

# Citizens group allowed to participate in power line proceedings

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By Ann Wishart

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Since its inception, the Citizens Advocating Responsible Electricity has been preparing for the first battle in its war to prevent construction of a new transmission line utility corridor through Thompson, Montville and Huntsburg townships.

Last week, those citizens learned when and where the initial engagement will be staged.

CARE President Jim Galm told more than 30 members at the group's monthly meeting last Thursday that Administrative Law Judge Janet Stoneking, a Public Utilities Commission of Ohio attorney examiner who was appointed by the Ohio Power Siting Board to conduct hearings on the merits of FirstEnergy's plans to build a 138-kilovolt line to serve areas in Geauga and Ashtabula counties, granted their petition to intervene in the proceedings, filed with the OPSB Jan. 15. She also set the date for the local public hearing for 4:30 p.m. May 12 at West Geauga Middle School gymnasium.

Stoneking initially had selected Building 8 at the county office complex at 470 Center St. as the location for the hearing. She changed her mind after being advised Building 8 would not accommodate the number of interested persons likely to attend, according to PUCO case records.

American Transmission Systems, Inc. and The Illuminating Company, both FirstEnergy companies, did not object to allowing CARE, whose membership consists primarily of concerned residents who will be directly impacted by the construction of the transmission line, to participate in the proceedings.



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"So this is big," Galm said. "The more people who attend the better. Please do whatever it takes to be at the meeting."

The grassroots group was formed last fall by angry farmers and property owners who did not want FirstEnergy to construct a new 138 kV electric transmission line across their properties. The group has been raising money and lobbying public officials to support its efforts to stop the energy giant from putting its big feet on their land in the form of a 60-foot-wide corridor.

Besides urging members to attend the May 12 public hearing, Galm also recommended everyone who wished to speak plan to make a positive impression.

"We will need to prepare for this event in a very serious way," he said, adding he had never attended a public hearing and would need to find out how one is run.

A adjudicatory hearing has been set for 10 a.m. May 21 at the Public Utilities Commission of Ohio, 180 W. Broad St., 11th floor, Hearing Room F, in Columbus. This hearing will provide an opportunity for FirstEnergy, OPSB staff and other interveners to call and examine witnesses regarding the project. OPSB staff is required to issue a staff report and recommendation 15 days before the hearing.

Following the hearing process, the OPSB will make the decision as to whether the Geauga County transmission line project should go forward and, if so, the routing for it.

CARE wants FirstEnergy to use existing utility corridors that are more suitable for the transmission line than Route 528.

"There are pre-existing corridors that can be used. It's not just wishful thinking," Galm said.

FirstEnergy representatives have been visiting property owners and Galm warned

members not to sign a right-of-way option the company is offering. The document allows FirstEnergy to buy an easement across a property for a small, fixed amount.

"This is a very bad contract," Galm said. "Once you sign it, you lose control of your property forever. If you sign this contract, you lose your right to fair compensation for your property; your right to fair compensation is gone and you'll never get it back."

He added this was not the time to negotiate with FirstEnergy. It's possible CARE will win the case in front of the siting board, Galm said.

"We are at war," he said. "There is going to be one winner and one loser."

In the event FirstEnergy attempts to take property through eminent domain, that is the time to negotiate for a good deal, Galm said. Each individual parcel of land FirstEnergy wants for its corridor would require the company to go through a jury trial.

"Eminent domain is a long, drawn out, expensive legal proposition," Galm said. "Eminent domain may sound scary, but, in this situation, eminent domain is our friend. Bring it on."

"We don't want to make it any easier for (FirstEnergy). Don't negotiate. Just say, 'No.'"

Galm also said he will have applied for non-profit status from the Internal Revenue Service by the group's next meeting, April 3. The status will make it more attractive for individuals and organizations to make tax-exempt donations to CARE, he said.

Several fundraisers are also planned. A pancake breakfast is being sponsored at the Hershey Montessori Farm School the morning of March 16, accompanied by a bake sale. Anyone is welcome to contribute time or baked goods. Spaghetti dinners are set for April 5 and May 3 and 10, from 5 to 7:30 p.m., at the Middlefield Fire

Department. And, a sportsmen's day is being organized April 19, from 9 a.m. to 2 or 3 p.m., at the Middlefield Auction Barn on Nauvoo Road. For more information, contact Mike Youshak at (440) 663-5294.

CARE meets at 7:30 p.m. on the first Thursday of every month at the Montville Community Center on Route 528, just south of Route 6.