

3

FILE

Richard M. Petty
14573 Ringgold Northern Rd
Ashville, Ohio 43103

January 14, 2008

Federal Energy Regulatory Commission
Office Of Energy Projects
888 First Street, N.E.
Washington, DC 20426

06-1142-AA-BIN

PUCO

RECEIVED-DOCKETING DIV
2008 JAN 15 PM 1:58

To Whom It May Concern:

My wife and I are writing to express our concerns about the REX Pipeline's attempt to confiscate our property. As we understand the procedure from a meeting held by your organization on January 8, 2008 at the Teays Valley High School in Ashville, Ohio, REX is suppose to use any existing right-of-way corridors, if at all possible, prior to resorting to any privately held land. There is such a corridor directly north of our property which appears to provide a reasonable path (as acknowledged by your Doug Sipes) for the REX pipeline. This path would avoid their taking the land which we purchased expressly to build homes for each of our two sons and which would be rendered useless for this purpose if REX is allowed to continue with its current proposed route. The only downside to using the existing right-of-way from REX's perspective would appear to be cost -- i.e. it would be cheaper for them to take our land than to pay to use the owners' of the existing right-of-way. We didn't think that REX, under existing law, had the latitude to maximize their profitability by ignoring available existing rights-of-way. In reviewing this preferable (from our perspective) path with representatives of Rex and your Doug Sipes, the only possible objection was a shed built in the existing right-of-way by a neighbor with full knowledge of the risks involved. By contrast, we purchased our land and have continued paying taxes on it as residential property (as opposed to the less costly option of declaring it to be farm land) with no knowledge of any attendant risks.

We are also concerned about REX's lack of communication and its insensitivity throughout this entire process. Rather than approaching us directly to discuss their proposals, they initially refused to acknowledge us as the owners of our land (based on a surveyor's earlier error in registering our deed) despite our communication to them that this error had been discovered and corrected. Their first acknowledgment of us was at the insistence of our counsel, Christopher L. McCloskey, when it became clear that REX intended to enter our property to conduct surveys without taking any of the required steps to secure the authority to do so. REX seems to have forgotten some of the important principles upon which this country was founded and seems also to be devoid of any common decency. Even subsequent to their acknowledgment of our ownership, they have refused to deal with us in good faith saying it was a "done deal", that their plans were not going to change and that if we didn't cooperate they would just take what they wanted. It was only when your representative agreed to meet with us last week that REX showed any interest in us at all. Even the previously noted "public" meeting to discuss

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician Date Processed 1.15.08

the consequences of REX's proposal was not publicized so that everyone could be heard on this most important matter. This appears to be another attempt to operate under the public radar and to minimize outside interference as well their costs. I don't think our founding state and federal fathers had this type of situation in mind when they crafted the concept of eminent domain.

In summary, we need your help to ensure that our interests are protected -- I believe that, under your charter, this is your responsibility. We would appreciate -- and we expect -- your support. Please contact us if you have any questions or if you require any additional information. We can be reached either by phone (704-737-4440) or by e-mail (dick.petty@twcable.com).

Your Constituents,

Richard & Sandy Petty

Submission Contents

Comments of Richard & Sandy Petty expressing concern over pipeline location and communication by REX	
PettyLettertoFERC.pdf.....	1-2