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From:

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

RECEIVED

NOV 13 2018

PUBLIC SERVICE
COMMISSION

To: ADAM GASSAWAY
L.S. Power Associates, LP
TWO TOWER CENTER, 11th FLOOR
EAST BRUNSWICK, New Jersey 08816

To: CASEY BRANDT
L.S. Power Associates, LP
TWO TOWER CENTER, 11th FLOOR
EAST BRUNSWICK, New Jersey 08816

To: HOOSIER ENERGY Rural ELECTRIC Cooperative, INC.
2501 South Cooperative Way
BLOOMINGTON, IN. 47403

RE: DUFF - Coleman 345 KV Transmission Line Project

Date: 06 November 2018

THE ROUTE ACROSS MY FARM IS A SIGNED EASEMENT ROUTE. IT IS A LEGAL, BINDING, SITE SPECIFIC, RESTRICTIVE, RIGHT-OF-WAY NEGOTIATED BY BIG RIVERS ELECTRIC CORPORATION (BRED), TO ME. IT IS A CONTRACT, COPY ATTACHED.

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

BNEC submitted Three (3) Routes to The Kentucky Public Service Commission (PSC). None of The 3 routes has an easement across my Farm 18-13. None of The 3 routes was my Signed Easement Route.

my Signed Easement Route was never mentioned in The PSC Document. The 3 routes BNEC admitted were done 'behind-my-Back'. BNEC did not Tell me.

BNEC submitted a document to The PSC. On page 13 of That document, many, many claims are made which are 'misinformed'. All of The 'misinformed' claims lead to an inaccurate conclusion and inaccurate recommendation called Route B.

IF pg 13 had statements of FACT, Then The only conclusion a reasonable man could reach, would be Route C.

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

I am reaching out to L.S. Power and Hoosier Energy, to revisit the 'misinformation' on pg 13, and resubmit pg 13 with FACTS.

ATTACHED IS A 38 page document I previously sent to BREZ on 18 October 2018.

Sincerely,

Wm. F. Allard DMD

WILLIAM F. ALLARD, DMD

- copy - Ky Public Service Commission
- JAMES W. GARDNER
- M. TODD OSTERICH
- James M. Miller
- KENT CHANDLER
- REBECCA W. GOODMAN
- Tyson KAMUF
- Terril Riley
- Robert M. Warren

*Adam Gassaway
LS Power Associates, LP
Two Tower Center, 11th Floor
NEW JERSEY 08818
EAST BRUNSWICK,

*M. Todd Osterloh
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507

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*Casey Brandt
LS Power Associates, LP
Two Tower Center, 11th Floor
NEW JERSEY 08818
EAST BRUNSWICK,

*Tyson Kamuf
Corporate Attorney
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*James W Gardner
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507

*HOOSIEN ENERGY RURAL ELECTRIC COOPERATIVE, INC
2501 South Cooperative Way
Bloomington, IN. 47403*

*Honorable James M Miller
Attorney at Law
Sullivan, Mounjoy, Stainback & Miller, PSC
100 St. Ann Street
P.O. Box 727
Owensboro, KENTUCKY 42302-0727

*KENTUCKY PUBLIC SERVICE COMMISSION
PO Box 615
211 SOWER BLVD.
FRANKFORT, KY. 40602-0615*

*Kent Chandler
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Rebecca W Goodman
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*copy TERRIL RILEY
copy Robert M. WARNER*

*Denotes Served by Email

Service List for Case 2018-00004 *—KY, P.S.C.*

Easement Agreement

For and in consideration of One Dollar (\$ 1.00.); cash in hand paid, the receipt of all of which is hereby acknowledged, the undersigned (hereinafter called the "Grantor") does hereby grant, bargain, sell and convey unto BIG RIVERS ELECTRIC CORPORATION, 201 Third Street, Henderson, Kentucky, its successors and assigns (hereinafter called the "Grantee"), a right-of-way which is depicted on Exhibit A which is made a part of this agreement and is incorporated by reference herein, said right-of-way being 210 feet in width from the Allard & Emmick property line nearest to the Coleman EHV Substation, to the angle structure to be erected at the corner of the transmission line depicted on Exhibit A, and 65 ft. in width from said angle structure to Muddy Gut Road running adjacent to an existing right-of-way, to construct, reconstruct, operate, enlarge, maintain, and remove lines for the transmission of electrical energy including the necessary poles, wires, guys and other fixtures and appurtenances over, across and upon the lands of the Grantor depicted within the right-of-way, situated in Hancock County, Commonwealth of Kentucky.

Bounded on the North by Aaron Payne / Muddy Gut Road
Bounded on the South by David Winchell
Bounded on the East by Big Rivers / Allard
Bounded on the West by Lee / Emmick / Hocker

This is the same property conveyed to the Grantor by deed from John F. Allard Jr. & Imogene Allard, recorded in Deed Book 133, page 796, in the office of the Clerk of the Hancock County Court., also referred to as Map Number 18-13 in the Hancock County PVA Office.

Grantee shall have the right of ingress and egress to and from the right-of-way herein conveyed, with the right to cut down, trim and control the growth by any means, machinery or otherwise, of all trees, weeds and shrubbery within said right-of-way, and any trees, weeds and shrubbery without said right-of-way that may interfere with or endanger said line or its maintenance or operation, including but not limited to, the right to remove brush and all other obstructions and obstacles from the right-of-way which would create the threat of a service interruption to the lines of the Grantee. Grantee shall further have the right to prohibit the erection or to require the removal of any buildings, structures, or fire hazards on the right-of-way, and to license, permit or otherwise agree to the joint use or occupancy of the line or system by any other person, association or corporation, for electrification or telephone purposes. The Grantee shall have no right to access the right-of-way via the existing paved driveway of the Grantor that connects the Grantor's property with Muddy Gut Road.

The Grantor, his successors, heirs or assigns, may continue to fully use and enjoy the premises to the extent that Grantor's use of the premises does not interfere with the rights herein granted to the Grantee, its successors and assigns. Grantor covenants that grantor is the owner of the above-described lands.

The Grantee, its successors or assigns, further agrees to pay all damages to buildings, growing crops and fences caused by the construction, operation, maintenance, reconstruction or removal of said transmission lines, except that the Grantee will not be liable for any damage for cutting down trees, shrubbery or weeds in the manner and to the extent allowed above and provided the claims for such damages, if any, are filed with the Grantee at its Henderson, Kentucky, office within thirty (30) days after such damages occur.

As further consideration for this easement, Grantee agrees to pay to the undersigned, before installation, the additional sum of \$ -0-.

WITNESS the signature(s) of the Grantor this the 20 day of July, 2017.

William F. Allard D.M.O
WILLIAM F. ALLARD, D.M.O

STATE OF Kentucky)
COUNTY OF DAVIESS)

The foregoing instrument was acknowledged before me this 20th day
of July, 2017, by William F. Miller and
(his wife) (her husband)

Lenal Riley
Notary Public, Kentucky at Large
My Commission Expires: 4-16-20

STATE OF)
COUNTY OF)

The foregoing instrument was acknowledged before me this _____ day
of _____, 20____, by _____ and
(his wife) (her husband),

Notary Public, _____
My Commission Expires: _____

STATE OF)
COUNTY OF)

The foregoing instrument was acknowledged before me this _____ day
of _____, 20____, by _____ and
(his wife) (her husband).

Notary Public, _____
My Commission Expires: _____

THIS INSTRUMENT PREPARED BY:
SULLIVAN, MOUNTJOY, STAINBACK & MILLER,
P.S.C.

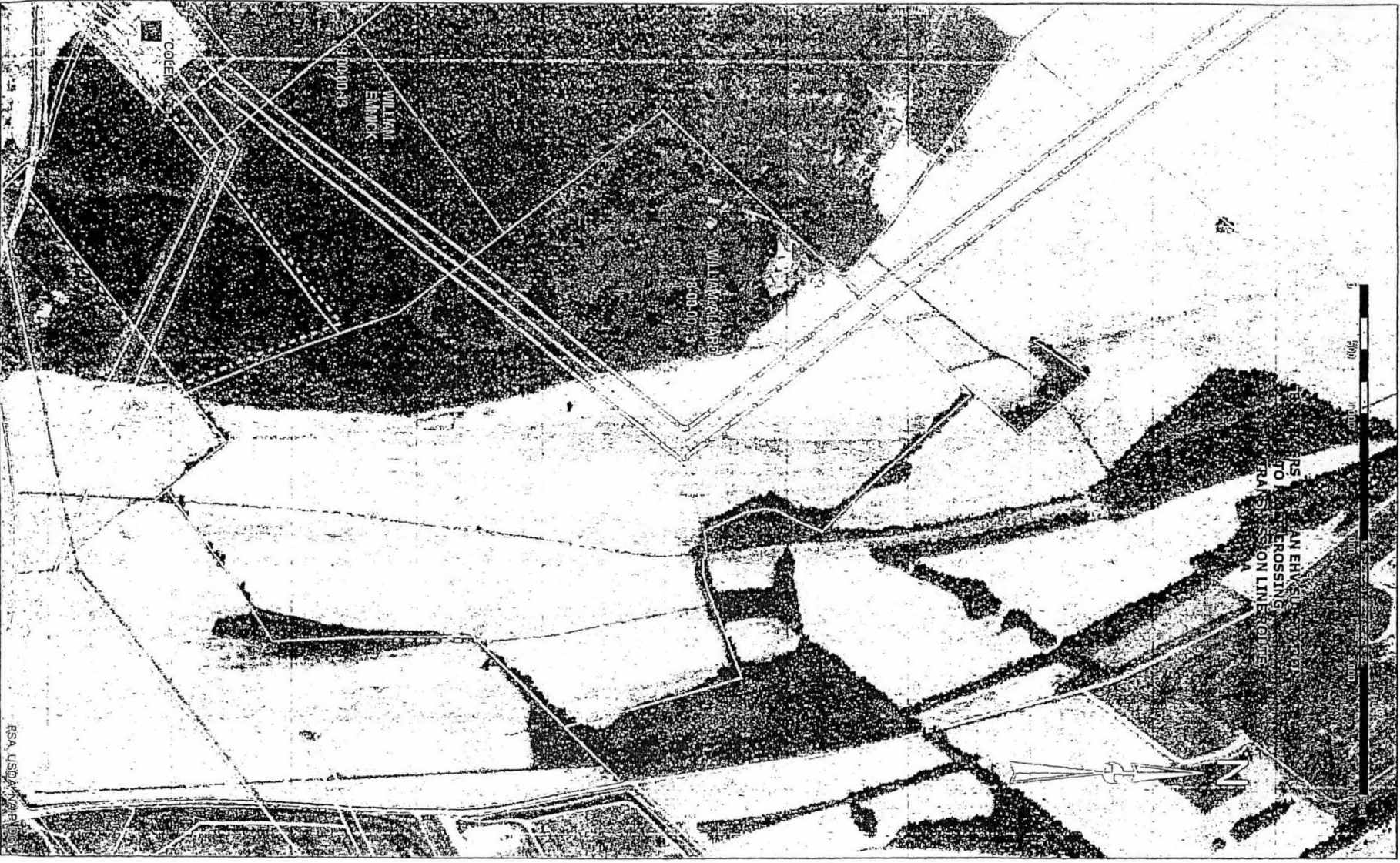
James M. Miller
James M. Miller
100 St. Ann Street, P.O. Box 727
Owensboro, KY 42302-0727

DOCUMENT NO: 69150
RECORDED: July 31, 2017 12:18:00 PM
TOTAL FEES: \$17.00
COUNTY CLERK: TRINA OGLE
DEPUTY CLERK: AROBERTS
COUNTY: HANCOCK COUNTY
BOOK: D159 PAGES: 682 - 684

W.F.A.

W.F.A.

HANCOCK COUNTY
HANCOCK COUNTY
B159 PG684



RSA USD, MAP 1966

AN EHV
TO CROSSING
ON LINE 1917

0 100 200 300 400 500 600 700 800 900 1000

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PUBLIC SERVICE
COMMISSION

V/
38

From:

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

To: Terryl Riley

Re: Agenda items

Date: 18 OCTOBER 2018

I suggest a meeting with my Friends at Big Rivers
Electric Corporation (BREC). I hope for meaningful
and productive dialogue. I have prepared agenda
Topics and discussion points; to guide us and help
ensure a successful outcome.

I will also mail a copy to Mr. BOB Warren
and Mr Tyson Kamuf, via U.S.P.S. Priority Mail.

Terryl, I will wait to hear from you.

Wm F Allard MD


18 OCT 2018

BIG RIVERS COLEMAN EHV SUBSTATION TO RIVER CROSSING ALTERNATE 345 kV TRANSMISSION LINE ROUTE

0 500 1,000 2,000 3,000 4,000 Feet











FLOOD PLAIN 

WOODLAND 

ALTERNATE ROUTE C

ALTERNATE ROUTE A



- Legend**
-  ALTERNATE ROUTE A
 -  ALTERNATE ROUTE C
 -  Right of Way (210' Max.)
 -  PARCEL
- VOLTAGE**
-  345 kV
 -  161 kV
 -  138 kV
 -  69 kV

CN 2018 - 00004

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

AGENDA TOPIC #1 : THE SIGNED EASEMENT

In a meeting, we would seek to resolve any issues regarding The Route, as it may exist today, compared to what Big River Electric Corporation (BREC) signed for in The Signed Easement Route on 20 July 2017, DB 159, p 682, p 683, p 684.

The Signed Easement Route is a Legal, Binding, site specific, restrictive, right-of-way, negotiated by BREC and offered to me.

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William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

The Signed Easement Route

is signed by The landowner on DB 159 p 682.

The Route is signed by a Big River Electric Corporation (BREC) senior staff member, Mr Terrel Riley on DB 159, p 683.

As I understand, Mr Riley has nearly 15 years experience as the Easement Agent for BREC.

The Signed Easement is a legal instrument prepared by BREC legal counsel: Sullivan, Mountjoy, Stambaugh and Miller PSC on page DB 159 p 683; and signed by

The Honorable James M. Miller, attorney-at-law,
100 St Ann Street, PO Box 727, Owensboro, Ky 42302-0727
on DB 159 p 683.

The Signed Easement was also negotiated with input from Mr Bob Warren, Director Engineering for BREC. As I understand, Mr Warren has over 30 years experience.

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

This is a very experienced Team that BREC assembled. Mr. Dely, Mr. Miller, Mr. Warren are not interns. They are all highly skilled, trained and experienced. They know what they offered, negotiated, prepared and signed: DB 159, p 682, p 683, p 684.

The Signed Easement Route is further presented on aerial photographs DB 159 p 684. There is no word stating that the Route is a 'Proposed' Route, or 'maybe' Route or 'Hopeful' Route. The Easement states: "Big Rivers... Transmission Line Route EXHIBIT A", DB 159 p 684.

BREC recorded this Route in The Hancock County Clerks Office, Hazardville, Ky.

BREC sought to further reassure me by placing six (6) key words in my Easement that are not in any other Easement of BREC that I have ever seen. These 6 words are:
"... regulated within the right-of-way ..."

These 6 words have meaning. These 6 words limit, where all Route activity, must take place; only on and within this

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

AGENDA TOPIC # 2 : SHARING THE FACTS

It is very important for a successful exchange between the parties, that BREC, as sincere participants, provide and share the new facts they have obtained since OB 159 of 684.

Obviously, BREC should share these new facts before, a meeting, so all of us can be equally advised, and no one is uninformed nor ill-prepared to contribute.

We will all then be able to compare, the new facts BREC has produced since OB 159, of 684, with the OLD FACT, which is the signed Easement Route.

A sample list of BREC new facts would include but not be limited to, the following:

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

- aerial photograph with The Route BR has submitted to L.S. Power in New York.
- aerial photograph with The Route approved by L.S. Power.
- aerial photograph with The Route BR has submitted to mid continent Independent System Operator, INC (MISO).
- aerial photograph with The Route approved by MISO.
- aerial photograph with The Route BR has submitted to The Kentucky Public Service Commission (PSC) -
- aerial photograph with The Route approved by The PSC.
- copy of The work order BR gave Terracon with GPS coordinates for tower sites to Bare Holes at each specific point where a tower will be constructed in The Route.
- copy of Terracon Report with GPS locations of Bare Sites Dec. 2017 on aerial project.
- copy of LAND Survey of BR route.
- copy of aerial survey (fly-over) of BR Route

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William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

The above documents were requested of Mr. Kemble,
directly by Mr Reynolds, on my behalf, in writing,
on 06 Sept 2018 and again on 12 Sept 2018.

An additional document of new FACTS would
include:

- copy of The Route that BNEZ has on
Google Earth which requires a password.
This will show The current Route in
vivid detail on Google Earth quality.
Then it will be very easy to compare with
The Signed Easement Route, DB 159, p 684.

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

AGENDA TOPIC #3 : " ... depicted within The right-of-way ... "

These SIX (6) words : " ... depicted within The right-of-way ... "
prevent BNEC from using my Farm as a way to
get to my neighbors Farm - Mr. Wm. S. Emmick.
BNEC offered These words in The Basement,
I was reassured by These words. Therefore I signed
The Easement on 20 July 2017.

All BNEC activity, on my property, must take
place, on or within The 65 feet and 210 feet
corridor. This has been clearly, accurately, and
thoroughly explained to BNEC by Mr. Reynolds.
in his document of November 27, 2017;
copy attached. BNEC cannot 'roam' all over
my Farm. BNEC cannot use my Farm to gain
access to my neighbors Farm - Mr. Wm. S. Emmick.

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THE LAW FIRM OF
DAVID T. REYNOLDS, PLLC
2200 East Parrish Avenue, Building C, Suite LL104
Owensboro, Kentucky 42303
Telephone (270) 684-4540 • Facsimile (270) 685-0905

November 27, 2017

TERRACON
5217 Linbar Drive
Suite 309
Nashville, TN 37211
Attn: John Agee, Manager

via fax: (615) 333-6443

RE: Duff - Coleman EHV 345 KV Transmission Project

Dear Mr. Agee:

I represent Dr. William F. Allard, D.M.D., who is the owner of real estate in Hancock County, Kentucky that is identified as Map Number 18-13 and 18-15.

Dr. Allard informs me that your company has been engaged to perform certain work on behalf of Big Rivers Electric Corporation with regard to the above referenced Transmission Project. Apparently, after having some conversations with representatives of Big Rivers and Terracon, Dr. Allard has learned that either Big Rivers or Terracon (or both) intends to violate the terms of the easement agreements that he negotiated with Big Rivers last summer. Specifically, he relates to me that certain individuals have stated that there are plans to utilize land that is outside of the designated easement on Dr. Allard's land in order to either access neighboring farms and/or to perform work on his land.

Dr. Allard is very concerned with maintaining the integrity of this land as it has been in the family for more than 100 years. The land consists of hillsides that are subject to erosion as well as some flat land that if not treated properly, may suffer from heavy equipment if care is not taken to minimize rutting, especially in a wet season.

For this reason, I assisted Dr. Allard in negotiating the terms of these easement agreements with Big Rivers that would afford him the protections that he sought, while allowing Big Rivers the necessary easement for this project.

TERRACON

William F. Allard, D.M.D.

November 27, 2017

Page 2

I am providing a copy of two (2) recorded easements for your attention so that you will be on notice that Dr. Allard's easements have express restrictions that require the user of the easement to stay within the designated easement. In other words, contrary to your belief, the entire tract of land is NOT subject to this easement. Only the portion that is designated on the Exhibit "A" attached to each respective easement is available for access by Big Rivers and/or its agents.

Your attention is directed to the end of the first paragraph of each easement wherein you will notice that Dr. Allard's easements are restricted to the "... lands of the Grantor depicted within the right-of way...."

This included language, along with defining the easement by the attached Exhibit "A", was required by Dr. Allard to protect his concerns and will be strictly enforced. Any deviation from the stated easement will be deemed by Dr. Allard as a violation of this Easement Agreement. If necessary, injunctive relief will be sought, however, that is hoped to be avoided.

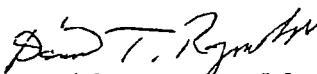
Dr. Allard has additional concerns which he has stated to your representatives with regard to access of the land with equipment that could cause rutting or erosion. My client is willing to assist with your required access within the easement should you desire to take advantage of his vast knowledge of these farms including the topography and the best ways to accommodate your needs.

Hopefully, by providing you with my client's easements, you will recognize that Big Rivers (and by extension, its agents) rights do NOT extend beyond the stated width of the designated easement agreement under any circumstances.

Please let me know if I can assist further in this matter.

Sincerely,

DAVID T. REYNOLDS, PLLC


David T. Reynolds

cc: Dr. William F. Allard, D.M.D.
Big Rivers Electric Corporation, via fax (270) 827-2558

W/38

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

Terrul, in December 2017, we discussed this when Terracon showed up. The Terracon pathway was a violation of the Easement. I allowed it one time. I wrote a written response on the back of your aerial photograph. I made a copy that says I attach a copy below.

Terril & BOB

12/38

Terril & I have discussed the plan Terracen has for
BONE sites in The Hills on me and on term. ~~Emmick~~

Terril has shown me the route they want to use.

Terril drew a pencil line on the aerial photo
when I suggested a change in the route.

I then took a black marker and put dots beside
Terril's pencil marker.

I told Terril that I requested that Terracen NOT
use the red polygon as shown on the aerial photo.
Terril is taking photos of the area to document how
it looks today. I suggest he do this again in 4-6 weeks
& 4-6 weeks later as damage from the tracks & or wheels
on the steep hills of this route may take more than 30 days
to show up depending on amount of rain. IF it occurs months
from now, BR is still responsible. The photo series will be
important.

BOB you said yesterday you could get The Sheriff to gain access.
my attorney in his letter that IF there were violations then
injunctive relief would be sought. The route Terracen
will use would be a violation except that I am allowing it to happen
why? TO Act in good faith that BR (Big River) will
make a meaningful effort to work together.
We can always go to court or call The Sheriff

11/11/17 Called MWA 19 Dec 2017

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

Agenda Topic #4: Access to Wm. S. Emmick Property

There are two (2) reasonable access mechanisms for the Wm. S. Emmick Farm.

The First is from Hancock County Public Highway called Beauchamp Road; Then onto The Coleman BTR Substation and/or The E. Waitman Taylor Tr Property (BREC has an easement already for this property); Then onto The Wm. S. Emmick property (BREC has an easement already for this property).

BREC has NO restrictions on what part of The Taylor, or what part of The Emmick, properties are used by BREC.

The reason BREC has NO restrictions on these two properties is because their easements LACK

The 6 key words The Allard Easement has on DB 159 p 682 ¹¹ "dedicated within the right of way" ¹²

The Second Access mechanism for The Wm. S. Emmick Farm ^{is from} ~~is~~ The Hancock County Public Highway called

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William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

Thrasher Lane. ^{Once exiting} off The paved Thrasher Lane, Then Brec will need to obtain a passageway across The Farm of Mr. BOB LEE, to get to Wm B. Emmick Property.

I have not, to date, spoke with Mr Bob LEE regarding crossing his property. Mr LEE is a reasonable man.

Therefore, IF BREC approaches Mr LEE in a Thoughtful, fair, honest manner, Then it should go well.

I would suggest ^{Brec} use The narrowest width, remove The fewest trees, stay on The ridge tops, control erosion, sow all areas in native grasses. This would give Mr LEE a nice access pathway Through his woods for his sons to use for hunting. As I understand, They are avid outdoorsmen, which is why I suggested native grasses. They may prefer Ky. -31 Fescue.

STATEMENT ON THE
Brec current PSC pg 13 document, Focused on Route A and Route B.
Both are fully in The Flood Plain, except for my hills: This is a Flood
choice. The above two access options; Beauchamp

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William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

AGENDA TOPIC # 5:

MISLEADING

I want one of our agenda Topics to be a discussion of
The definition of MISLEADING.

I have a Signed Easement Route. BREC submitted
Three (3) Routes to The Ky. Public Service Commission (PSC):
Route A, Route B, Route C. None of These Routes, A, B, C,
are my Signed Easement Route.

My Signed Easement Route was not submitted, was not
referenced, was not mentioned. The Narrative, describing
Routes A, B, C, on pp 9, 10 of the PSC Document; clearly
do not describe my Signed Easement Route.

my Signed Easement Route is The only Route Brec has
with a right-of-way and easement across my Farm.
The other Routes would constitute Trespass.

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

Route A - has no easement, has no right-of-way; for the hills, woods, pasture and large amount of cropland depicted by Route A. A small amount of Route A matches up with The Signed Easement Route.

Route B - has no easement, has no right-of-way; for the hills, woods, pasture, and some amount of cropland depicted by Route B. A small amount of Route B matches up with The signed Easement Route.

Route C - has no easement, has no right-of-way for any portion of Route C on my Farm.

I have a signed easement. The Signed Easement MISLEADING? IS NOT being Honored. Is This an example of

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

ON 18 Sept 2018, BREC called me and asked for a meeting. I told Mr. Riley that the routes submitted to the PSC were not my signed easement route. He said NO the route had not changed, the route was still the same signed easement route.

I agreed to meet on 20 Sept 2018. He brought color aerial photographs. I used a protractor and proved that route A, route B, route C were not my signed easement route.

Facts proved that BREC had changed the route, were not using my signed easement route, and had tried to fool me otherwise.

We can take a ruler and determine

that BREC changed the routes

Perhaps another definition of ^{misleading} will be displayed when ^{BREC} provides copies of all the documents requested above. The data on these documents will clearly reveal how long ago BREC started using routes ^{which are not my signed easement route.}

William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

AGENDA TOPIC #6 : INACCURATE

I would like to discuss the definition of inaccurate.

Brec submitted many documents to the PC regarding the new 345 KV line. The documents were presumably accompanied with an affidavit for accuracy.

p13 has many statements which need to be revisited.

Based on all the inaccurate statements made on p13 ; The conclusions on p13 are not justified.

We can read the facts which follow below.

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William F. Allard, D.M.D.

827 Muddy Gut Road
Lewisport, KY 42351

Agenda Topic #7: p 13, PSC document, case # 2018-00004

I provide below a copy of p 13, and a comparison of the statements made using a narrative, and using columns.

As for the distances that I have given for FLOOD PLAIN, length, and Forest area, length, they will be very accurate. BREC can certainly use their computers to measure more accurately and precisely.

BREC will undoubtedly have slightly different numbers. However, the overall conclusion will still be that Route C is the Best Route.

BREC will also have to answer why they could not have done such measurements when they originally submitted p 13 to the PSC.

\$6 million, which would not have a material financial impact on BREC or its rates. The evidence also supports BREC's selection of the routes. Route B, involving the proposed transmission line connecting the Coleman EHV substation to the river crossing structure on the northern bank of the Ohio River, is the shortest route, has the lowest estimated total cost, and has fewer contacts with floodplains. While Route C was the shortest route, it had a higher impact on forest areas and stream crossings as well as having the least capability to co-locate with the existing transmission line corridor connecting to the river crossing structure. Although Routes A and B were very similar, the Commission is persuaded by the expert judgment scoring of BREC selecting Route B as the preferred route based largely on the length and cost of Route B being more favorable than Route A.

Although BREC did not request a determination on the issue of whether the Coleman EHV substation upgrades are exempt from the CPCN requirement, we find that those upgrades needed to connect the proposed Kentucky portion of the 2015 MTEP Project to the Coleman EHV substation constitutes an extension in the ordinary course of business and, therefore, do not require prior CPCN approval. We note, however, that such issues should, in the future, be formally presented to the Commission for our consideration and determination.

Lastly, the Commission finds that the APA should be subject to the Commission's jurisdiction. We note that APA is an integral part of the Kentucky portion of the 2015 MTEP Project and that the terms and provisions of the APA sets forth various rights and obligations of BREC associated with the Kentucky portion. Those rights and obligations include, among other things, Republic's role in constructing the transmission line, BREC's

BREC parameters	Brec Route A	Brec Route B	BREC Route C	ALLARD comments
LENGTH	3.7 miles	<p>Route B is the shortest route in</p> <p>3.3 miles</p>	2.9 miles	<p><u>FACT</u> The shortest route is <u>Route C</u>.</p>
COST		<p>"Lowest cost."</p>		<p><u>FACT</u> The shortest straightest simplest route costs the least is <u>Route C</u></p>
FLOOD PLAIN	<p>13,600 feet length of flood plain</p>	<p>"Fewer contacts with flood plains in"</p> <p>12,000 feet length flood plain</p>	<p>5,600 feet length of flood plain</p>	<p><u>FACT</u> The absolute least contact with flood plain is <u>Route C</u></p>
Forest Areas	<p>3,000 feet woodland</p>	<p>3,000 feet woodland</p>	<p>"higher impact on forest areas in"</p> <p>5,600 feet woodland</p>	<p><u>FACT</u> Route C has 2600 more feet of woodland to clear 210' wide Route C is the shortest length, lowest cost to rate per mile</p>

William F. Allard, D.M.D.

827 Muddy Gut Road
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BNEZ Parameters	Bneec Route A	Bneec Route B	Bneec Route C	ALLARD comments
STREAM Crossings			No higher impact on Stream crossings	<p><u>FACT</u> THERE ARE <u>NO</u> STREAMS IN THIS AREA. There is one (1) DITCH on my Farm & cattle & deer get across it. This not a problem. Route C is The Best for nategays and for families living here.</p>
CO-LOCATE WITH 161 KV Line	Families were living here, long before BNEZ placed The 161 KV Line alongside Their families. Now BNEZ ignores Their Families and places The new 345 KV line even closer to Their families.		<p>"... Least capability to colocate with existing Transmission Line..."</p> <p>This reason along with COST is why <u>EDISON</u> chose <u>Route C</u>. EDISON considered Route C, The Best Route</p>	<p><u>FACT</u> THIS IS A <u>GOOD Reason</u> IT Keeps The new 345 KV Line away From People and puts it in The corn fields and above noted woodlands. This is why <u>Route C</u> is excellent. Route C costs less to</p>

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Additional Parameters	BREC Route A	BREC Route B	BREC Route C	Allard Comments
EIA	maximizes EIA on Families	maximizes EIA on Families	<u>minimal</u> <u>minimal</u> EIA on Families. THIS ALTERNATIVE Route, AVOIDS Families and Therefore, minimizes or mitigates the EIA on families	<u>FACT</u> THIS WAS NOT EVEN MENTIONED on pg 13 of The PSC case #. <u>The Best Route</u> <u>is Route C</u>
Rate payer COST.			This Route C is lowest cost to ratepayers	<u>FACT</u> BREC raised our rates 50% from 2011 - 2015 PSC ordered an audit of BREC in 2014 COST of AUDIT \$ 336,700. ⁰⁰ of rate payer monthly utility bill PSC in 2016 stated, next request for rate increase, will look at employee compensation and <u>benefit package</u>

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The PSC on page 13 states The following on Lines Two (2), Three (3), four (4) and five (5):

"Route B, is The shortest Route has The lowest estimated total cost and has fewer contacts with Floodplains."

DISTANCE - from pages 9 & 10 of PSC report (please see pp 9, 10 at end of This Document)

Route A = 0.9 + 2.8 = 3.7 miles

Route B = 0.5 + 0.4 + 2.4 = 3.3 miles

Route C = 0.2 + 2.1 + 0.6 = 2.9 miles

FACT - Route C is The shortest

COST - The shortest Route uses The least Towers and least amount wire. Towers & wire would have to exceed cost of clearing 1/2 mile of woods see below. Route C will be hard to beat for lowest cost. I did not see these #'s. Edison Company chose Route C.

FLOOD PLAIN - one only need Live here to know best measurement with when Backwater Floods are approx # as given

Route A is in 13,600 feet length of Flood plain

Route B is in 12,000 feet length of Flood plain

Route C is in 10,000 feet length of Flood plain

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The BSC on page 13 states The following on Lines five (5) and six (6) :

"... Route C ... had a higher impact on Forest areas and stream crossings ..."

Forest Areas

Route A will cross over approx 3,000 feet (Three-Thousand) of woodland,

Route B will cross over approx 3,000 feet of woodland.

Route C will cross over approx 5,600 feet (four-thousand-five-hundred) of woodland.

Therefore Route C, The shortest route, The least costly route to ratepayers, The least contact with Flood Plains has been thrown out due to an extra 1/2 mile of woodland, 210 feet wide, right-of-way.

WITH EDISON having nearly 13,000 miles of Transmission Lines, we could ask EDISON

Foreboding is 1/2 mile of woodland over The 13,000 miles they have built.

As regards stream crossings;
a stream is defined as:

1. "a body of water flowing in a channel or watercourse, as a river, rivulet, or brook"
2. "a steady current in water, as in a river or the ocean"

SYN - stream, current refer to a steady flow.

In the sense of running water, however, a stream is a flow which may be as small as a brook or as large as a river.

A number of streams have their sources in mountains.

There are ~~no~~ mountains in the topography of Routes A, B or C. There are only hills that are not that tall, with valleys that are wider than narrow. There are no such things as streams of steady flow.

In all of Route A, B, and Route C, there is only one (1) DITCH. That DITCH is on my Farm. IT has no steady flow. When it rains then water flows, when not raining, then puddles. Cattle and Deer can get across this ditch. Route A and Route B will not cross this

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The PSC on page 13 states The following
on Lines five (5), six (6) and seven (7) :

"... Route C is having the least
capability to co-locate with the
existing transmission line corridor."

Co-locating The new 345 KV Transmission Line
alongside The existing 161 KV corridor, also
places Both Route A and Route B
alongside The families living in Northern
Hancock County.

Route C is The farthest away from The
families living here.

Route C has minimal to NO environmental
Impact Assessment on The Families Living here.

Route C has zero EIA on my Farm.

Route C costs The least to rate payers, mainly utility bills.

Route C has minimal to NO EIA on The families living here.

These were The Two most important Factors to EDISON.

EDISON selected Route C.

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Agenda Topic # 8 : Route C - The Facts

IF The Goal of The PSC and BRCC is to build The
Route with The lowest cost, Then Route C
is The only choice.

The statements on p 13 are inaccurate.

This is paramount,

This is The essence of why This case exists :

IF The Facts were told Then Route C would be
selected and all else would be mute.

Agenda Topic # 9 : Route C - EASEMENTS

Route C will need easements. Route C will start at The Coleman EHV Substation.

- Next is The C. Waitman Taylor ^{TR} property.
Bnet has this Easement - done. ^{Property Valuation Administration} PVA map # 19-14.

- Next is The Wm. S. Emmick property.
Bnet has this Easement - done. PVA 19-13.

- Next is Bob Lee property. This will be a new landowner. A new easement will be needed.
PVA 19-19.

- Next is Allard - a new easement will be needed.
I signed an option with Edison for this tract in 2006.
PVA 18-13-01. The money BNET paid me for my signed Easement route on 18-13 and 18-15;
I will give every dollar back to BNET.

- Next is Aaron Payne property. This will be a new landowner. A new easement will be needed. PVA 18-11.

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- Next is The Emmuck Family represented by Shelby & Jesse Emmuck. PVA tract 18-10. This is a new TRACT.
Brec has an easement with Shelby & Jesse on
Tract 18-18-01. The easement on 18-18-01
can be cancelled.
- Next is Wm S. Emmuck property. Brec has this
easement done. 18-08.
- Next is The Pottinger Trust, Brec has this easement done.
- So route C only needs new landowners: only two (2),
Bob Lee & Aaron Payne.

All the money I received with my signed easement
route I will give back. This will more than
pay for any new easements; because this
route C is so much shorter.
shorter route, saves money, savings for rate payers.

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AGENDA TOPIC #10 : CONDEMNATION

Another Agenda Topic will be Condemnation.
Condemnation as defined by Law requires that
There is "no other alternative".

There are Three (3) alternatives submitted to the PC
by Gnee pp 9, 10. Those are Route A, Route B, Route C.

There is also The Signed Essex Road that I have

There is The New Route B/BC presented to me 03 Oct.
2018.

There are many "alternative" routes

The inaccurate statements made on p 13,

have been noted above. These inaccurate statements

selected Route B. The FACTS would only select Route C.

Using condemnation to select a route that is based
on inaccuracy will not be successful. There is a
better alternative - Route C.

Route C has the lowest cost to route payers and
minimal EIA on Farms & Families, Local.

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Agenda Topic #11 : FOIA

We should discuss a Freedom of Information Act
letter Request. BRCC could have gone with Route C
and saved rate payers money on their monthly
electric utility bills.

Route C costs The least of any routes.
Route C costs rate payers The least
amount of monthly utility bills.
Route C saves The most money.

Route C is The shortest, straightest, simplest
least costly of all routes.

I developed Route C in December 2015.

I presented Route C to BRCC in January 2016.
BRCC Refused Route C.

I presented Route C to EDISON TRANSMISSION
in February 2016. Edison Accepted Route C.

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EDISON is listed on The New York Stock Exchange (NYSE & EIX). EDISON has over 125 years with a history of success. EDISON has 12,782 miles of Transmission Lines (2016). EDISON has 844 substations (2016). This company, EDISON, accepted my suggested Route C. EDISON used route C as their primary route. I signed the option with EDISON.

Brec rejected Route C.

Brec is a company with a history of Bankruptcy. Brec has raised our rates 33% between September 2011 and Fall 2016 (Messenger-Ingenuin Newspaper October 7, 2015).

Brec has raised our rates nearly 50% between 2013 - 2016 (Messenger-Ingenuin Newspaper September 20, 2016).

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Brec is a company that The PSC ordered to be audited in April 2014. The audit was to cost \$336,700⁰⁰ per

Brec. (message - Ingram Newzpage - October 7, 2015). This money comes from one place, ratepayers monthly utility bills.

Brec is owned by Jackson Purchase Energy Corporation, Kenegy Corporation, and Meade County Rural Electric Cooperative Corporation.

The PSC stated regarding Kenegy: (message - Ingram Newzpage Setenke 20, 2016)

The PSC expressed concern about The utility's employee compensation and benefits packages. A news release said The agency is seeing growing concerns "over compensation levels with increasing electric bills". And The PSC said it believes that "employee compensation and benefits need to be more sufficiently researched and studied".

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It said it will "begin placing more emphasis on evaluating salary and benefits as they relate to competitiveness in a broad marketplace".

The PSC directed Kenegy to include salary and benefit survey information in future rate applications, including local wage and benefit information for Kenegy's geographic area of operation.

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The FOIA request is necessary to obtain wage and benefit information regarding BNEC.

This information should be in the public domain alongside the inaccurate statements regarding Route B on pg 13, alongside the FNEC regarding Route C.

I want ratepayers to see how BNEC has raised our rates, rejected the cost saving Route C, then see how much BNEC pays itself on their paychecks each week, in order to make such decisions. Ratepayers can decide.

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Agenda Topic # 12 : CONCLUSION

The 345 KV Line will be built.

However, will it be built on inaccurate statements
on pg 13 of The PSC Document?, or will it be
based on FACTS that support Route C?

The essence of LAW is "what a reasonable man would do".
Would a reasonable man base decisions on
The inaccurate statements of P 13?

I want to bring all this to everyones attention,
Then Route C will be selected.