

FILE

PUCO EXHIBIT FILING

Date of Hearing: 9/17/2019

Case No. 18-1259-EL-BTX

PUCO Case Caption: In the Matter of The
Dayton Power and Light Company for a
Certificate of Environmental Compatibility
and Public Need for the West Milton-Eldean
138 kV Line Project

List of exhibits being filed:

Staver Testimony

Tony Smith Testimony

Reporter's Signature: Carolyn M. Burke

Date Submitted: 9/27/2019

2019 OCT -1 PM 1:26

RECEIVED-BOOKING UNIT
6/11/2019 Date Processed
Technician

STAVER
TESTIMONY

Ohio Power Siting Board
Case Number 18-1259-EL-BTX
Local Public Hearing
Troy, Ohio
September 17, 2019

My name is Larry Gearhardt and I am an attorney representing Mrs. Jane Staver of West Milton, Ohio. Mrs. Staver is requesting the Power Siting Board to modify Dayton Power and Light's application by changing the location of the proposed route west of West Milton on Davis Road, south of the intersection with Milton-Potsdam Road. Mrs. Staver requests that the location of the proposed route be moved from the west side of Davis Road to the east side of Davis Road where it is currently located.

Mrs. Staver lives at 5343 S. Rangeline Road, West Milton, Ohio, but her property extends east to Davis Road where she has over 3,000 feet of road frontage. She owns over 300 acres that is devoted to agricultural production.

Directing your attention to the map of the proposed route attached as "Exhibit A", looking from the north to the south, you will see that the proposed route runs on the east side of Davis Road north of Milton-Potsdam Road, where it is currently located. However, the proposed route is diverted to the west side of Davis Road south of Milton-Potsdam Road onto Mrs. Staver's property. Then it runs approximately 3,000 feet on her land devoted to farming.

We often think of farmland as wide open spaces that is waiting to be developed. However, this attitude ignores the fact that farmland is the center of an existing business operation. Moving the new line onto Mrs. Staver's property requires agricultural land being taken out of production. It also creates an aggravation and an inconvenience for the farmer.

Dayton Power & Light has indicated that the reason for moving the line from the east side of Davis Road, where it is currently located, to the west side of Davis Road at Milton-Potsdam is because the property on the east side of the road is "school property." Mrs. Staver admits that the property on the east side of Davis Road is owned by the school and that protecting school children is a worthy goal. However, upon closer examination of the photo attached as "Exhibit B," you will see that the property on the east side of Davis Road is not an area where students congregate. It is not an area where students are out on recess or where buses are loading and unloading. Instead, the school property located on the east side of Davis Road is an open field, one-quarter mile away from the school building and separated by woods. There are several soccer fields located thereon that are used approximately three months of the year. Otherwise, the school property is an open field with little to no pedestrian traffic. See attached "Exhibit C."

Mrs. Staver respectfully requests the Ohio Power Siting Board to modify DP&L's proposed route by continuing the line on the east side of Davis Road south of Milton-Potsdam rather than diverting it to the west side of the road for the following reasons:

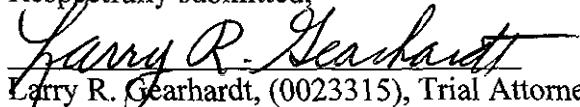
1. The current transmission line is already located on the east side of Davis Road. It has been there for decades with no objections. There has been no problems or safety issues to date. The electric lines will be placed higher on the new poles and by my calculation, there will be one less pole on the school property than currently exists. Furthermore, the existence of transmission lines on the east side of the road indicates to me that DP&L already has a Right-of-Way on the east side of the road. Why should the purchase a new Right-of-Way on the west side?

2. Moving the proposed lines to the west side of Davis Road ignores the detrimental effect on farming operations. The new poles will remove land from agricultural production and are a permanent hindrance to farming because of the enormous farm equipment required to prepare the ground, plant, spray, and harvest around them each year. In contrast, the land located on the east side of the road is devoted to grass and only requires mowing. The negative impacts on the farming operation on the west side of the road far outweighs any negative impacts on the grass on the east.

3. Mrs. Staver's land already has a high-tension power line crossing it. A high-tension power line runs in an east/west direction along her south property line. It has been there for decades. Therefore, the farming operation has already suffered the negative impacts outlined above. If the new proposed power line is moved to the west side of Davis Road, Mrs. Staver will have distribution lines located on the south side of her property and on the east side of her property. How many high-tension power lines should Mrs. Staver have to endure?

Based on the foregoing reasons, Mrs. Staver requests the Power Siting Board to modify DP&L's application by keeping the proposed route on the east side of Davis Road south of Milton-Potsdam Road rather than diverting it to the west side. It seems to be common-sense to continue the new line on the east side, in, or along, an existing Right-of-Way, in an open grassy area, and avoiding the negative impacts on a new landowner created by diverting the new line to the west side of Davis Road.

Respectfully submitted,

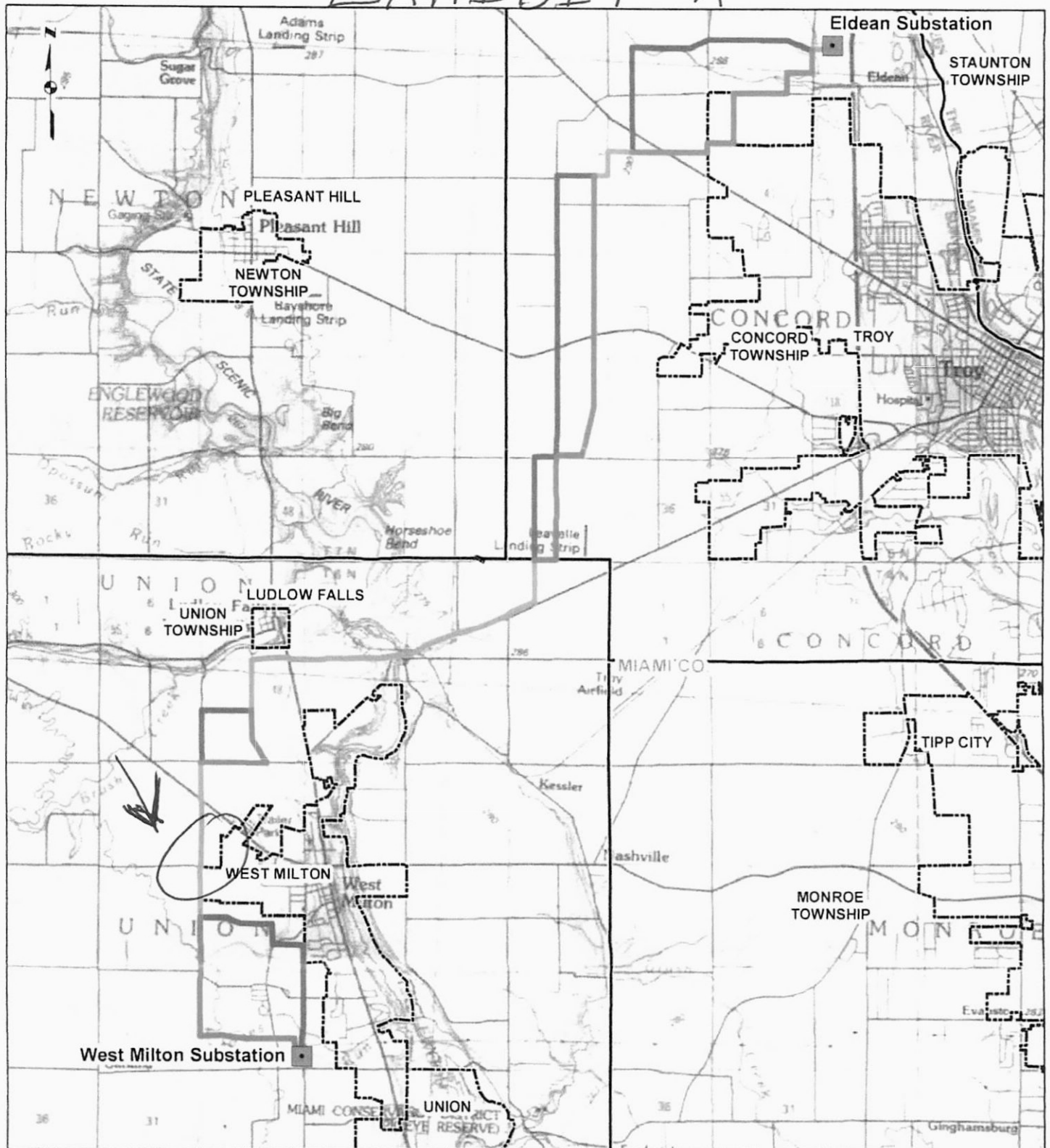


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**BARRETT, EASTERDAY,
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STAVEN "EXHIBIT A"



PROJECT LOCATION



MIAMI COUNTY, OHIO

- Substation
- Preferred Route
- Common Route
- Alternate Route
- Municipal Boundary
- Township Boundary
- County Boundary

0 3 500 7 000 14 000 Feet

FIGURE 2-1

PROJECT OVERVIEW

WEST MILTON - ELDEAN 138 kV

DAYTON POWER & LIGHT



DRAWN BY: TDB

DATE: 1/29/2019

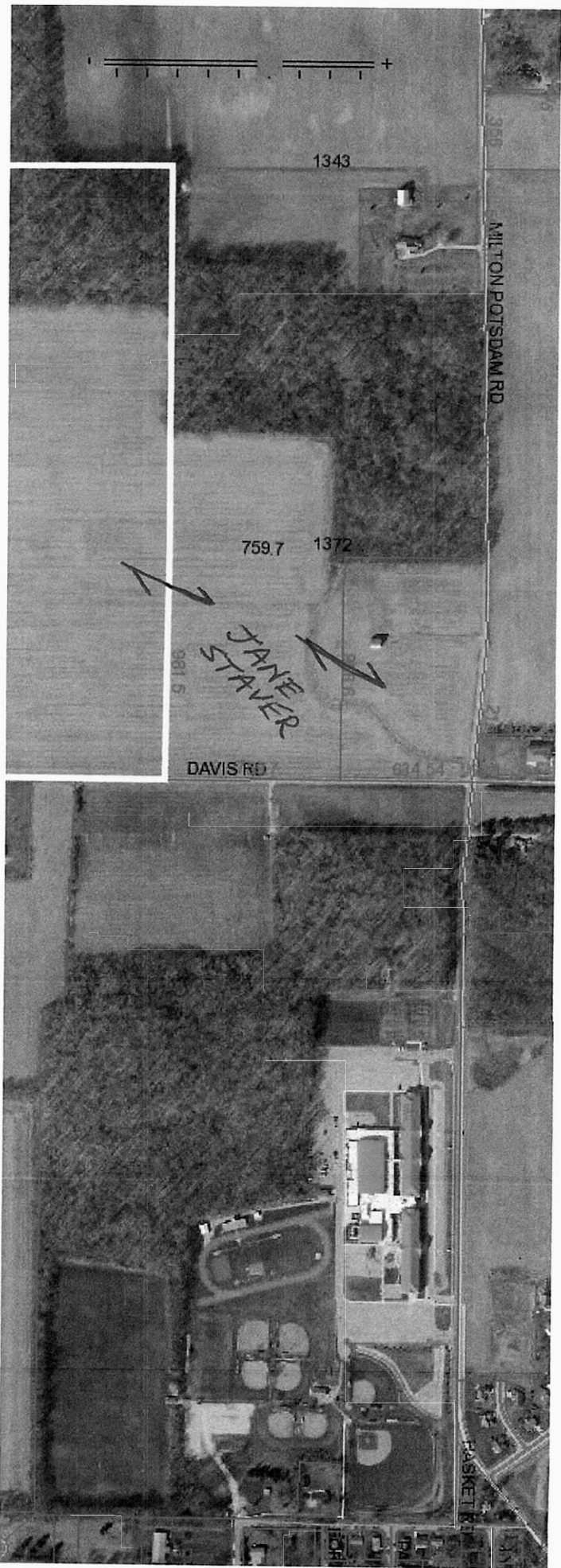
CHECKED: MBW

APPROVED: MRW

REFERENCE: USGS 30' X 60' TOPOGRAPHIC QUADRANGLES, PIQUA (1986) DAYTON, OHIO, OBTAINED VIA ESRI USA TOPO, NATIONAL GEOGRAPHIC TOPO, AND USGS, ACCESSED 1/29/2019. OHIO DEPARTMENT OF TRANSPORTATION CITIES, TOWNSHIPS, ROADS, 2017.



Matthew W. Gearhardt, Miami County Auditor
Miami County OH



STAVER
"EXHIBIT B"



600ft

2019-05-03

miami-oh.bhamaps.com/?Parcel=L32-060400

[Click here for Legal Disclaimer](#)

STAVEN "EXHIBIT C"

5405



Google
Google

Google

lat: 39.959868° lon: -84.351306° elev: 9

TONY SMITH
TESTIMONY

September 9, 2019

Ohio Power Sitting Board
Case #18-1259-EL-BTX
Docketing Division
180 East Broad Street
Columbus, OH 43215-3793

To Whom It May Concern:

I am writing as a concerned property/airport owner and pilot pertaining to case #18-1259-EL-BTX. The idea of putting up 75-90 ft towers and powerlines in this area has obviously not been researched or thought of for pilot safety. Power lines are an extreme safety hazard to pilots, and for this board to not consider this is wrong and should be stopped. I wanted to bring awareness to this fact, but also awareness to the number of airports and private airstrips within 1-2 miles of this newly proposed route for towers and power-lines. The height of these are a hazard to pilots who fly low in small airplanes and especially when you are at pattern altitude to land. This will directly affect our airport (2OH6 – Smith Field) because your proposed route puts these towers and lines at the north end of our runway which is the predominately used runway for landing. I have listed below the airports within a 3-mile radius of our airport not including others within 5 miles.

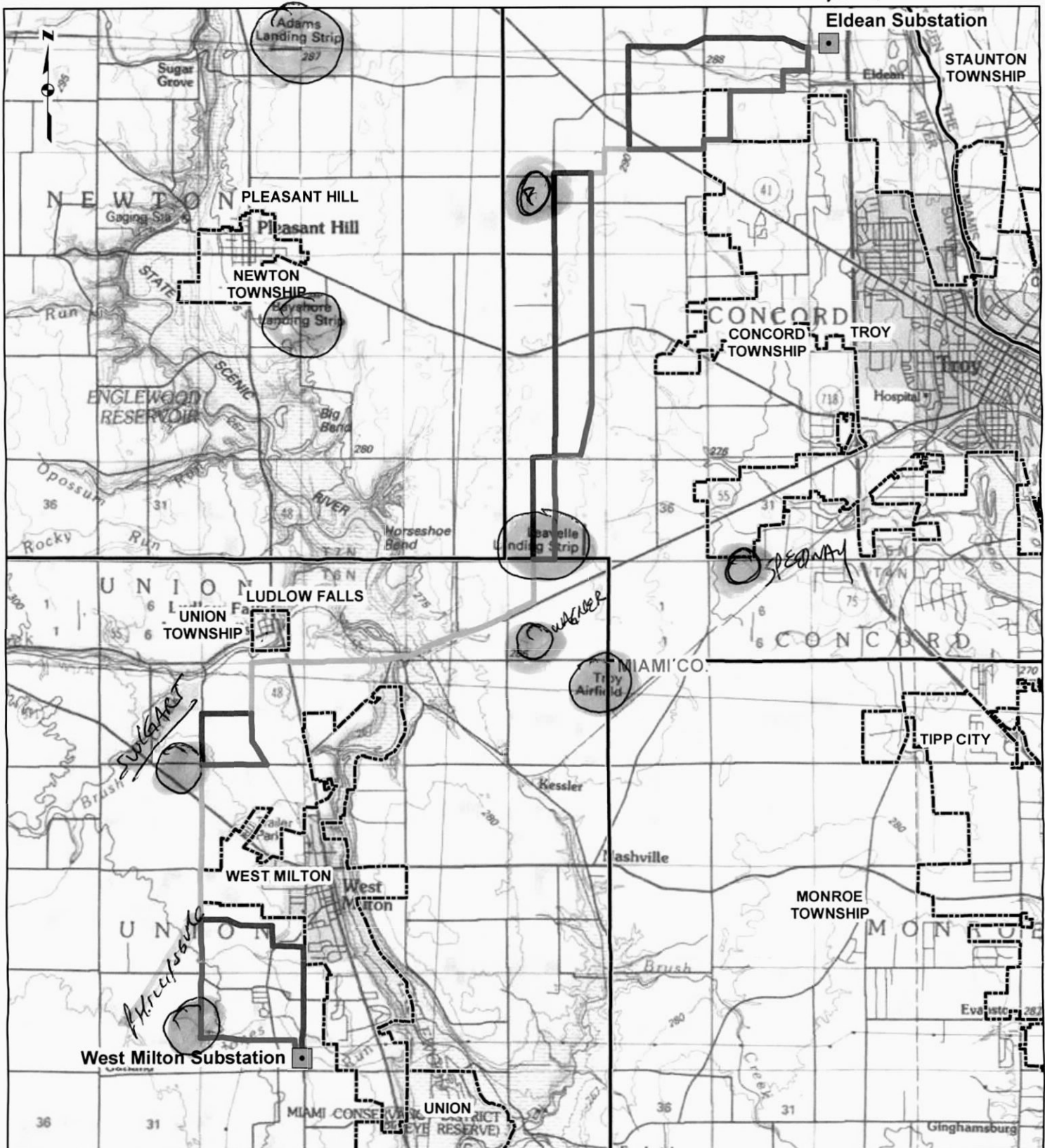
Please reconsider the route of these power lines to keep them away from privately owned airports that are frequently used. These towers and power-lines could cause injury and death to pilots, especially crop dusters that are used by farmers for spraying.

The other fact about these towers and power-lines is the immediate decline in property value for all property owners close to these. They are unsightly and emit frequencies that are unhealthy. No one wants to live close to them.

Please consider another route or completely discontinue this project all-together.

Kind regards,

Tony Smith
4213 Horseshoe Bend Rd.
Troy, OH 45373



PROJECT LOCATION



MIAMI COUNTY, OHIO

- Substation
- Preferred Route
- Common Route
- Alternate Route
- Municipal Boundary
- Township Boundary
- County Boundary

0 3,500 7,000 14,000 Feet

FIGURE 2-1

PROJECT OVERVIEW

WEST MILTON - ELDEAN 138 kV



DAYTON POWER & LIGHT



DRAWN BY: TDB

DATE: 1/29/2019

CHECKED: MBW

APPROVED: MRW

REFERENCE: USGS 30' X 60' TOPOGRAPHIC QUADRANGLES: PIQUA (1986) DAYTON, OHIO. OBTAINED VIA ESRI USA TOPO, NATIONAL GEOGRAPHIC TOPO, AND USGS, ACCESSED 1/29/2019. OHIO DEPARTMENT OF TRANSPORTATION CITIES, TOWNSHIPS, ROADS, 2017.