

FILE



Power Siting Board

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Ohio House of Representatives
Ohio Senate

June 17, 2015

Carol J. Schram-Esch
1169 Out of Bounds Drive
Summerville, SC 29485-6223

Re: West Milton-Eldean 138 kV Transmission Line, 14-0469-EL-BTX

Ms. Schram-Esch,

Thank you for contacting the Ohio Power Siting Board (OPSB) regarding Dayton Power & Light's proposed West Milton-Eldean 138 kV (kilovolt) transmission line. Your correspondence will be docketed in the online record for OPSB case number 14-0469-EL-BTX.

Dayton Power & Light (DP&L) filed its application in this case on March 11, 2015. The application included analysis of the company's proposed Preferred and Alternate routes. On May 11, 2015, DP&L requested that the OPSB suspend its review of the application in order to enable the company to submit an addendum to the original application. Once DP&L submits this additional information, the OPSB staff will conduct an investigation of the company's proposal and prepare a report making recommendations to the Board. The staff's investigation will consider agricultural land use among a wide range of other factors.

Before arriving at a decision, the Board must find and determine a variety of criteria, including the probable environmental impact of the proposed facility and the facility's impact on the continued viability of land in an existing agricultural district. The Board will schedule a local public hearing to allow area residents an opportunity to provide sworn testimony regarding DP&L's proposal. Although each case is unique, the Board often conditions construction activities to mitigate potential impacts to compacted agricultural soil and field tiles.

I have enclosed a flowchart describing the OPSB process and a fact sheet detailing how you may participate. If you would like to discuss your concerns in greater detail, please do not hesitate to contact me at (866) 270-6772.

Sincerely,

Matt Butler
Public Outreach Manager

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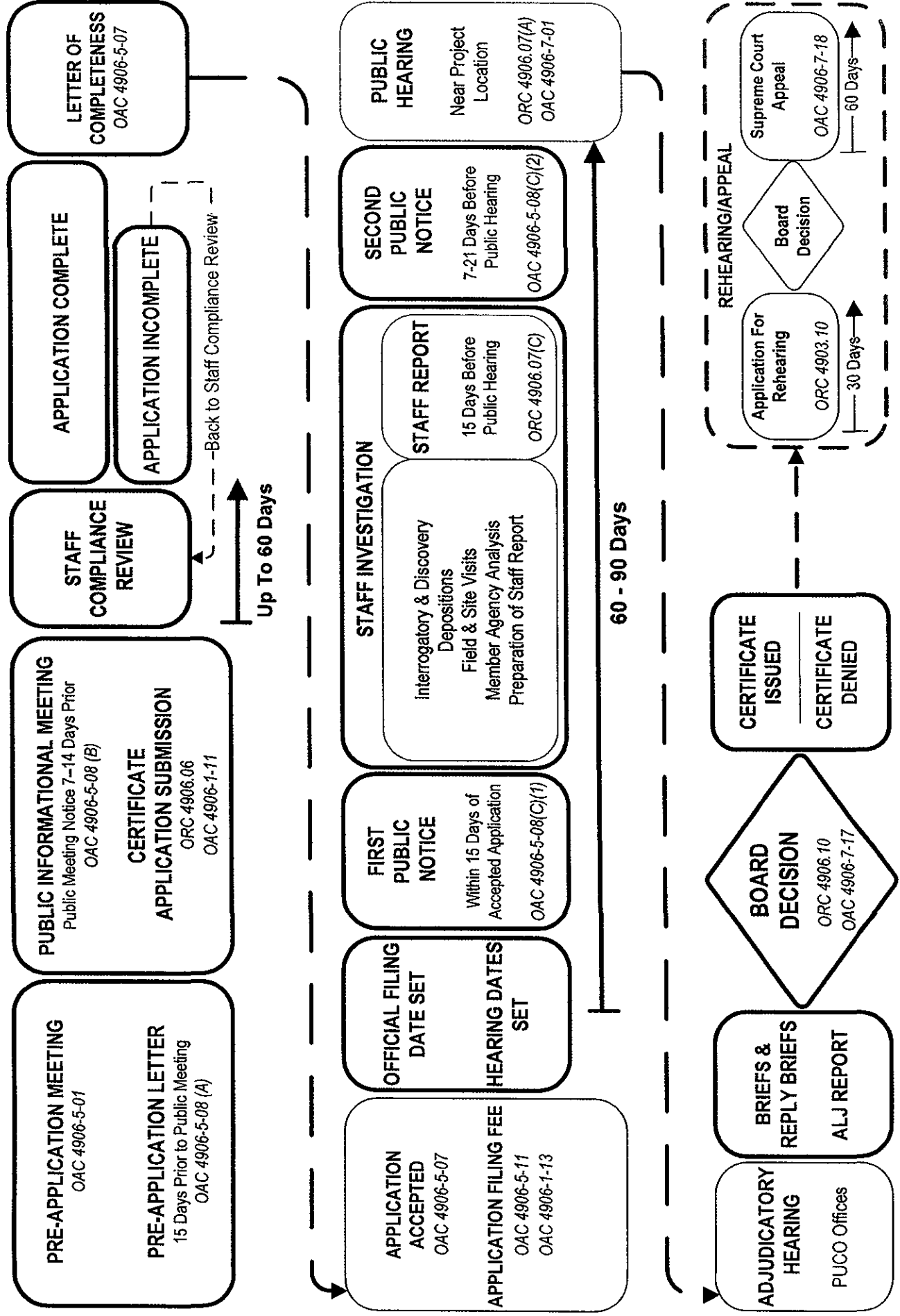
180 East Broad Street
Columbus, Ohio 43215-3793

(866) 270-6772
www.OPSB.ohio.gov

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OHIO POWER SITING PROCESS FLOWCHART

(Statute/Rule References and Select Blocks are Clickable Internet Links)



Public Participation in the OPSB Process

Residents and public officials living in and around the proposed project area of an Ohio Power Siting Board (OPSB) case are often interested in receiving information about the case and participating in the power siting process. There are a variety of ways to stay informed and make your voice heard. Please contact us with your questions and concerns. The Board and its staff are interested in hearing from you.

What is the Ohio Power Siting Board?

The OPSB reviews applications for the construction of major utility facilities, including electric power plants and transmission lines, gas transmission lines, and wind farms. Comprised of seven voting members, the Board is chaired by the Chairman of the Public Utilities Commission of Ohio. The other voting members include the directors of the Ohio Development Services Agency, the Ohio Environmental Protection Agency, and the Ohio departments of Agriculture, Health, and Natural Resources, as well as a public member appointed by the governor. Four non-voting members, two from the Ohio Senate and two from the Ohio House of Representatives, also sit on the Board.

What is in a power siting application?

In the application, the developer must describe the proposed facility and its impact on the surrounding area. The application for a transmission line or substation must contain information on both a preferred and an alternate site/route. The "preferred" designation does not indicate any favor or prior approval of the Board.



How can I see a copy of the application?

After the application is determined to be complete by the Board, legal notices are published in newspapers in areas impacted by the proposed facility. The legal notice includes a listing of area libraries where a copy of the application may be viewed. The application can also be viewed online at www.OPSB.ohio.gov.

Who is involved in the siting process?

Parties to the case include the applicant, the Board's technical staff, and other persons or entities that have requested and been granted intervenor status.

The *applicant* has the burden to prove that the application meets the statutory requirements and should be approved.

The Board staff

investigates the application and files a report of investigation in the case. The staff report serves only as a recommendation, and the Board members have final decision-making authority.

*Intervenor*s are persons or entities who wish to participate in the evidentiary hearing by presenting pre-filed testimony and/or evidence and by cross examining other parties' witnesses. To become an intervenor, one must file a request in the case by the deadline set in the case.

How can I participate?

Public Informational Meeting

Before filing an application to build a new facility, the developer is required to hold a public informational meeting. The purpose of this meeting is for company representatives to inform stakeholders about plans to file an application with the OPSB. The meeting also serves as an opportunity to gather input and hear the public's concerns, which the company considers in developing its application. OPSB representatives are on-hand to discuss the siting process and public participation.

Local Public Hearing

Once the company submits its application, the OPSB staff scrutinizes the plan, makes a formal request for comments from other agencies and parties, and then makes a recommendation to the Board members. After the OPSB staff makes its recommendation, a formal public hearing is held. At this hearing hosted by the OPSB, members of the public provide sworn testimony that becomes part of the case record considered by the Board.

Submit Written Comments

Interested persons are encouraged to submit written comments to the OPSB. In order to be filed in the case record, submissions must include the case number.

What is the difference between a local public hearing and an evidentiary hearing?

The purpose of the local public hearing is to gather sworn statements concerning the application from members of the affected public who are not actual parties to the case. This

hearing provides the Board with information about the reaction of the local community to the proposed application and becomes part of the official record that the Board considers before making its decision.

The purpose of the evidentiary hearing is to allow parties to the case to provide sworn pre-filed testimony and cross examine witnesses. This hearing forms the evidentiary record that the Board will consider in arriving at its formal decision on the case.

Because the two hearings serve separate functions, no person (including any person who has been granted intervention) is allowed to testify at both the local public hearing and the evidentiary hearing. A person may only testify at the local hearing on behalf of an intervener, if the intervener agrees, on the record, to withdraw as an intervener.

Where can I learn more?

Visit www.OPSB.ohio.gov

View case documents

Subscribe to updates & news releases

View the events calendar

contactOPSB@puc.state.oh.us

866-270-6772

Ohio Power Siting Board
180 East Broad Street
Columbus, Ohio 43215

What happens once the hearings are complete?

Once the hearings are complete, the parties may be allowed to file briefs. Once that process is completed, the Board's administrative law judge will draft a proposed decision for consideration by the Board. This process can take up to 90 days after completion of the record depending on the case.

Once the draft proposal is ready, the administrative law judge will provide it to

the Board for consideration at one of its scheduled agenda meetings. Once the Board issues its decision, parties have 30 days to seek an appeal of the decision with the Board. If an appeal is filed, the Board then has 30 days from the date the appeal is filed to rule on the request for appeal.



1169 Out of Bounds Dr.
Summerville, SC 29485-6223
June 12, 2015

Ohio Power Siting Board
180 East Broad St.
Columbus, OH 43215

Re: 14-0469-EL-BTX; West Milton-Eldean 138kV Transmission Line Project,
Miami County, OH

Dear Ohio Power Siting Board Members,

As a fourth generation co-owner of farmed agricultural property in Troy, Union Township, OH, I am opposed to the Dayton Power & Light Company establishing a 138kV Transmission Line on my acreage tract, and in general, this rich agricultural outlying area. None of the co-owners of this 50 acre land tract located north of OH State Route 55, east of Harter Road, and south of Horseshoe Bend Rd (road frontage on three sides) were even aware of this very large project prior to receiving a request for the property to be surveyed by DP&L's contracted organization, Judge Engineering Company. Nor were we aware of any open public meetings at the beginning of the project, as none of the property owners reside locally. As county records were used to find owner addresses to request a field survey test, it seems this would also be a plausible method to announce any future utility company open meetings in order to provide public input and concerns by those most affected.

Located adjacent to my agricultural property to the east, along OH SR 55, is another 50 acres which is owned by my Aunt. Originally the combined 100 acres was solely possessed by my Great Uncle, and is now owned by four of his family descendants. The total one hundred acres, although deeded as separate 50 acre tracts, has been continuously farmed throughout the four generations as a total 100 acre plot. The current DP&L proposed "Red Alternate Route" would cross directly through these 100 acres of rich agricultural land and bisect the parcel.

I greatly oppose this action, as it is my understanding it would collectively take away a total of approximately 4 acres along the frontage and directly down the center of this 100 acre tract. It would be a great loss for all four owners.

Today's large farm equipment isn't able to maneuver effectively and efficiently around high power line poles located throughout the center of any property. Our crop yields would be permanently reduced. Existing drainage tiles located in the mid-section of the property would be broken, or destroyed, during installation of the poles. Proper water flow to the grain crops would

be reduced, again resulting in lower crop yields. Soil compaction would also result from DP&L's large, heavy, equipment plowing through the mid-field for access to install the transmission line. The effects of subsoil compaction, which are permanent, have been researched with findings of the average first-year yield loss alone reported at approximately 15%.

In the past, unfortunately, we have experienced a similar situation with the AT&T Company laying cable lines and breaking our drainage tiles. Though many attempts were made to the company for loss compensation, this was unfortunately to no avail and repairs made at our expense. Installation of a new water line on our property along OH ST RT 55 also caused great compaction and crop loss. Crew workers haphazardly parked trucks and construction equipment on parts of our rich agricultural land which was not part of our business easement agreement.

Not only is the preservation of the rich agricultural land important, but as well, its asset value. Consulting with national and local real estate companies, should the Ohio Siting Board approve DP&L to go directly through the center of our 100 acres with a power line, our property value would be reduced significantly. The reduction would not only be due to the high power electrical line presence, but the terrible proposed location of the transmission line poles mid-section. There would be overall lost crop production acreage adding to the injury. According to the National Association of Realtors, property with power lines are typically diminished 12-30% in value. No doubt you can appreciate how significant the value loss would be. Place yourself in our shoes and whether you would want to be the one incurring thousands of dollars of investment forfeiture.

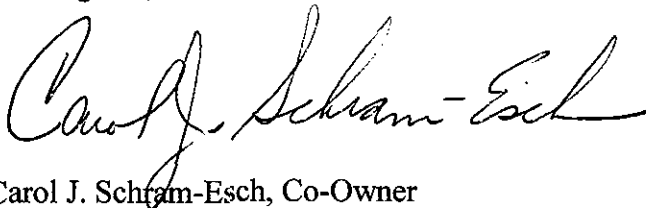
As I am sure you are aware, government officials, such as yourselves, recognize that agricultural land, so essential for the production of food and fiber, faces continually increasing demands. These demands have resulted in a pattern of conversion of productive agricultural land to urban and other nonagricultural uses. Various studies have estimated that this conversion per year is anywhere from three to ten million acres from agricultural to nonagricultural uses. Although improved technology has increased agricultural production, it is unlikely that technological advances, such as improvements in fertilizers and crop varieties, can continue indefinitely to compensate for the loss of agricultural land, particularly in light of increased demands expected in the coming decades. Moreover, relatively little additional agricultural land can be put into production.

Although some people dispute the seriousness of the problem of farmland conversion, the irreversible development of prime and productive agricultural land should be undertaken only with caution. Sustained agricultural production is a key to our local and national economies, and the undisciplined development of agricultural land often encourages the waste and expense of urban sprawl. And most of all, the retention of farmland for agricultural use helps to ensure the maintenance of open space and the existence of a healthy environment. As a part of the Ohio State government that believes in preserving agricultural land for our future, I am sure you will

find that by allowing a 138kV Transmission Line to be placed directly through all this rich, historical farmland would be a setback to conservation.

Progress in Miami County, I appreciate, must still move forward and be achieved through improvements to assure the reliability of electric power for all. I believe the current "Red Alternate Route", as it exists today, should be removed from consideration as it is detrimental to the agricultural land and value our two 50 acre properties collectively farmed together as 100 acres. I highly prefer, and recommend, any transmission lines follow existing road property lines more closely and not go through the middle of any farmed historical agricultural land such as the current proposed "Red Alternate Route" would do. No doubt there are many issues involved with the location of the high power lines, yet I am sure between DP&L and the Ohio Siting Board Members, that a decision in the best interest of all parties can be achieved.

Best regards,

A handwritten signature in cursive script, reading "Carol J. Schram-Esch". The signature is written in black ink and is positioned above the printed name.

Carol J. Schram-Esch, Co-Owner

Cc: Mr. Hertzal Shamash
Vice President, Resource Planning
Dayton Power and Light
1065 Woodman Drive
Dayton, OH 45432