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May 25, 2011

Ms. Renee J. Jenkins
Director, Administrative Department
Secretary to the Commission
Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

RE: **AMENDMENT TO THE GEAUGA COUNTY 138 kV TRANSMISSION LINE SUPPLY PROJECT**
**Case Number 11-1220-EL-BTA**

Docketing:

American Transmission Systems, Incorporated and The Cleveland Electric Illuminating Company (collectively, the "Applicants") submit the following information in response to comments recently submitted by Mr. Ronald J. Burba, 6498 Lake Road, Madison, Ohio 44507, in the above captioned case.

On or about May 5, 2011, Mr. Burba submitted written comments to the Ohio Power Siting Board ("Board") regarding certain minor amendments to the route of the Geauga County 138 kV Transmission Line Supply Project ("Project".) Mr. Burba's comments were attached to the Board's May 10, 2011 response that was docketed on May 11, 2011.

In his comments, identifies his properties as parcels 30 009200 and 30 009100 and asserts without any factual support not only that the proposed changes to the route would adversely affect his properties by reducing their value, but also that the amendments will increase the areas of the properties which he alleges he must avoid for unclear and unspecified reasons. However, Mr. Burba does not assert or offer any proof that the new route would result in the placement of additional poles or lines on his property. In fact, the proposed amendments to the route will have no impact on the route of the proposed transmission line on his property.

By this letter, the Applicants confirm that the proposed amendments to the route are not located on and will not result in placement of additional poles or lines on the properties identified in Mr. Burba's

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letter. Attached is a map that shows the location of the Project near parcels 30 009200 and 30 009100. As shown on the map, the proposed adjustments to the route are not located on either of Mr. Burba's properties and although a section of the Approved Route for the Project is located on parcel 30 009200, Applicants are not proposing to modify this portion of the Approved Route.

In fact, the center line of the closest section of the proposed adjusted route to Mr. Burba's property is approximately 110 feet west of the westerly property line of parcel 30 009200 – that is, 110 feet west of Mr. Burba's property. The northern end of this segment connects with the OPSB Approved Route west of Mr. Burba's property. The proposed amendments to the approved route will not change the location of the Project on the properties identified in Mr. Burba's correspondence.

The Applicants have had several discussions with Mr. Burba regarding the alignment of the northerly end of the adjusted route in an effort to reach agreement with Mr. Burba on the placement of the transmission line on his property. As the Applicants were unable to reach an agreement with Mr. Burba, no portion of the adjusted route will be located on Mr. Burba's property. As the center line of the closest section of the proposed adjusted route to Mr. Burba's property is located approximately 110 feet west of Mr. Burba's property, not only is the right-of-way of the adjusted route well beyond Mr. Burba's property, there is little potential for Mr. Burba's property to be affected by construction and operation of the Project on the proposed adjusted route. The section of the OPSB Approved Route located on Mr. Burba's property will be constructed without any changes regardless of the Board's action on the proposed route adjustments.

It is important to stress that the proposed amendments were submitted at the behest of two property owners along the proposed adjusted route.[1] In fact, both of these property owners have granted an option to purchase the easement along this proposed amended alignment to the route. This proposed amendment to the route relocates a sizeable portion of the OPSB Approved Route away from several residences on Ledge Road to a cross country route largely passing through agricultural fields east of Ledge Road, at a significant distance from those and other residences.

We understand that community members like Mr. Burba may oppose or continue to oppose the entire Project. But since the State of Ohio, through its executive and judicial branches, has approved construction and operation of the Project, the question of whether the Project will be built, and under what terms and conditions, has been addressed. As such, the types of concerns raised by Mr. Burba in his comments already have been resolved.

The Applicants will make every reasonable effort to respond t questions posed by community members and provide information about the Project. But Applicants respectfully submit that

[1] There is a third property and owner that will be affected by the proposed amendment to this section of the route. This property is currently in foreclosure and, as such, likely will be sold at a future Geauga County Sheriffs land sale. The Applicants have made determined efforts to locate the owner(s) of this property, including but not limited to all efforts required by applicable law. Inasmuch, however, as the property is in foreclosure, it should come as no surprise that the property owner cannot be located.

they must pursue construction and operation of the Project, as approved by the Board, subject only to those minor changes that arise due to field conditions or that are requested by affected landowners and that can be accommodated within the Applicants' reasonable Project planning and construction time frames and resources.

If you have any questions or require further information, please do not hesitate to contact me,

Very truly yours,

Robert J. Schmidt, Jr.

RJS:clk
Attachment

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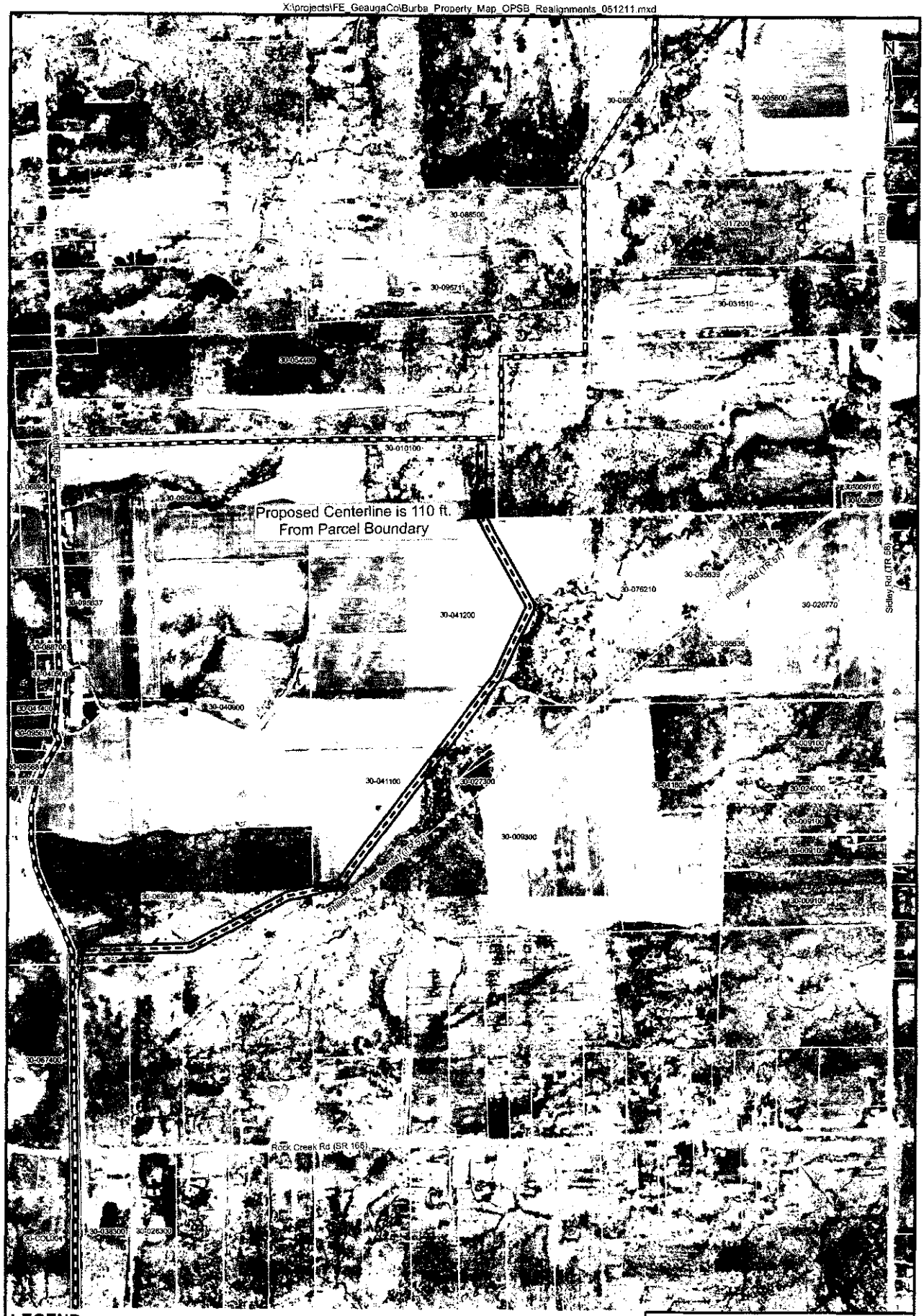


**LEGEND:**

- OPSB Approved Route
- Proposed Adjustment
- 60 Foot Construction Corridor
- Adjustment 60 Foot Construction Corridor
- Burba Parcel Boundary
- Parcel Boundary

0 500 1,000
Scale in Feet

BASE MAP SOURCE:
Geauga County Auditor, 2006

ATSI Illuminating Company Geauga County 138kV Electric Transmission Line

GEAUGA COUNTY 138 kV
TRANSMISSION LINE AMMENDMENT
ADJUSTMENT 3

JOB NO. 14947866

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