

7

Case# 13-2315-PL-ACE

I have requested this submission be filed as part of Case# 13-2315-PL-ACE
This is a complaint about NRG Ohio Pipeline Company
I wish PUCO to contact me regarding this complaint

Mr. Michael Koniarski
12711 Robson Rd.
Grafton, Ohio 44044

440 724-9074

Email address : mkonians@ford.com

RECEIVED-DOCKETING DIV
2014 JUN 12 AM 9:20
PUCO

Docketing Dept.
Please Post under comments
CASE # 13-2315-PL-ACE

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 R Date Processed JUN 12 2014

Complaint Regarding NRG Case #13-2315-PL-ACE

Attention : Ohio Power Siting Board, PUCO

NRG is quickly trying to push a high pressure, high diameter gas pipeline through my property using the bully approach and threatening eminent domain power so they can take my land for a pipeline right-of-way without my permission. NRG is implementing certain tactics used by Congress who have been known to push a bill through overnight, and the elected officials don't have enough time to read and digest it before they vote. Therefore, nobody objects because the press never finds out, thus the public is never informed. So let this letter be directed to highlight public awareness as to what this corporation is doing to intimidate and tread on me. Also, of extreme importance is the effect of a pipeline of this magnitude in reference to safety involving each and everyone of the residents of Lorain County. I would like to address that NRG is not answering any questions I have asked, primarily pertaining to the diameter and pressure of this massive proposed pipeline. It will be nearly ten weeks with no response from NRG. Withholding knowledge intentionally, should be deemed as a deceptive practice.

Let me explain that I have been opposing this NRG pipeline construction since April 1, 2014 when the right-of-way agent hired by NRG from NLS Group, named David Beursken, first showed up at my door and bullied me. With his gun-shot words, he fired away with the sarcastic remark that, "No homeowner ever won in court and we can take your land because we are a public utility."

During my initial meeting with David Beursken, I was only able to tolerate five minutes of his bullying. During that time, he stated the surveyors will be on my property within 48 hours. His demonstration of this quick take approach marked the beginning of my efforts to expose the dark side of this corporation, who is riding off the back of our government power and creating a never ending nightmare for me. No one should ever have to be emotionally terrorized to give up their property in this manner. I have experienced considerable duress and monetary loss due to the hire of an attorney for my defense.

(1)

Case #13-2315-PL-ACE

I ask that The Ohio Power Siting Board intervene to make NRG accountable for their crude conduct to me and their lack of response to my questions as a landowner and ask them to move their proposed pipeline to other neighboring properties that are willing to allow the pipeline for compensation.

NRG Energy has many plants nationwide with an energy plant in Avon Lake that recently formed the NRG Ohio Pipeline Company LLC to fuel their local energy plant with gas instead of coal by 2016.

NRG opted to construct their own 20 mile pipeline instead of buying gas and using a pipeline company to transport it for them. In essence, they will be devaluing people's property where the pipeline is proposed along that 20 mile corridor.

According to the Forensic Appraisal Group, LTD who are experts in Condemnation Appraisal, they answer the following question on their website: http://www.forensic-appraisal.com/gas_pipelines_q_a and also the question posed and answered below.

How much does a natural gas transmission pipeline affect my "fear risk" and property valuation?

The effect of the pipeline easement is measured by the market. Depending on the size of the pipeline, size of the easement, how it is located on the property, the size of the property, property use, etc., the impact range could be nominal to substantial. To put this in numbers, it could be as little as 50% of the easement land value, or up to 30% or more of the whole property value. The more intrusive the easement on the land (ex. - runs diagonal across the whole property vs. just down the fence line), the more impact it will have.

All the while, NRG will save tons of money while homeowners along the massive corridor lose money with NRG destroying property values and making homes unsafe near this major proposed pipeline in Lorain County. Some homes will be within 50- 100 ft. of this pipeline. Where as, the place once called "Home" that always provided comfort and security will be no more. This pipeline will cause homeowners to be robbed of this secure feeling knowing that their home is no longer a safe place because of a potential pipeline rupture. I ask, "Can NRG really be a public utility for the benefit of the people?"

(2)

Case #13-2315-Pl-ACE

This is a double-edge sword that NRG inflicts as they are going to sell surplus gas for profit to other industrial, commercial operations while the public along the pipeline can't tap in to the gas. NRG will sell gas higher for profit and lead their audience to believe the gas is entirely for their energy plant to generate electric solely for the benefit of the people. So with this strategy, they can seize right-of way's under the umbrella of public utility. Now, does that sound like a public utility which is suppose to be for the people or more like a corporation solely in pursuit of economic gain?

After owning my property for 33 years with respect to nature, to my life's work and peaceful possession, here we have some so-called, newly formed pipeline, NRG Ohio Pipeline Company LLC, that comes barreling through my property, proposing an 3000 ft. long path of destruction, butchering my valuable buildable land, woods, wetlands and river. Everything I have been conditioned to defend and protect is at risk of forever being threatened, destroyed and left in the realm of uncertainty pertaining to safety.

Since I was in opposition of the pipeline survey from the beginning, the manager of NLS Group, Adam Carey, said to me, "I will note you have opposed the survey but all homeowners eventually come around." Wonder what he meant by that? Alright, so he noted I openly opposed the survey. Sounded there like I made a voice. Wrong! The following day I received a certified letter from NRG, stating I could not oppose the survey because of the Ohio Revised Code Section 163.03 regarding a public utility. Nothing like a threat from a 2nd NLS Group bully to make me question their tactics.

**No one from NRG or it's affiliates have responded to my letters or my attorney's letters, nor has any one answered my questions that every homeowner, and the public in general, have a right to know. Those questions pertaining to our safety are:
What diameter is the pipeline ? and What is the pounds of pressure per square inch?**

How could it be that no one at NRG et. al. wants to provide me documentation of the mysterious diameter or PSI of pressure of this 20 mile long pipeline or it's exact route? NRG is forcing a owner to accept a pipeline, offering no product knowledge.

How can any employee work for an employer and not have product knowledge and how long do you think he or she would last before being fired? Wouldn't any employee be curious to ask their boss these questions if they are trying to sell a homeowner on the pipeline, especially if a homeowner asked these questions.

How could NRG not know these answers and why are they really not telling the public?

I could not get any answers from the Project Surveyor/Pipeline Engineer with a PhD from Hanover Engineering, the Pipeline Construction Project Engineer from Integrity and the Right-of-Way Agent or the Manager of NLS Group, the Vice-President of NRG, Alan Sawyer or the Attorney for NRG. No one knows the diameter and PSI of pressure of the high diameter, high pressure line that will be invading the county. This is highly unlikely, when they are the very ones initiating and installing the pipeline. How could NRG lay out the project without not knowing the specs? In fact, when some one hides something regarding a pipeline of this magnitude, one might wonder, how stupid do they think the public is. Most importantly, how dishonest are they by proclaiming to benefit the public? I have only to conclude that there are safety issues and negative publicity that they are trying to skirt around.

Bear in mind, that a low profile and no public media attention means a no panic mode with the public regarding safety concerns. The NLS Group would not provide me the list of the other homeowners along the pipeline corridor when I asked. I noted that the surveyor crews jumped around a lot. David Beursken of the NLS Group told me there was never another corridor, even though NRG's application to PUCO, (Case # 13-2315-PL-ACE) showed two alternate corridors on a map per Ohio Revised Code. The other NRG affiliates never knew about the other corridor either. Why wouldn't any one know about the alternate corridor? The Ohio Revised Code states that there should be two alternate routes submitted. Both compared, contrasted and studied to be in compliance with ORC. It is evident that they don't want homeowners talking until the Ohio Siting Board approves the only one route at which time it will be set in stone. You as board members, may question the other bogus route, with no proof of existence or evidence of leg work from NRG crews.

No homeowners were ever visited in the other corridor which appears a better route. Also, in my corridor, neighboring homeowners who were interested in having the pipeline on their property for compensation, were never visited by the right-of-way agent from NLS Group/NRG, even though they both have the same east to west distance as my property.

I have been outwardly opposing the pipeline and NRG will not move to the willing homeowners. Something is very wrong here. This is where the public could be powerful in numbers and share the same voice to demand answers.

A data source, not from NRG, indicates that NRG will be installing an 24" to 30" high diameter pipeline with the capacity of 1500 to 2000 PSI (pounds per square inch). By comparison, just ounces enter our home to heat it, so if NRG does max the pipeline out with pressure of 2,000 PSI to accommodate gas to other facilities for profit, this would be equal enough heat for 100,000 homes passing through a property continuously at any given point. If that point would rupture, the devastation would be beyond belief.

This is crucial information that they don't want the public to know yet, until the pipeline is seated. If there is a rupture in the pipeline, the second explosion will occur within minutes of the first and release a giant fire ball of thermal radiation, enough to burn everything to a crisp, up to 900 ft. in radius around a rupture. No medical emergency response team will be necessary or be permitted in the area with such high levels of radiation. No one would be identifiable from this type of catastrophe. Everyone and everything will be turned in to ashes. Would you want to put your loved ones next to a pipeline or try to sell your property, knowing that it is unsafe, perhaps uninsurable and only worth a fraction of what you paid for it. Because Ohio is a disclosure state, each home, where the pipeline encroaches, will be a mandatory to disclose. Please read the following article online by Dr. Rhodes of Xylene Power regarding Gas Pipeline Safety Setbacks pertaining to high pressure, high diameter gas pipelines. Log on to: <http://www.xylenepower.com/Natural%20Gas%20Pipeline%20Safety%20Setback.htm> Also, study all the pipeline explosions in recent years to become aware of the extreme danger such as the one in San Bruno, California.

Secondly, consider this bit of knowledge to help save our precious Black River. NRG wants to cross this rural Black River with their own pipeline. There are presently, four active high diameter, high pressure pipelines crossing the river. Three are gas and the fourth being a liquid petroleum pipeline, all crowded within 12,000 ft. of unstable soil. This is the data that the public is not suppose to know. The construction of NRG Pipeline, will make it the 5th pipeline and largest pipeline river-crossing within an 12,000 ft. distance that comprises the most scenic, most legendary part of the Black River.

Sounds like all these pipeline entities don't want to share their gas with each other nor do they want to share their easements to allow two pipelines to be housed to spare more land from being seized. Solution: NRG should be forced to buy gas from the existing transmission transport companies and not try to create their own transmission pipeline so they can own the gas, as well as, the pipeline. This is too much control and power to give to one entity. I call upon you, the Ohio Power Siting Board, as one higher power, that can hear and enforce, protect and help and reform what I feel is wrong. I further ask that you couple with the other higher power, being the voice of the public, to make a difference by enforcing accountability from NRG. It saddens me that these pipeline magnates, are targeting and victimizing homeowners who own part of the river, in order to seize by appropriation for the pipeline. Who is really protecting the river? The river, the land and the homeowners are is being raped and burdened by this vastly, wealthy corporation solely for it's own economic gain.

I call upon the environmentalists in all of us, the teachers in all of us, the legal counsels in all of us and all those who will defend, protect and live our future, to take a stand now and stop another pipeline magnate from destroying for the sake of their own gain.

In closing, I encourage landowners that have had a similar encounter with bullying from the NLS Group and NRG to file a complaint with PUCO and have it added to this Case Docket for review. Knowledge is power and there is power in numbers. The public needs to know and take action to save our children of tomorrow and save our rivers of tomorrow. Thank you.

Respectfully submitted,



Michael Koniarski

(6)

Case #13-2315-Pl-ACE