Case No. 2005-J0207 RECEIVED

RESOLUTION #7 – PASSED

SEP 07 2005

PUBLIC SERVICE

Whereas, utility companies are proposing construction of transmission lines of 161 kilovolts UCSPREPARCE Trequiring easements located in areas of the state of Kentucky which have significant impact on UCSPREPARCE Tagriculture production. The Electronic Magnetic Fields (EMF's) have serious consequences on the health and production of livestock enterprises such as, but not limited to, dairying.

Be it therefore resolved, that KACD request the Kentucky Public Service Commission (PSC) to consider in their deliberations the negative effects of granting easement decisions. Some of these negative effects include an adverse impact on acquisition of prime agriculture farmland, their field patterns, acreage configuration, types of farms and to minimize the inconvenience of farming operations.

KACD requests the Public Service Commission to require utility companies to explore <u>ALL</u> alternatives to the construction of new transmission lines, asking PSC to require utility companies provide a certificate of need justifying why they cannot use existing transmission lines and easements to avoid loss of land in current agriculture production. The preservation of the heritage of the land and its historical past is adversely affected by <u>NEW</u> transmission line construction.

This resolution is submitted by the Jefferson County Conservation District aT the 2005 KACD Convention, to be considered during the business session.

COMMITTEE ASSIGNMENT: Conservation Programs

RESOLUTIONS COMMITTEE ACTION:

COMMENTS/JUSTIFICATION:

Kentucky Association of Conservation Districts - 121 Conservation districts in Kentucky That voted to Pass this Rep Resulution In July Dr 2005

COMMONWEALTH OF KENTUCK BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

APPLICATION OF EAST KENTUCKY POWER COOPERATIVE, INC.) FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY) CASE NO. FOR THE CONSTRUCTION OF A 161kV ELECTRIC TRANSMISSION) 2005-00207 PROJECT IN BARREN, WARREN, BUTLER, AND OHIO COUNTIES, KY)

DIRECT TESTIMONY OF INTERVENOR JOEY ROBERTS

My name is Joey Roberts, and I'm a citizen and taxpayer of the Commonwealth of Kentucky concerned about proper governmental oversight of decisions which impact a broad spectrum of public interests, not the least of which is minimizing the costs to society for provision of necessary utilities. I'm a resident and property owner in Warren County, Kentucky. My address is 4234 Scottsville Road, Smiths Grove, Kentucky 42171. My wife and I rely on Warren Rural Electric Cooperative Corporation (WRECC) for electricity at our home. As a "member-owner" of that "Cooperative", I've been very discouraged to learn that I have no true voice in the decisions made by this private cooperation, nor do I have any right under current Kentucky statutes to obtain information from them specific to this particular issue.

Thus I have been forced to exercise my rights under Kentucky statutes and administrative regulations by requesting that Kentucky's Public Service Commission (PSC) grant me status as an "Intervenor" in these proceedings. I am acting as an individual citizen without any professional legal counsel, and I represent no incorporated entities or other organized groups in this matter. However, I believe that I share the concerns of many other property owners that would be directly affected by the proposed project.

While the many potential negative impacts of high-voltage electric power transmission lines upon human health continue to be the subject of scientific debate, there can be no doubt that there is a perception among the public-at-large that living near such high capacity power lines is undesirable. This commonly held perspective represents a very real impairment to property values in the case of residential use that would remain uncompensated even in the event of purchase of new right-of-way. In my situation, the proposed replacement of an existing 69kV line on wooden poles with new 161kV lines on much taller steel poles would certainly not go unnoticed by prospective buyers.

I join with many other affected property owners in questioning the propriety of allowing the Applicant to designate preferred alternative routes for the proposed power lines without completing the federally mandated environmental assessment process. While I understand the cost advantages that may accrue from utilization of existing "right-ofways" to the extent possible, I must point out that existing routes were not subjected to the same protocols that we operate under today. Thus the matrix of alternatives to be examined must include new routes that reduce the inevitable negative consequences.

For example, one of the alternative routes developed for "Segment 1 – Barren County to Oakland to Magna" of the proposed transmission line was a shorter more direct path that ran along I-65 much of the way. This alternative was apparently eliminated not only because of the expense of obtaining new right-of-way but also due to perceived negative "visual impacts". Given the preponderance of billboards, other commercial and informational signage, cell phone towers, and the 6-lane roadway itself along this section of interstate highway, it is a bit hard to imagine that the power line alone would actually create a significant visual impact along that possible route.

In this instance, there appears to be no comparable analysis of the property value impairments caused by constructing a higher capacity line along the path of the existing WRECC line to the Park City substation, not to mention the visual impacts of such a line running through the backyards of existing homeowners like myself. Thus there are situations in which a new route could be much more desirable than simply following the presumed least cost alternative of an existing right-of-way.

Rather than reiterate all the objections of others to the faulty and incomplete environmental impact evaluation performed by the Applicant, it should suffice to say that the Application submitted to the PSC fails to justify the proposed project according to any legitimate "cost-benefit" analysis. Therefore, as an Intervenor in this case before the Commission, I am compelled to request that the Certificate of Public Convenience and Necessity be denied under the legal standards of KRS 278.020(2) and (8) due to the lack of an adequate examination of alternatives of potentially less landowner and environmental impact taken as a whole.

In fact, there appears to have been no realistic evaluation of the "no-build" or status quo alternative, which should always be considered. When hundreds of property owners are negatively impacted by the proposed alternative and the reliable electric supply to which approximately 55,000 customers of WRECC have become accustomed is jeopardized, it is simply not good enough to be told "take our word for it" and "we have already signed a contract". It is incumbent upon the Commission to require the Applicant to satisfy the burden of proof that a real public necessity and convenience is served by the proposed project and that all viable alternatives have been given due consideration. Further elaboration of my contention requires some review of the history of this case.

In March 2003, the WRECC Board of Directors voted to submit the stipulated "five-year notice" of plans to terminate their 61-year relationship with the Tennessee Valley Authority (TVA). WRECC is an electric power distribution cooperative with headquarters in Bowling Green that serves approximately 55,000 customers in parts of eight counties in South Central Kentucky. On May 27, 2004 the WRECC Board signed a "Wholesale Power Agreement" with East Kentucky Power Cooperative, Inc. (EKPC) as their new sole source power provider under a 33-year contract to become effective on April 1, 2008. EKPC (based in Winchester, KY) provides wholesale energy and transmission services to sixteen member cooperatives, which together comprise a marketing coalition known as "Kentucky's Touchstone Energy Cooperatives".

On June 13, 2005, the Kentucky Public Service Commission conducted an "evidentiary hearing" on an application filed by EKPC for a "Certificate of Public Convenience and Necessity" and a "Site Compatibility Certificate" for a 278 MW circulating fluidized bed coal-fired electric power generation unit in Mason County, Kentucky (PSC Case No. 2004-00423) at their offices in Frankfort. This hearing failed to acknowledge the reality of the situation that there had been no public review of the underlying assumptions upon which WRECC based its decision to leave TVA and contract with EKPC. This contract was relied upon by EKPC as the primary justification for its claim of public convenience and necessity for the new "Spurlock Unit #4" power plant.

On July 1, 2005, EKPC filed an application with the PSC for a "Certificate of Public Convenience and Necessity" for the construction of a 161 kV electric power transmission line in Barren, Warren, Butler, and Ohio Counties, Kentucky (PSC Case No. 2005-00207). Once again EKPC has relied upon the "Wholesale Power Agreement" with WRECC as the basis for this application.

East Kentucky Power Cooperative first notified me in May 2005 that they might be constructing the proposed electric transmission line across my property and might require additional right-of-way beyond that already in possession of WRECC. This could ultimately result in my residence being taken under the assumed authority of "imminent domain". However, my primary interest extends well beyond my personal concerns to the essence of the decision making process and the proper implementation of regulatory authority in order to ensure that the ultimate outcome is actually in the best interest of the general public. That is very unlikely to be the case when decisions are made behind closed doors and then simply announced as a "done deal".

WRECC has acted with no outside review whatsoever to obligate its members under a 33-year contract to pay EKPC wholesale rates for electric power that include the amortized costs of new power production facilities and transmission lines in addition to all related costs of power generation by EKPC or purchase from other suppliers. Neither WRECC nor EKPC have revealed the actual rates that WRECC customers will be required to pay for electricity under that contract. The WRECC Board made this decision in a closed session, never conducted a public hearing or meeting on this issue, and has refused to provide copies of the responses to its Request for Proposals or the subsequent rate analysis conducted by consultants working under its direction.

Both WRECC and EKPC appear to be taking advantage of a glaring defect in the regulatory system under which they operate as "private corporations" with no obligation to comply with Kentucky's "open meetings" and "open records" statutes, yet they both claim the ability to appropriate the "eminent domain" powers of the Commonwealth to take property for their use whenever they deem such acquisitions necessary for their purposes. In addition, WRECC has avoided any PSC review of its decision to impose a new indebtedness of over \$500 million (for the proposed EKPC power plant and transmission line) upon all WRECC customers under a "blanket exemption" from state regulation by virtue of its status as part of the TVA system. However, it is obvious that TVA exercises no regulatory authority over WRECC's decision to leave TVA and join EKPC under the "Special Membership Agreement" that has already been signed.

Current PSC interpretation of its enabling statutes and regulations allowing for the exemption of WRECC's actions from PSC purview as long as WRECC remains part of the TVA system, regardless of stated future intentions, may not stand up to future judicial review. This construal leaves the membership of WRECC and the public at large with no protection from decisions being made by WRECC, which may ultimately place what has been a reliable and relatively low cost source of electric power from TVA in serious jeopardy. Area taxpayers are already heavily invested in the TVA infrastructure, which must continue to be supported and maintained even if not being utilized to the full extent of its rated capacity. Therefore abandonment of TVA by traditional major wholesale purchasing partners such as WRECC could cause costly inefficiencies in the electric power generation system and negatively impact our national interests.

Some contend that a recent order from the Federal Energy Regulatory Commission (FERC) requiring TVA to allow EKPC to "interconnect" with its transmission system would ease the transition and eliminate the necessity for some of the new transmission lines. However, there is no good reason for TVA to facilitate its own demise by sharing transmission lines of limited capacity with an entity seeking to "cherry-pick" one of their large distributors, and there is no guarantee that EKPC would not later decide to construct its own lines to accommodate its admitted needs for "peak-load" and reliability back-up from the Big Rivers Cooperative "Wilson Plant" in Ohio County or other power brokers on the spot market. In fact, EKPC itself has stated in response to data requests

in this case that all the proposed transmission lines are required in addition to and regardless of suggested "interconnections".

Additional troubling questions are raised in the "Technical Appraisal" produced by ICF Resources, LLC. ICF Consulting, which was retained by the PSC to review EKPC's Application, states that unacceptable overloads might occur at some interconnection points and that the ability of EKPC's planned power generation capacity to meet WRECC's projected load demands appears questionable.

Claims that EKPC can provide the reliable supply of all WRECC needs for electric power at costs to WRECC member ratepayers that are substantially less than would be the case under TVA over the long term remain unsubstantiated. The fact that Bowling Green Municipal Utilities (BGMU) performed a very thorough evaluation of all its options and then chose to rescind its notice of TVA contract termination raises serious doubts that WRECC has made a decision truly in the best interests of all its members. Since WRECC members had no voice in that decision, it would seem fitting for Kentucky statutes to require some regulatory agency review in such situations. Perhaps the "intent" of the law is more important than the "letter" of the law in this case?

Given the capability and willingness of TVA to continue to provide all the power needs of WRECC, the PSC should evaluate the basis for a presumption that retail rates for electricity within the WRECC service area would be less under their plan to obtain power from EKPC rather than TVA in order to fulfill the PSC's admitted obligation to avoid duplication of facilities. Under present day market operations and electric power grid interconnectivity, the PSC cannot ignore existing generation and transmission capacity that crosses state lines without being in jeopardy of facilitating needless irretrievable commitments of resources, wasteful duplication of expensive power production facilities, and foreclosure of better options. Everyone suffers from governmental decisions that culminate in institutional inefficiencies. It is critical in today's environment that we look at the big picture to protect our national security.

The reality of present circumstances is that the PSC cannot perform its statutory obligation to represent the interests of the general public and make an adequate determination of the "public convenience and necessity" of the subject application from EKPC in the absence of a full public review of the rate projections provided by EKPC upon which WRECC based its decision to terminate its contract with TVA. Since the TVA has had no real jurisdictional authority over any of these plans, WRECC would be allowed to operate with impunity during this transitional period with no regulatory oversight whatsoever unless the PSC implements appropriate supervision.

Hundreds of rural property owners may find themselves subject to takings proceedings under Kentucky statutes that permit utilities to exploit powers of "eminent domain" to obtain necessary right-of way for power lines. Over 1,000 acres of precious prime farmland might be impacted by proposed right-of way acquisitions. One has to wonder if partisan political shenanigans to shift coal purchases to favored companies and other illegitimate preferential treatment may be the real motivation behind the planned transfer of WRECC business to EKPC. Unfortunately, the truth remains cloaked behind a veil of secrecy.

Respectfully submitted by,

9-6-05

Joey Roberts, Intervenor 4234 Scottsville Rd Smiths Grove, KY 42171 270-563-4292

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Direct Testimony of Intervenor Joey Roberts** in the matter of **PSC CASE NUMBER 2005-00207** was duly served by direct delivery in person, electronic facsimile and/or mailing first-class postage prepaid to the following individuals this **6th day of September**, **2005**:

A. W. Turner KY Public Service Commission 211 Sower Blvd. P O BOX 615 Frankfort, KY 40602-0615

Elizabeth O'Donnell, Executive Director KY Public Service Commission 211 Sower Blvd. P O BOX 615 Frankfort, KY 40602-0615 Sherman Goodpaster III East Kentucky Power Cooperative 4775 Lexington Rd P O BOX 707 Winchester, KY 40392-0707

Attorney General Greg Stumbo Office of the Attorney General The Capitol, Suite 118 700 Capitol Avenue Frankfort, KY 40601-3449 James M. Miller Sullivan, Mountjoy, Stainback & Miller 100 St. Ann Street P O BOX 727 Owensboro, KY 42302-0727

David Spainhoward, VP Big Rivers Electric Corporation 201 Third Street P O BOX 24 Henderson, KY 42420 H. H. Barlow III 500 Salem Church Rd Cave City, KY 42127

John H. Colliver 633 Salem Church Rd Cave City, KY 42127

Maria F. Scheller, Director VP ICF Resources, LLC 9300 Lee Highway Fairfax, VA 22031 Hugh Hendrick 4140 Scottsville Rd Smiths Grove, KY 42171

Kenneth Collison ICF Resources, LLC 9300 Lee Highway Fairfax, VA 22031

Kojo Ofori-Atta ICF Resources, LLC 9300 Lee Highway Fairfax, VA 22031

Robert W. Griffith Stites & Harbison, PLLC 1800 Aegon Center 400 West Market Street Louisville, KY 40202

Carroll & Doris Tichenor 1086 Annis Ferry Road Morgantown, KY 42261

Roberts 9-6-05

Joey Roberts, Intervenor

My name is C.B. Embry. I am the State Representative for the 17th District of Kentucky, which includes Butler County.

I have been contacted by several Butler County farmers who are concerned about the Wilson-Aberdeen-Morgantown segment of the proposed new Eastern Kentucky Power Cooperative transmission line, because this line crosses some of the best farm land in the County. In their routing study, EKPC stated that the selected route ?takes advantage of? agricultural areas. Our farmers disagree with this reasoning. They regard prime farm land as a finite resource that we need to conserve so that future generations can continue to grow crops to feed our people. This line will severely limit future use of the land and will be a major impediment for farm equipment.

To finance this project, the utility company has applied for a loan from Rural Utility Service, a Federal agency. Use of Federal funds requires compliance with Federal laws, including the National Environmental Policy Act and the National Historic Preservation Act. These laws require that environmental, cultural and historic assessments must be made and reports filed before Federal money can be spent. In a recent press interview, EKPC representatives said they are doing assessments and expect to file reports next spring. Because the required assessments have not been completed, it appears that the utility?s application for approval is premature and should be denied.

Several alternative routes have been identified for the Wilson-Aberdeen line. One of these routes uses existing rights-of-way and would not involve crossing our prime farm land. This alternative needs to be seriously re-evaluated.

Based on these concerns, I respectfully request that the Public Service Commission decline to approve this project until more careful consideration has been given to avoiding prime farm land, complying with Federal laws and using existing rights-of-way.

Thank you.



Kentucky Field Office

September 5, 2005

RE: 2005 - 00207 Members of the Public Service Commission:

As you contemplate building new power transmission lines through a four county area in south central Kentucky, including Butler County, it seems that what we have here is a question of values—And which values you choose to honor will determine the future of some very special areas.

The best I can understand, the route you have chosen does not even reflect the best economic value for the power industry. Route C was given low impact scores to Visual Issues, Community Issues, and Schedule Delay Risk. The primary reason stated is the rural nature of this route and that there were fewer buildings than on other routes—the land is already cleared because it is farm land; there are fewer buildings because it is farm land. In a time of disappearing agricultural land due to development of all kinds, this should be an argument for *not* building there, rather than *for* building.

We ask you to chose a route using existing right of way and to discard Route C as an area of high value in agriculture, history, culture—especially ancient peoples, habitat destruction, and loss of future use and income.

Let's look at these values-Butler County and much of the other impacted area is indeed rural-it is prime farmland which has been in some families for generations. It reflects what author and farmer Wendell Berry calls "Agri- Culture"-the essence of the Commonwealth and its history. It also reflects a sense of place and family considered so important. Even though you state that farming can continue under the power lines, the land will be disturbed in irreparable ways. By building on this route, farms, such as the Tichenor's will be cut apart having an impact on income for families now and in the future. By building on this route, prime house lots that may be intended for children and grandchildren of these families who want to continue farming will be destroyed. By building on this route the visual value for which people such as the Tichenor's built their homes will be destroyed-this has a cost not only in dollars but in sense of place and in lost property value. The Tichenor family has for generations maintained valuable riparian zones to keep the Green River, which forms an ox bow at their property, from cutting through and resulting in the loss of prime farm land. Construction of power lines through this area will result in disturbance of the land and make it easier for the river to cut through as the integrity of the land is weakened.

The historic and cultural value of this land is beyond a dollar value. One house is on the National Register of Historic Places and three archeological sites will be severely impacted. They too are on the national Register. They have been and continue to be studied for their historic and anthropologic value and they are perhaps the only undisturbed sites of ancient inhabitants in the area. The Tichenor farm is a link to the

past in Butler County, a link to place and the history of this area. The ferry landing at Carson's Landing is one of the only intact sites along the Green River of the steamboat era. Little is left undisturbed in rural Kentucky, but this farm is a Heritage Farm which indicates a special place which has stayed within one family—it was 88 years old in 1992 when it achieved this designation and has now been in the family for 100 years. The loss of that continuity has value beyond dollars. The Green River at this site is an important environmental and historical resource. The ecosystem supporting the flora and fauna of the Green River will suffer from impacts of construction.

The area through which the power lines would go provides important wildlife habitat which would be disrupted. Birds and plant life important to the ecological health of the area, and ultimately to all of us, would be disturbed and displaced. Power lines will present a very real danger to migrating birds which use this route.

Land owners should not be penalized because they live in rural areas and are farmers they have invested their lives and finances to protect and work in these places, to keep these special places for us all. When all values are considered, it is clear that Route C should not be pursued.

In addition, though you have chosen to disregard the Peabody Wildlife Management Area, an award winning restoration project, it must be considered in deciding which route to take. This is an area rich in many species of birds .It is used by many for hunting, fishing, and bird watching. It is an example of how strip mine areas can be reclaimed and wildlife habitat restored. It is a refuge for migrating birds and needs protection, not more degradation.

Consider the many intrinsic values of rural Kentucky, the value of existing wetlands and agricultural land, the importance of wildlife habitat, and the economic losses to the land owners and do not choose Route C.

Aloma Williams Dew Sierra Club Associate Midwest Representative 2015 Griffith Place East Owensboro, Ky. 42301 270-685-2034 aloma.dew@sierraclub.org



Cumberland Chapter

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

June 11, 2005

Ms. Kathryn Jackson, Executive Vice President River Systems Operation and Environment Tennessee Valley Authority 400 W. Summit Hill Dr. Knoxville, TN 37902-1499

Dubmitted 9/6/05 in EKPC meeting in Bowling ofuen

Dear Ms. Jackson:

The Cumberland Chapter of the Sierra Club is the state-level organization of the national Sierra Club, representing approximately 4,600 members in Kentucky, including members in Muhlenberg, Butler, and Warren Counties. Our mission is protection, restoration, enhancement, and defense of the natural and human environment, including water and air quality, land, wetlands, wildlife habitat, and sustainable agriculture, including family farms.

Our membership has recently called to our attention Eastern Kentucky Power Corporation's ("EKPC") proposed electric transmission line through these counties to provide electricity to areas previously served by TVA.

By this letter, the Sierra Club requests information on the status of TVA's initiation of compliance activities under the National Environmental Policy Act and the National Historic Preservation Act ("NHPA") for the organization's decision not to allow EKPC to use TVA's existing transmission line, which results in the proposed construction of a new transmission line. We are most interested in serving as a stakeholder in these processes, including the Section 106 process under the NHPA since the decision impacts significant historic family farms and agricultural landscapes.

Yours truly,

Betry Bernett

Betsy Bennett Conservation Chair Cumberland Chapter of the Sierra Club 2337 Frankfort Ave., #350 Louisville, KY 40206 Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 3/902 1401

Kathryn J. Jackson, Ph.D. Executive Vice President **Filver System Operations & Environment**

June 28, 2005

Ms. Betsy Bennett **Conservation Chair** Cumberland Chapter of the Sierra Club 2337 Frankfort Avenue, No. 350 Louisville, Kentucky 40206

Submitted 9/6/05 in EKPC meeting Di Bowling Green

Dear Ms. Bennett:

This is in response to your June 11 letter about East Kentucky Power Cooperative Corporation's announcement that it plans to construct a transmission line to serve a TVA customer, Warren Rural Electric Cooperative Corporation (WRECC). TVA is not involved in this East Kentucky project and has no control over it.

In March 2003, WRECC notified TVA that it would terminate our agreement to provide it electric service effective April 1, 2008. In 2004, WRECC and East Kentucky announced that when WRECC's contract with TVA expired, it would contract with East Kentucky for its future power needs. TVA certainly has no desire to lose WRECC as a customer, and WRECC's decision to obtain power from East Kentucky was not TVA's preference or decision.

East Kentucky did request to use TVA's transmission facilities in the area to enable East Kentucky to serve WRECC in the future. However, doing this would be contrary to Congressional policy set out in the Federal Power Act. It also would inappropriately increase the financial burden on TVA's remaining customers. Accordingly, TVA denied this request. Doing so does not evoke either the National Environmental Policy Act or the National Historic Preservation Act.

If you have additional questions, please call Jon M. Loney at (865) 632-3012.

Sincerely,

Kathrvn J. Jack

9/1/05

PUBLIC COMMENT FORM

Mail your comments to: Kentucky Public Service Commission P.O. Box 615 Frankfort, KY 40602. Or fax to: (502) 564-9625

Name: Leslie Barras Address: 2337 Frankfort Ane Case: CKPC Power Line
Address: 2337 Frankfort Ane
Conisville Ky 40206
Case: EKPC Power Line
COMMENIS: A process suggestion - When
the public testimony part starts
+ with a Vig crowd, it might be
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COMMENTS: <u>A process suggestion</u> = when the public testimmy part starts + with a Viz crowd, it might be helpful to queue up 3=4 peopl at a block to more things along more quickley.

I am a farmer with land in Barren County that the East Kentucky Power Cooperative wants right of way for their proposed power line.

I grew up on my farms that have been handed down from my father and previously from his father. We grew up with a great appreciation of our land and I have held on to the tradition of farming when I could have sold off tracts for a good amount of money. We were taught to treasure our farms and be considerate of our neighbors, so I did not sell off even when I could have used the money. I would not have wanted to clutter the countryside with house trailers, etc that would be an eyesore for me and my neighbors.

My question is "Why can't they use the existing power lines or right of ways instead of adding more clutter and environmental degradation?"

The impact on the environment – especially on my livestock and karst land on my farm is not worth the price. I work on that farm every day – feeding and doctoring cattle right under where the proposed line is supposed to go. I would not like 161,000 volts of electricity over my head or over the pond that supplies water for my cattle. It has been shown that low frequency magnetic fields over water can cause cattle not to drink from the water source. Also these structures could become unstable on my land. Sinkholes fall in occasionally and there are many underground caves on this farm.

I also cannot see how the East Kentucky Power Cooperative could possibly know where all the sinkholes and underground caves are on my farm since they have not done an environmental impact study before they selected this route.

In addition running a power line right through the middle of this farm would greatly reduce the value of the road frontage that could be sold for building lots.

Please consider my feelings on this matter and deny this application.

Sincerely, Bill Char

Bill Chase 944 Harry King Rd. Glasgow, KY 42141 270-646-7419

6744 Dripping Springs Rd. Smiths Grove, Ky. 42171 September 6, 2005

Ms. Beth A. O'Donnell, Executive Director Public Service Commission PO Box 615 Frankfort, Ky. 40602

Dear Ms. O'Donnell,

Subject: Proposed Barren County-Oakland-Magna Transmission Project

As a life-long resident of a fifth generation family farm located on Dripping Springs Rd. in Barren County, I have some concerns about the proposed EKPC transmission line which is scheduled to cross my property.

I have the same concerns that all the other landowners in my area have concerning the proposed transmission line- the health risks, the devaluation of my property, the cluttering of the countryside, the detrimental effects on wildlife and destruction of environment.

You as commissioners, however, have the responsibility to evaluate the public convenience and necessity of the proposed project. I suggest to you that this project is not necessary, since TVA is capable of supplying the electrical power through lines already in existence. The convenience of the proposed project is certainly in question when we consider the fact that WRECC customers will be burdened with the cost of a new EKPC power plant and a new EKPC transmission line. WRECC customers could conceivably end up paying more for service provided by EKPC than for service provided by TVA.

Please stop this costly and wasteful duplication of services.

Respectfully,

ann Wheeler Stephens

Ann Wheeler Stephens

Commissioners:

I am the daughter of Joe and Betty Veluzat. My husband, brother, other family, and I are supporting them in any way that we can regarding the situation involving Eastern Ky Power lines being placed on their Barren Co. farm. Attached is a copy of the letter my brother will be reading to you on Tuesday. My father and mother spent many worried hours working on this letter, participating in meetings, etc. involving this mess. This is just not right. People of their age and health should not have to worry about the value of their farm going down after so many years of farming the land due to some outside company coming in and ruining much of the value of the land for them. That is exactly what will happen. A developer or even another farmer will look at those lines and consider what value the farm now has with an easement of that size running across the land. I understand the line will be located very close to the house. No one will want to live in that home after that! We, as their family, are asking you all to please reconsider allowing EKP to locate those lines on their and their neighbor's property. If it is true that existing lines can be used this is what EKP needs to do.

What is this country coming to? Every day I am reading about situations such as this occurring across the country now. Please don't allow this to happen in Barren Co. to my family.

Thank you for your time,

Jane and George Marris

My name is Joe Richard Veluzat. My wife Betty and I are both 75 years old. We have lived at 6490 Happy Valley Rd on a farm we have owned for about 45 years. When we first bought this farm it was run down. We had to clear much of the land of trees and underbrush. We had to haul wagonloads of limestone rocks out by hand. We put up fences after fences. We rebuilt old barns and fixed up our old house. There was years of hard work. We worked hard to make our old farm what it is today and I am real proud of it. I raised my two children on this farm and this farm put them both through school. I am proud of this too.

Now I am to the point where my wife's health and my health is deteriorating. I have lost my health and cannot farm anymore. Before all this started, we were at the point where we were trying to sell this farm. We had several interested buyers we were negotiating with. Now Eastern Ky Power has put a stop to all that. They are ruining the value of our land. Land that we worked and maintained our whole lives so that we could retire in peace. The farm was supposed to help pay our present and any future medical bills. It is what we depend on.

I fought in the Korean war for two years. I am disabled now because of the injuries I received while in the paratroopers during those two years. I fought against a government that was running and ruining people's lives. Now I find that it can happen in my own country to me and my family when I am least able to recover from it. This farm is all I have to take care of my wife and me for the rest of our years.

Eastern Ky Power has given us sleepless nights and more worry in the last few months than we should have to deal with at our age. This just is not right and it shouldn't be. Please do not allow Eastern Ky Power to take our land from us with Eminent Domain laws and ruin the value of what is left of my farm after they are finished with it. Its my understanding that in the near future it might be possible for Eastern Ky Power to use TVA's lines instead of having to run these new ones. It makes more sense to me to wait and see if this is possible than to go forward with this right now when the consequences are so severe to my family and other people's families. Thank you for the opportunity to speak. Joe Veluzat

PUBLIC COMMENT FORM

Mail your comments to: Kentucky Public Service Commission P.O. Box 615 Frankfort, KY 40602. Or fax to: (502) 564-9625

ر ک ___Name FARMS cen/ber Gen exincton Rd Address: 2875 d) Crove Case: 200 3 07

Atached. COMMENTS:



This picture was taken five years ago. The proposed electrical line would cut the field in half directly behind us. There are very few places in our county that electrical lines and poles are not visible.

Look at this beautiful landscape. It is a natural resource that should not be ruined by a line of poles and wire.

We ask that the electricity be supplied through existing line. The electric companies in the area should work together to accomplish this.

We do not want the Eastern Ky Electric power line through our farm or neighborhood.

Ab Steenbergen Margaret Steenkergen Sheith Steenbergen Hany Steenbergen Jeresa Steenbergen Lonny Steenbergen

9-6-05 Knicely Center Bowling Green KY, EKP hearing

I have many, but there are three concerns I want to touch on tonight.

Global Positioning Service

In the future we plan to use GPS for precise placement of fertilize and chemicals, so do others in the area. Due to rising cost of these materials we must conserve and use them wisely. If the Eastern Ky power line with 161,000 volts comes through, much of the area will not be serviceable.

Sinkholes

I could take you to several sinkholes that have fallen in, in the last few years, within $\frac{1}{2}$ mile of the proposed line. I have been on a tractor pulling a piece of machinery and had holes fall in under me. I think the poles would be unstable, hazardous and dangerous. I also do not want repair trucks in the fields during crop time or anytime.

Land Values

We purchased the fields this line would cross a few years ago. There was a lot of road frontage making the land some of the highest priced in the area. The construction of a power line would decrease the value dramatically. Should we decide to sell it in the future Eastern Kentucky Power could not compensate the loss I would bear.

There are alternatives to running a new line and I ask that one of the alternatives be used.

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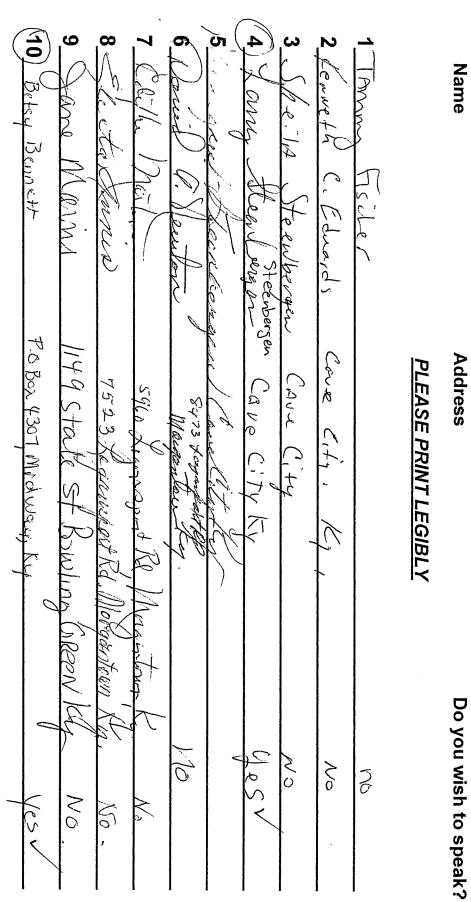
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