: Please state your name and  
18 spell your name, and provide your address.

19 MS. ZIEK: My name is Marcia Ziek. I'm  
20 called "Marcy." M-a-r-c-y. My full name is  
21 M-a-r-c-i-a Z-i-e-k.

22 ALJ PARROT: And your address?

23 MS. ZIEK: 4295 Peppermill Lane,  
24 Cincinnati, Ohio 45242.

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MARCY ZIEK,

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

DIRECT TESTIMONY

MS. ZIEK: Good evening. I live in Peppermill -- I live in Peppermill Farms, which is very close to here, on the other side of Reed-Hartmann Highway. I'm a retired chemical engineer.

One of my favorite bosses used to tell me that I should always listen to the little engineer in my head. Well, that little engineer has been screaming at me to stop any high-pressure pipeline from being routed through Hamilton County.

Why? Simply put, there are so many red flags for me, and the little engineer in my head, that it isn't safe.

Let me explain.

First, Duke executives do not live here. Their lives and the lives of their families will not be endangered if this pipeline is built.

Second, Duke has no prior experience with high-pressure pipelines. This would be the first. They have no experience designing, constructing, or maintaining such pipelines. And I have seen no

1 evidence so far that they are hiring contractors who  
2 do. In fact, I did not see any evidence of an  
3 engineer's stamp on the prints I saw. That stamp  
4 means a registered engineer has reviewed the drawing  
5 and found the design safe.

6 The states which currently have  
7 high-pressure pipelines are in the West and are much  
8 more sparsely populated than Ohio. These states have  
9 adopted the America Petroleum Institute standards as  
10 law, which Ohio has not done at least not yet.

11 The America Petroleum Institute, API, is  
12 a trade group. For about 100 years they have  
13 published a set of equipment design standards with  
14 the primary objective of ensuring safety. These  
15 standards represent the cumulative knowledge and  
16 experience of many, many engineers, and they are  
17 continually being reviewed and updated. They are  
18 used throughout the chemical process industry as well  
19 as the petroleum industry. For example, they were  
20 enforced in the plant where I worked, which made  
21 chemicals out of fat.

22 The API standards are very specific about  
23 where high-pressure pipelines are okay. They may be  
24 used in unpopulated areas only.

25 A 500-pounds-per-square-inch gas pipeline

1 may be brought to the edge of a populated region, but  
2 then the pressure must be reduced for distribution  
3 through that region. Clearly, that is not Duke's  
4 plan.

5 Even in the states where API standards  
6 are law, and the high-pressure gas pipelines are  
7 properly designed, built, and maintained by  
8 properly-trained and experienced people, accidents  
9 have occasionally happened. That's why they are in  
10 unpopulated areas.

11 Duke's high-pressure pipeline is an  
12 accident waiting to happen. And at  
13 500-pounds-per-square-inch, it will be more than an  
14 accident; it will be a major disaster.

15 I understand that safety is outside the  
16 purview of the Siting Board, but when the Siting  
17 Board's mission was established, nobody dreamed that  
18 utility company headquarters would be outside the  
19 state. So I'm asking you to go beyond your mission  
20 and think about the lives of Hamilton County  
21 residents.

22 We have a new administration in Columbus,  
23 one that promises to be pro-life. The Duke pipeline  
24 is pro-death. I'm asking -- no, I am pleading with  
25 you: Chose life. Chose our lives over this

1 pipeline.

2 ALJ PARROT: Questions?

3 Steve Howard.

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

7 MR. WALLACE: I do.

8 ALJ PARROT: Please state your name and  
9 provide your address.

10 MR. WALLACE: My name is Jeff Wallace. I  
11 live at 5024 Aldine Drive in Blue Ash, Ohio.

12 - - -

13 JEFF WALLACE,  
14 presented himself as a public witness, and being  
15 first duly sworn, testified as follows:

16 DIRECT TESTIMONY

17 MR. WALLACE: The home that I just  
18 mentioned is located within a thousand feet of the  
19 proposed orange route, within the so-called blast  
20 radius of the pipeline; something I shudder to think  
21 about. I share my home with my wife and our two  
22 young children, ages 5 and 2. My home also borders  
23 the E.H. Greene Intermediate School, where 750  
24 5th and 6th grade students spend each day.

25 I'm here to voice my frustration with the

1 process, as well as my opposition to building the  
2 proposed pipeline in either my community or anyone  
3 else's community in this area.

4 As we listen to these community members  
5 give passionate testimony today, many in opposition,  
6 we, once again, are not joined by any voting members  
7 of the Ohio Power Siting Board. The point of a  
8 hearing is for community perspectives to be heard  
9 and, unfortunately, there's no voting member to be  
10 here to hear our testimony today.

11 But assuming that voting members will  
12 read this testimony, I would like to pose the  
13 following questions:

14 How many of you live within one of the  
15 communities affected by the proposed pipeline?  
16 Because the attendees of this hearing live in those  
17 communities.

18 Do you believe that the proposed pipeline  
19 would maintain the safety of our communities and that  
20 key safety concerns have been fully addressed? Many  
21 of us who live here believes it poses a significant  
22 threat and that many concerns remain unanswered.

23 Do you believe there's sufficient need  
24 for the proposed pipeline? Because many of us who  
25 live here do not.

1                   How many of you would willingly live  
2                   within a thousand feet of the proposed pipeline?  
3                   Because I do and I don't want to live within the  
4                   proposed -- within a thousand feet of it.

5                   How many of you would send your children  
6                   to a school within the blast radius of the proposed  
7                   pipeline? Because those of us who live here, would  
8                   not.

9                   I could go on with these questions, but I  
10                  would argue that each of you would answer these  
11                  questions the same way that the people in this room  
12                  would, so please represent the voice of our community  
13                  and vote no to this proposal. Thank you.

14                 ALJ PARROT: Any questions?

15                 Thank you.

16                 Evelyn Wagner. Evelyn Wagner?

17                 Mr. Howard, thank you. Please raise your  
18                 right hand. Do you swear or affirm the testimony you  
19                 are about to give will be the truth?

20                 MR. HOWARD: I do.

21                 ALJ PARROT: Please state your name and  
22                 provide your address.

23                 MR. HOWARD: Steve Howard. S-t-e-v-e  
24                 H-o-w-a-r-d. 8524 Donegal Drive. It's in  
25                 Dillonvale. It's usually just addressed Cincinnati,

Ohio, but Dillonvale is in between Deer Park, Blue Ash, Amberley and Kenwood, so it's right in the middle of that.

- - -

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

DIRECT TESTIMONY

MR. HOWARD: First off, I want to ask everybody -- I want to thank everybody for showing up here, the people who did show up, including everybody that's speaking.

My blood sugar is a little low, so hopefully I'll make sense here, but it was important enough to be here, more important than eating.

I'm not going to go over a lot of the environmental issues and so forth. A lot of people have addressed them very well and they brought forward things that haven't even been on the table yet.

I won't go over a lot of the things that happened at the past meetings and some of the stuff, as was pointed out, I don't think was handled respectfully to the people or to fully inform.

But one thing I do want to hit on, and

1 I'll try to make this as quick as possible, is that  
2 need has not been proven. They have not proven the  
3 need. If we needed it, that would be one thing.

4 And the destruction to all the trees and  
5 everything else, at this point in time with how our  
6 ecology, how our environment is, it's absolute  
7 insanity.

8 So then we have to ask ourselves why is  
9 this -- why is it happening? Why are the people  
10 being ignored and why is it being done this way?

11 And when you look at all the pipelines  
12 today, be it oil or fracked gas or whatever, you can  
13 trace it back to money. And it's not just money from  
14 Duke or whoever, but it's money from multinational  
15 banks. It's people that don't even not only live in  
16 this community but they don't even live in this  
17 country.

18 Like, if anybody remembers the stand  
19 against the pipeline in Standing Rock, there were 38  
20 international banks involved. So there's pressure  
21 coming from Germany and Japan and elsewhere upon  
22 people, and then they put the pressure on you because  
23 they want the money and they don't care.

24 One could ask themselves, well, if they  
25 want to just make money, why don't they invest in

1 solar and wind because that is the future. But they  
2 like it the way it is. There's -- it keeps us that  
3 we're attached to the umbilical cord. Because if I  
4 have a bunch of panels on my house, Duke doesn't get  
5 as much money and the investors don't get as much  
6 money.

7 Some people have used the term  
8 "momentum," economic momentum, meaning that once you  
9 get people to invest in a pipeline, it's going to  
10 take a while for them to get back what they put in  
11 and then the extra that will be the return from it.

12 So what those people will end up doing  
13 is, if I'm pushing for solar, they're going to say,  
14 "Hey, I got a million dollars in this, I need my  
15 return," and then they're going to push you and  
16 everybody else to ignore me and ignore my community  
17 and ignore the planet so they can put more money in  
18 their pocket. And when that's the situation, it ends  
19 up being where the people are ignored, and we've been  
20 ignored for a long time.

21 I don't know if you've seen, I think it  
22 was a study by some people at Yale. If you look it  
23 up, it's "Is the United States a Democracy?"  
24 Something like that is the headline.

25 And it was reported and the study showed,

1 they looked at almost 1,800 pieces of legislation  
 2 under Democrat, Republican, Democrat, Republican. It  
 3 didn't matter who was in the White House or who was  
 4 in Congress or the Senate. If the average person's  
 5 views said, "We want this," it's got a 30-percent  
 6 chance of passing. If everybody said, "We don't want  
 7 it," it's got a 30-percent chance of passing. Unless  
 8 you're very rich. And then if you don't want it, it  
 9 doesn't happen; and if you do want it, it does  
 10 happen.

11 And so, instead of going on about all  
 12 this stuff that everybody else is going to cover, I'm  
 13 going to ask you to stick to what this country was  
 14 supposed to be, at least the good parts of it, the  
 15 "We the People" part. We don't want it.

16 I shouldn't have to stand here, thinking  
 17 I got to get home and get some food. There are  
 18 people here that are probably in pain, they had to  
 19 hire a babysitter, and they're worried. These people  
 20 are worried and there's no need for it.

21 So all I'm asking really is that you look  
 22 at what everybody is saying and the law and  
 23 everything, but also look at the fact that we're  
 24 supposed to have the say. We shouldn't be begging  
 25 and we shouldn't be crying and we shouldn't be

1     afraid. We should be able to trust our government to  
2     serve us. And not just on this issue. We should be  
3     moving to solar and wind and everything else.  
4     Germany is halfway there, and they've got computers  
5     and trains and everything just like we do.

6                     "We the People." Just remember that  
7     part, along with everything everybody else said.  
8     Thank you.

9                     ALJ PARROT: Any questions?  
10                    Steven Gordon?

11                    Ms. Wagner, please raise your right hand.  
12     Do you swear or affirm the testimony you're about to  
13     give will be the truth?

14                    MS. WAGNER: Yes.

15                    ALJ PARROT: Please state your name and  
16     provide your address.

17                    MS. WAGNER: Evelyn Wagner. 9574 Heather  
18     Court, Blue Ash.

19                                     - - -

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

23                                     DIRECT TESTIMONY

24                    MS. WAGNER: My name is Evelyn Wagner.  
25     I'm a resident of Blue Ash. And I can tell you that

1 I've been extremely concerned about the pipeline  
2 since I first heard about it almost 3 years ago.

3 I have two small children, two boys,  
4 they're now age 6 and 9. When this pipeline project  
5 was first proposed, my children were ages 3 and 6.

6 I understood right away that my home  
7 would be less than 1,000 feet away from one of the  
8 proposed pipeline routes and in danger of an  
9 explosion; that my children's elementary school,  
10 serving 500 5- to 10-year-olds, could be as close as  
11 200- to 300-feet away. It would snake past my  
12 grocery store, past the park my children play in  
13 after school and on weekends, and run past the  
14 synagogue my family attends.

15 In short, I would literally be  
16 surrounded, day and night, by this pipeline. Just  
17 imagine for a moment what that's like. What thinking  
18 about that is like. Let me tell you that I couldn't  
19 sleep that night.

20 An explosion could happen in a place that  
21 would be close to me or my children, and I will be  
22 powerless to stop it. Let's face it: If it happens  
23 so close to my home, I would be dead.

24 My children -- my children's school would  
25 be powerless to communicate to the 5- to 10-year-olds

1 because the PR system couldn't be operated in that  
2 condition. The thought of it being so close to my  
3 children, near other children, has left me with many  
4 sleepless nights. As a parent, it's unfathomable not  
5 just with respect to my children but with respect to  
6 other people's children.

7 I know these pipeline routes go near not  
8 just schools with young children, it goes past  
9 daycares, it goes past dialysis centers, hospitals,  
10 senior centers, and all these places you cannot run a  
11 PR system. And imagine what that's like for a family  
12 member and imagine the powerlessness you would have  
13 in that situation.

14 So putting a pipeline of this magnitude,  
15 capable of 500-psi, 20-inches diameter, it's just not  
16 normal. It's notprecedented. This pipeline walks,  
17 acts, and talks like a transmission line. It fits  
18 the definition of a transmission line and it is not  
19precedented to run a line of this size and pressure  
20 through people's backyards, under children's play  
21 sets, throughout people's neighborhoods.

22 It is not approved to build a new  
23 neighborhood around an existing a pipeline of this  
24 size and pressure, so it's not okay to put a line of  
25 this size and pressure through an existing

1 neighborhood.

2 It puts all Cincinnatians' lives in  
3 danger. It sets enormous consequential precedent for  
4 Ohio and its future residents.

5 There's also a blatant social injustice  
6 in this project. I understand that each of the  
7 routes -- each one of the routes that Duke is  
8 proposing is near low-income areas. But of three  
9 initially proposed, it is the one, with people who  
10 can least afford to fight, that is the one that is  
11 recommended. It is the one that is along the route  
12 with the smallest properties, smallest homes, the  
13 least means, that was chosen. In cases, the pipeline  
14 could be as much as a few inches from someone's home.  
15 I hope you do your own research and validate that for  
16 yourselves.

17 The fact that many families along the  
18 green line have not vocalized their distress is not a  
19 sign that they are okay it. It just means that, by  
20 and large, they can't afford to raise their voices as  
21 loudly.

22 This is a common fact: The Federal  
23 Energy Regulatory Commission recognizes gas pipeline  
24 projects impact "economic justice populations"  
25 disproportionately. The density of homes along this

1 route is profound. When there is an accident, the  
2 devastation will be catastrophic.

3 Just this morning, I was listening to the  
4 radio, after taking my children to an appointment,  
5 and I heard a national discussion on public radio  
6 about the impact of fracking and pipelines in another  
7 state, Colorado. And to paraphrase roughly: An  
8 energy company's goals is for profit-making, but it  
9 is the proper role of government and regulatory  
10 bodies to balance out everyone's roles and rights,  
11 and to make sure projects being proposed are only  
12 approved when they are for the benefit of its  
13 citizens.

14 Colorado and many other states are  
15 recognizing the importance of regulating the oil and  
16 gas industry, and are stepping up to ensure that  
17 energy companies' focus on profit is checked.

18 Being for the benefit of citizens must,  
19 in its totality, include the notion that our safety  
20 is not compromised by the need to supply reliable  
21 energy to its citizens.

22 As you know, the mission of the Ohio  
23 Power Siting Board is "to support sound energy  
24 policies that provide for the installation of energy  
25 capacity and transmission infrastructure for the

1 benefit of the Ohio citizens, promoting the state's  
2 economic interests, and protecting the environment  
3 and land use."

4 By all measures, this pipeline and the  
5 precedent it sets is not for the benefit of the Ohio  
6 citizens.

7 So, in conclusion, put yourself in our  
8 shoes. Imagine your life surround by an enormous  
9 pipeline. It's under your home or just down the  
10 street. It surrounds your kids and your life on a  
11 daily basis. You cannot afford to move away. You  
12 depend on an accident not happening near you or a few  
13 blocks away. Maybe it's not today, maybe it's not  
14 tomorrow, but another day. Maybe the accident is not  
15 in our lives, but only in our children's lifetimes.  
16 Would the best safety practices make you feel safe?

17 Or would you wish that the powers that be  
18 would find a way to provide the extra gas that is  
19 needed on extreme weather days on only those days  
20 like how it is now, like how it is in other cities  
21 now?

22 By the Ohio Power Siting Board rejecting  
23 this proposal, we can begin the conversation of  
24 investigating better solutions and balancing the need  
25 for energy with the benefit and safety of Ohio

1 citizens.

2 You can carefully size the existing and  
3 expected demand. For example, you can size the  
4 supply of gas Duke is proposing to run through the  
5 Central Corridor Pipeline, 24 hours a day, 7 days a  
6 week, versus what is actually needed.

7 Will the pipeline be used, on days when  
8 the gas is not needed, as a storage tank under our  
9 properties in order to maintain existing pressure?

10 This information, these questions must be  
11 understood, and these questions must be asked  
12 diligently and thoroughly.

13 Duke's claim for needing a continuous  
14 supply of gas does not square with peak demand on  
15 only a handful of days.

16 So Ohio can be a model. All you have to  
17 do is to deny this proposal and begin the discussion.  
18 The alternative is you can wait for the inevitable  
19 disaster to occur.

20 And make no mistake, we will hold the  
21 members of the Ohio Power Siting Board responsible  
22 because, unfortunately, only they are the ones who  
23 have the power to vote and to stop this. Thank you.

24 ALJ PARROT: Any questions?

25 Thank you.

1 ALJ SEE: Kevin Laudat? Kevin Laudat?

2 ALJ PARROT: Mr. Gordon, please raise  
3 your right hand. Do you swear or affirm the  
4 testimony you're about to give will be the truth?

5 MR. GORDON: I do.

6 ALJ PARROT: Please state your name and  
7 provide your address.

8 MR. GORDON: My name is Steven Gordon,  
9 G-o-r-d-o-n, I live at 6144 Kenwood Road in  
10 Cincinnati.

11 - - -

12 STEVEN GORDON,  
13 presented himself as a public witness, and being  
14 first duly sworn, testified as follows:

15 DIRECT TESTIMONY

16 MR. GORDON: I reside with my wife in a  
17 house that is 160 years old on Kenwood Road that is  
18 approximately 100 yards from the proposed green line.

19 I'm not going reiterate a lot of the  
20 points that have been made here, but I would like to  
21 add two points.

22 For natural gas alone, the Pipeline and  
23 Hazardous Material Safety Administration, which is  
24 the United States Department of Transportation  
25 agency, has collected data on over 3,200 accidents

1 involving natural gas pipelines since 1987.

2           These involve significant incidents and  
3 they are defined by one or more fatalities, \$50,000  
4 or more in total cost, liquid releases of five or  
5 more barrels, or releases resulting in an  
6 unintentional fire or explosion.

7           Obviously accidents happen much more  
8 frequently than people would anticipate or like. Ten  
9 days ago in the Madeira area, a twin engine surveying  
10 plane was headed towards Lumpken Airport that crashed  
11 into the backyard of a house that's approximately 200  
12 yards from the proposed green line.

13           If that plane had crashed 200 yards  
14 further to the west after this pipeline had been in  
15 place, I would not be standing here. My home would  
16 be incinerated, my wife and I would be dead within a  
17 matter of seconds.

18           That's a situation that is totally  
19 intolerable. We can't live with it. People in this  
20 room and our county cannot live with that threat  
21 hanging over our head. Thank you.

22           ALJ SEE: Kathy Kugler.

23           Mr. Laudat, if you'd raise your right  
24 hand. Do you affirm that the information you're  
25 about to give is true?

1 MR. LAUDAT: I do.

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

4 MR. LAUDAT: Kevin, K-e-v-i-n, Laudat,  
5 L-a-u-d-a-t. My address is 1631 Section Road,  
6 Unit 4, Cincinnati, Ohio 45237.

7 - - -

8 KEVIN LAUDAT,  
9 presented himself as a public witness, and being  
10 first duly sworn, testified as follows:

11 DIRECT TESTIMONY

12 MR. LAUDAT: I'm the Executive  
13 Vice-President of the Roselawn Community Council. I  
14 hold a Master's in Public Administration from  
15 Northern Kentucky University. And it's an executive  
16 management and metropolitan governance.

17 So I stand here today again -- I first  
18 want to give -- this is cheesy -- but a round of  
19 applause for these ladies because I know I see the  
20 same four faces I saw the last time I was here. And  
21 we appreciate you for being here because this is an  
22 issue that's very close to our hearts.

23 I know that members of the Power Siting  
24 Board has probably had other obligations this  
25 evening. I understand. I did as well.

1           My daughter's leaving for spring break  
2 tomorrow, and to be very honest, I'd much rather be  
3 spending this time with her, because she's going to  
4 be in Florida for about a week enjoying herself, and  
5 I'm going to be here missing her. But the reason why  
6 I came here to speak today, and waited along with all  
7 of these people, is because there is a quality of  
8 life concern here, past the idea of an explosion  
9 happening, and what the ramifications of that would  
10 be.

11           I was told that I had to keep my thoughts  
12 to how that would impact my environment. Well, I  
13 thought about that for a while, and I've never seen a  
14 beautiful blown-up piece of land, I've never seen a  
15 road, highway, or a tree that blew up that was  
16 pretty. So, quite frankly, if there's an explosion,  
17 there will likely be destruction to my environment.

18           My daughter's 14 years old and she is the  
19 love of my life. When she comes to be with me, to  
20 stay with me at my home, I would like for her to be  
21 safe. That's the reason why I ran for and obtained a  
22 position with the community council.

23           A lot of people here, and a lot of people  
24 in our community, they don't have the wherewithal to  
25 come here each time and to be here each night, just

1 like the Power Siting Board apparently doesn't have  
2 that time available to them either, but yet they are  
3 here. And so you have to ask yourself, why would  
4 people continue to show up over and over again. It  
5 is a quality of life issue.

6 The question of whether there is a need  
7 for this infrastructure, it's kind of -- it kind of  
8 escapes me, because apparently there was not a need  
9 in the other proposed route, there was no need for  
10 this pipeline to be located there.

11 Whatever various reasons they had for the  
12 pipeline not being situated in their neighbors  
13 probably stands to reason for us as well. I may not  
14 be able to speak eloquently enough to say it the way  
15 whomever said it before, that it was so inspiring  
16 that those lines were taken off of this map, but  
17 nonetheless, they are gone.

18 And my line, which -- I don't want to own  
19 it, let me take that back. This line, which is, I  
20 guess, this yellow line here, that line runs right  
21 past my house. I don't want to see destruction to  
22 our trees, I don't want to see destruction to our  
23 community.

24 I think that that is definitely an  
25 environmental issue 100 percent. Whether it's about

1 safety or not, it's still going to be about the  
2 environment, wherever or whatever it's placed next to  
3 an explosion, it would no longer be there, and so  
4 that would have an impact.

5 I know that we have a new administration  
6 now and people in place. I don't know that they have  
7 heard these issues. Maybe the reason they didn't  
8 show up this time is they didn't know that the last  
9 Power Siting Board didn't show up last time, and you  
10 ladies were here.

11 We appreciate you all coming, but I sure  
12 hope you don't have to come back again. And we  
13 really would appreciate the fact that the Power  
14 Siting Board would say no to this development. We  
15 really don't, from what I understand, need it.

16 The peaking stations that are in effect  
17 currently work. Duke hasn't said they don't. They  
18 said that it's old infrastructure, but to my  
19 understanding they have renovated the infrastructure  
20 recently. Spent quite a bit of money in doing it.

21 Now, I could be wrong, so please check my  
22 facts. I don't have a written testimony this time  
23 because I wrote a written testimony last time.

24 And, quite frankly, I got off work and I  
25 was tired, I didn't really want to be here, I took a

1 nap in my car for 15 minutes before I came in the  
2 door because I've been up since 5:00 this morning.  
3 I'm very tired.

4 I hope you guys don't have to come back  
5 again, and I really would appreciate me and the other  
6 people in this room not having to come back either.  
7 Thank you.

8 ALJ SEE: Any cross?

9 Do you affirm the information you're  
10 about to give is true?

11 MS. KUGLER: Yes.

12 ALJ SEE: Thank you. Please state and  
13 spell your name for the record, and state your  
14 address.

15 MS. KUGLER: Kathy, K-a-t-h-y, Kugler,  
16 K-u-g-l-e-r, 7106 Tenderfoot Lane, Cincinnati, Ohio  
17 45249.

18 ALJ SEE: Go ahead.

19 - - -

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

23 DIRECT TESTIMONY

24 MS. KUGLER: I didn't -- I was  
25 baby-sitting until about 7:00, and I didn't hear who

1 you all are or who these people are. Is it okay if I  
2 ask? Who are you? Are you the administrators,  
3 secretaries, the -- I mean, I'm unclear. I know the  
4 Siting Board members are not here, so I know --

5 ALJ SEE: My name is Greta See, and  
6 beside me is Sarah Parrot. We're the Administrative  
7 Law Judges assigned by the Board on behalf of the  
8 Board to hear this case.

9 MS. KRUGER: And are there lawyers here  
10 for Duke Energy as well?

11 ALJ SEE: Yes.

12 MS. KRUGER: Where are they? Okay. This  
13 is why I'm here. This is my granddaughter. She  
14 plays in my yard, she plays in that playground and I  
15 am in the blast zone. This is why I'm here. This  
16 little girl. Thank you.

17 I had some other things to say. It  
18 doesn't get any more personal than that. And she  
19 stays all night with me, and she's staying all night  
20 with me tonight.

21 Duke's proposed high energy gas placement  
22 has me in the blast zone, and my granddaughter in the  
23 blast zone, and my other four grandchildren. And I  
24 came late tonight because I'm baby-sitting.

25 I'm one of those people that I was up at

1 6:30 this morning, too, and I'm tired, but I came  
2 here because I want to testify, and I want to say I'm  
3 protecting her, maybe me, too.

4 Since you are not able to consider the  
5 health and safety of Ohio citizens, let's look at  
6 what you can consider.

7 Number 1, get an independent assessment  
8 of the need for this type of transmission line. It  
9 is not a distribution line. Do not take the word of  
10 Duke Energy.

11 Do you remember that at one time Congress  
12 allowed the tobacco companies to be their own expert?  
13 Well, they hid the cancer causing effects of smoking  
14 and sniffing tobacco. Why? They made a lot of  
15 money. Finally the government stepped in to save us.  
16 There's nothing wrong with government working to  
17 protect the people.

18 Corporations such as Duke have almost  
19 limited funds. Look how many people they have  
20 sitting, and they are getting paid by the hour. They  
21 also -- Duke Energy paid zero -- zero federal tax.  
22 They have a lot of money.

23 Number 2, I want the Ohio Power Siting  
24 Board to determine if this pipeline is really a way  
25 to moved fracked gas to be supported.

1           This in no way benefits Ohio, but it sure  
2       does benefit the corporate finances of Duke Energy.  
3       If they are telling lies about this, what is the  
4       consequence?

5           Corporations often have the ploy of doing  
6       wrong if you can, tell lies for your own benefit, and  
7       if you get caught, well, it's worth it, the fines are  
8       minimal.

9           What are the consequences of lying to  
10      you? They have lots of money to spend on lobbying,  
11      and they already have fines on them.

12          Three, the safety record and the record  
13      of following the rules for Duke is F, failing grade.  
14      So do we entrust this highly unsafe and unneeded  
15      pipeline to a group that already flaunts safety?  
16      Thank you.

17          ALJ SEE: Any cross?

18          That was the last witness we had sign up  
19      for testimony. On behalf of the Board, I'd like to  
20      thank you all for taking your time to come out  
21      tonight and to offer testimony, or support those who  
22      were here to offer testimony.

23          If you wish to file comments, you may  
24      give your written comments, if you have them tonight,  
25      to myself or any -- any Commission employee.

1                   And with that, the public hearing is  
2 adjourned. And thank you very much.

3                   (Thereupon, the proceedings concluded at  
4 8:15 p.m.)

5                   - - -

6                   CERTIFICATE

7                   We do hereby certify that the foregoing is a  
8 true and correct transcript of the proceedings taken  
9 by us in this matter on Thursday, March 21, 2019, and  
10 carefully compared with our original stenographic  
11 notes.

12  
13                   \_\_\_\_\_  
Valerie Grubaugh, Registered  
14 Merit Reporter.

15  
16                   \_\_\_\_\_  
Carolyn M. Burke, Registered  
17 Professional Reporter.

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**Case No(s). 16-0253-GA-BTX**

Summary: Transcript in the matter of the Duke Energy Ohio, Inc. hearing held on 03/21/19 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Burke, Carolyn