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COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

-----X  
Amended Application of Duquesne : Docket No.  
Light Company. For the citing and : A-110150F0031  
construction of a 138 kV Line in :  
Hampton, McCandless, and Ross :  
Townships, Allegheny County. :  
-----X  
Mark R. Janosko v. Duquesne Light : Docket No.  
Company. : C-20065987  
Public input hearings. :  
-----X

Pages 147 through 262

Ross Township Municipal Building  
1000 Ross Municipal Drive  
Pittsburgh, Pennsylvania

DOCUMENT  
FOLDER

Wednesday, June 28, 2006

Met, pursuant to notice, at 7:00 p.m.

BEFORE:

FRED R. NENE, Administrative Law Judge

APPEARANCES:

REGINA M. SESTAK, Esquire  
Duquesne Light Company  
411 Seventh Avenue, Mail Drop 8-2  
Pittsburgh, Pennsylvania 15219  
(For Duquesne Light Company, Applicant  
and Respondent)

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P R O C E E D I N G S

1  
2 ADMINISTRATIVE LAW JUDGE FRED R. NENE: This is the  
3 time set for the third public input hearing in regards to  
4 the application of Duquesne Light for the nearly five-mile  
5 transmission line, 138 kV transmission line.

6 The Public Utility Commission is going to conduct  
7 these hearings to get the public's input and the public's  
8 feeling about this proposed project.

9 My name is Fred Nene, and I am the Administrative  
10 Law Judge assigned by the Commission to issue an initial  
11 decision in this matter. The decision is going to be based  
12 upon the testimony of the public as well as the technical  
13 hearings which we will have on July the 11th, 12th and  
14 13th, if necessary.

15 At that time, the company will present witnesses who  
16 will try to prove to the Commission that the line is  
17 needed, that it's safe, that it's the best route available  
18 and other requirements that the law requires before the  
19 construction can be approved.

20 This proceeding will be recorded and transcribed and  
21 made part of the record. Everybody who wishes to testify  
22 will be sworn or aver that the facts that they telling are  
23 the truth, and they can be cross examined by the attorney  
24 Duquesne Light, Ms. Regina Sestak sitting on the end there.  
25 There's an engineer from Duquesne Light who Ms. Sestak will

1 introduce, and there are some other employees from Duquesne  
2 Light here who might be able to help you informally if you  
3 have questions concerning service or other matters.

4 We've had two other public input hearings. This is  
5 the largest group we've had. We had one yesterday  
6 afternoon at 1:00 and yesterday evening at 7:00, and this  
7 will be the final one.

8 What we want to hear is your reaction to the  
9 application. Ms. Sestak will tell you, and the notice in  
10 the paper did tell you, where the application with the maps  
11 and everything can be viewed. There's two libraries in the  
12 area that have this information available also.

13 There's a number of things you can do here. You can  
14 be sworn and testify, or you can make a statement. If you  
15 don't want to be sworn or aver that you are telling the  
16 truth, you can just make a statement and we won't put it on  
17 the record. Or, you can just listen to what your neighbors  
18 say about the proposal.

19 I will ask Ms. Sestak to give us a brief description  
20 of what the line is about and where you can obtain further  
21 information.

22 MS. SESTAK: Thank you, Your Honor. My name is  
23 Regina Sestak. I'm the attorney for Duquesne Light  
24 Company.

25 As the Judge mentioned, Duquesne Light Company has

1 several representatives here available today. Sitting up  
2 here with me is Paul Cass, who is a principal engineer with  
3 Duquesne Light. He is the design engineer for the Wildwood  
4 line.

5 In addition, sitting in the audience, if you have  
6 questions that are not directly related to this line siting  
7 application, there are people who can assist you. If you  
8 have questions about your service, Pam Niehaus, who is the  
9 manager of the service center, is in the back there. If  
10 you have questions concerning customer service issues such  
11 as billing and payment, Vernon Edwards is available.

12 If you are a representative of the media, we ask  
13 that you speak to either Jerry Lucci or Rich Sieber who are  
14 seated in the back also. If you are a governmental  
15 representative, we ask that you speak to either John  
16 Laudenslager or Adam Goldbach.

17 Duquesne Light Company filed this application for  
18 the Public Utility Commission's permission to construct a  
19 138 kV transmission line to the Wildwood Substation in  
20 order to upgrade the Wildwood Substation, which was built  
21 in the 1930s, to allow it to serve the present needs of the  
22 population of this area.

23 The application was filed on March 4th, 2005, but it  
24 was subsequently amended on October 6th, 2005. Copies of  
25 the complete application with copies of the studies, maps

1 and other relevant information are available at two local  
2 libraries, Hampton Community Library and the Northland  
3 Public Library. In addition, information is available on  
4 our website, www.duquesnelightwildwood.info. Thank you.

5 JUDGE NENE: In order to move things along, I am  
6 going to ask everybody to be sworn or aver at the same  
7 time. If everybody who intends to testify will please  
8 stand and raise your hand.

9 Whereupon,

10 ALL PROSPECTIVE WITNESSES  
11 having been duly sworn, testified as follows:

12 JUDGE NENE: Since there were three sign-in sheets,  
13 I'm not going to be able to call you exactly in the order  
14 that you signed in, but I will try to make it close.

15 I know, Mr. Buccilli, you were the first one here.  
16 When you take the microphone, before you begin, just please  
17 state for the reporter your name and your address.

18 Whereupon,

19 DEAN BUCCILLI  
20 having previously been duly sworn, testified as follows:

21 DIRECT TESTIMONY

22 JUDGE NENE: Go ahead, Mr. Buccilli.

23 THE WITNESS: Dean Buccilli, B-u-c-c-i-l-l-i,  
24 property owner at 783 Thompson Run Road in Ross. Is that  
25 it?

1 JUDGE NENE: That's it.

2 THE WITNESS: I'm the worst guy to go first. I'm a  
3 construction worker. I have no idea how this works. I  
4 just have a few concerns I want to bring up on the record  
5 so I can sue at a later date if necessary.

6 JUDGE NENE: So you can what?

7 THE WITNESS: So I can sue at a later date if  
8 necessary for loss of income, loss of my property value.

9 I contacted Berkley Hills Fire Department several  
10 days ago and talked to, I believe it was Deputy Lavarski  
11 (ph). Deputy Lavarski notified me that apparently the Ross  
12 Township firemen, regardless of whether Ross Township was  
13 notified or not, had no idea these lines were going in  
14 front of our houses. He notified me that he had no idea  
15 what a safe clearance from these lines are.

16 A volunteer fireman who chooses not to be named,  
17 notified me that if there was a fire in front of my house,  
18 he'd be damned if was getting up on ladder in front of a  
19 139 kV line and spray water on my house, 50 feet  
20 approximately from Thompson Run Road; concern number one.

21 Concern number two, I want financial compensation  
22 for any disruptions in my utility service, including any  
23 other utilities that are disrupted in my yard when these  
24 poles are moved, or whatever they do. I don't want this  
25 new pole planted in my driveway, I don't want it disrupting

1 my other utilities.

2 I have an objection to the fact that they had a  
3 route for this -- which I am opposed to the original route  
4 that was changed recently -- to taking it from someone  
5 else's yard and sticking it in front of my yard as if, you  
6 know, my nest egg and my investment and life savings means  
7 nothing.

8 When I moved into that property, I was aware of that  
9 substation down there. I'm an electrician, okay. I saw  
10 that high steel. I never considered and never would move  
11 in under 139 kV line, never, never. As a consumer,  
12 regardless of any proven or disproven anything, I wouldn't  
13 move there for safety issues or any other issue. I would  
14 not invest my money.

15 Also, the unproven issues that were brought up in  
16 the in this hearing the other night by the doctor regarding  
17 the childhood leukemia. I'll be damned if I'm going to  
18 move a kid into my house now. I'd feel that I have to  
19 move. To pursue my life, my happiness, to continue to be  
20 happy there, now I feel now I have to move. I can't even  
21 move somebody in there with a kid. I don't feel safe.

22 My entire investment, my entire nest egg is being  
23 turned upside down on it's head by this project. I moved  
24 in there with 23 kV lines in front of my house. I never  
25 gave permission to anyone -- I never intended to have high-

1 voltage lines strung in front of my house, 50 feet outside  
2 my door, and closer for a lot of your people.

3 I have an issue also -- now, I'm not an expert at  
4 this. There's other people that can testify to this.  
5 Somewhere in the ball part of five percent of that original  
6 plan was environmentally study. I want to know why it is  
7 that Duquesne Light has money, boasting that they have \$500  
8 million, if anyone has seen the new on Channel 11 in the  
9 morning, \$500 million for these improvements and upgrades.  
10 They got money to piss away on these ads on Channel 11 in  
11 the morning, but they can only study five percent of this  
12 route.

13 They don't have money to purchase other land away  
14 from people's houses. They can't look at bringing this in  
15 from Pine or wherever the hell they have to bring it in...

16 JUDGE NENE: Let's try to keep it civil.

17 THE WITNESS: I'm sorry. I'm a construction  
18 worker, not a lawyer. To bring these lines in at their  
19 cost of doing business, not at the expense of my nest egg,  
20 at their cost of doing business, to bring these lines in,  
21 and if they have to impact, unfortunately, anyone, they are  
22 impacting the people in the area where they are serving out  
23 towards Pine Township, up that direction.

24 If anybody has a problem, they need to either go  
25 through eminent domain or through their own pockets and buy

1 these people at their market value plus whatever it cost to  
2 relocate them, including -- if I have to move, I have to go  
3 get a new loan. What are the new interest rates like, what  
4 are the new closing costs?

5 I have to go out and -- I have to turn over my  
6 entire life, my entire plans because they want to stick a  
7 high-voltage line out where high-voltage does not exist to  
8 serve another community, regardless of what they tell you.  
9 That is not to improve service to Ross.

10 If that line out there is overloaded because they  
11 put too much new development on it, if they have to build a  
12 new substation, that's what they have to do. That's a cost  
13 of doing business. That should not be at my expense,  
14 anybody else's expense along this route.

15 If they need to upgrade something, upgrade the  
16 service we have out there now. The people that are  
17 customers out there now, if there's too many people that  
18 were added to that, take some of them off and put them on  
19 the new line up at that end. They shouldn't have been  
20 added to begin with.

21 The appearance of the area also when they start  
22 whacking the trees down. I don't know what is going to be  
23 said about pruning or trimming trees or when they come to  
24 clear the trees away from these lines, the clearance that's  
25 necessary for these lines. I'm sure everybody on this line

1 has seen what wonderful job Duquesne Light does at pruning  
2 trees. Whack them out. I assume you are going to do a  
3 real good job this time for all of us. I'm sure North Park  
4 and the North Hills is going to be more beautiful for this  
5 and our property values will increase.

6 The traffic accidents on Thompson Run Road. I can't  
7 speak for the other guys, I don't live there, but there are  
8 traffic accidents on Thompson Run Road on a monthly basis,  
9 constantly. We should have a cop here to testify to this,  
10 how many accidents there are down there involving these  
11 poles and in other ways.

12 Pine Creek crosses this, little Pine Creek, a  
13 tributary, and it floods. It floods severely and often.  
14 What hazard does that make? I don't know. The fire  
15 department doesn't know either.

16 I mentioned the \$500 million in the ads. Okay. I'm  
17 sure I forgot a lot, but I appreciate your ears and your  
18 attention to this matter. I'm not paid to be here. I'm  
19 here to defend my nest egg, my neighbors and my peace of  
20 mind. I wish I had your job and I could be paid to be here  
21 too, and I respect you doing your job and whatever, but,  
22 you know, you are not here representing me. You are here  
23 destroying my life. Thank you.

24 JUDGE NENE: Thank you, Mr. Buccilli.

25 (Witness excused.)

1 Ms. Sestak, I am just going to assume you have no  
2 questions unless you tell me you would like to cross. Is  
3 that okay with you?

4 MS. SESTAK: That's fine, Your Honor.

5 JUDGE NENE: Jeanne Brown.

6 Whereupon,

7 JEANNE BROWN

8 having previously been duly sworn, testified as follows:

9 DIRECT TESTIMONY

10 JUDGE NENE: Your name and address, please?

11 THE WITNESS: Jeanne Brown, 785 Thompson Run Road.

12 I am a licensed family daycare provider for children age  
13 six weeks to 12 years. Usually the children in my care are  
14 age five years and under.

15 If there is any chance at all that the proposed line  
16 could possibly pose any kind of threat to children or to  
17 their health, parents will simply not bring their children  
18 to me.

19 Even though my license is duly licensed and  
20 inspected for safety on a regular basis by the county  
21 officials, I would lose my livelihood if parents perceive  
22 any kind of threat to the health of their children. I'm  
23 referring to the studies which have concluded that there's  
24 a likelihood that children exposed to high-voltage  
25 transmission lines may cause leukemia in children.

1           Regardless of the accuracy of such studies, I would  
2 not take a chance with my children's lives and with their  
3 health.

4           JUDGE NENE:    Let me ask you, I'm not sure that I  
5 understood.  You run a daycare at your house?

6           THE WITNESS:    Yes, it's a family daycare.

7           JUDGE NENE:    Okay.

8           THE WITNESS:    It is licensed.

9           JUDGE NENE:    And it's on this...

10          THE WITNESS:    It's Thompson Run Road.  Dean is my  
11 next door neighbor.

12          MR. BUCCILLI:   It's 40 or 50 feet away from it  
13 also.

14          JUDGE NENE:    We heard from you.  We can only take  
15 one person down at a time.  Please continue.

16          THE WITNESS:    That's really my main concern,  
17 worrying about people will have a concern for their  
18 children if there's even a chance that it could cause a  
19 problems to their children's health.

20                 I know that people are not always rational when it  
21 comes to the safety and health of their children, and if  
22 they think that there might even be any kind of change,  
23 whether it's proven or not, they will just won't bring  
24 their children to me, and I will lose my livelihood, I'll  
25 lose my home.

1 JUDGE NENE: How long have you operated the  
2 business at that location?

3 THE WITNESS: Eight years.

4 JUDGE NENE: And how many children, on average, do  
5 you have there?

6 THE WITNESS: Currently there are five. I'm  
7 licensed to take six and I typically take up to five. Some  
8 of them are just tiny, little infants. People really --  
9 they don't have to have proof that it could cause a problem  
10 to their children. If they think that it might, they will  
11 just go elsewhere.

12 JUDGE NENE: Thank you, Ms. Brown. Is that it?

13 THE WITNESS: Yes.

14 JUDGE NENE: Thank you very much.

15 (Witness excused.)

16 Gordon Higgins.

17 Whereupon,

18 GORDON HIGGINS

19 having previously been duly sworn, testified as follows:

20 DIRECT TESTIMONY

21 THE WITNESS: Good to see you again. My name is  
22 Gordon Higgins, H-i-g-g-i-n-s, 1925 Shady Oak Circle. I am  
23 here to protest the installation of this 138 kV line.

24 The reasons I have are numerous. First of all, I'm  
25 worried about my and my neighbors' house values. I've done

1 a lot of research on the Internet, and the approximate  
2 overall average of reduction in the house value with the  
3 installation of a high-voltage transmission line is ten  
4 percent. That varies, depending how far you from that  
5 line, anywhere up to 27 percent if you are within ten feet  
6 of it, down to 5.4 percent if you are within 150 feet.  
7 These are studies done by realtors.

8 I would note that my neighbor's house has been empty  
9 for over a year, and in talking to one of the realtors, one  
10 of the problems in reselling that house is the fact of this  
11 transmission line, that people just don't want to get  
12 involved.

13 We have to talk about perceptions, too, and I think  
14 this has already been alluded to. Eighty-seven percent of  
15 the population has the perception that high-voltage  
16 transmission lines are a contaminant and that contaminants  
17 can take various forms. Forty-eight percent feel they are  
18 visual contaminants, eight percent noise contaminants and  
19 72 percent health contaminants.

20 The health issue, I know you can find articles  
21 saying that there are no health issues and articles that  
22 say that there are health issues. I'm asking Duquesne  
23 Light, why are you asking us to pay Russian roulette with  
24 our health? That's the way I see it.

25 I am now retired, but in the course of my

1 employment, I was involved with a lot of construction  
2 around the world on four different continents involving  
3 industrial buildings. Any time I got with 100,000-up  
4 voltage transmission lines, we were required to keep a  
5 clearance under those lines of 100 feet; actually, 30  
6 meters, 98.4 feet.

7 That is required in this country under the National  
8 Electric Code. I know Duquesne Light does not follow the  
9 National Electric Code. They follow the National Electric  
10 Safety Code, which is a totally different animal, and I  
11 understand that. But, I cannot, for the life of me,  
12 understand why certain elements of the public are required  
13 to follow one code and other elements of the public are not  
14 required to follow the same codes.

15 The National Electric Code has been adopted by the  
16 federal government under OSHA, and all industry and  
17 commerce in this country has to follow those codes, but  
18 Duquesne Light does not. I simply don't understand it. I  
19 don't know why the laws of nature are different for  
20 Duquesne Light than they are for everybody else.

21 I've done work in third-world countries where we  
22 were required to keep an easement of 100 feet clear under  
23 any transmission over 100,000 volts. I think it's a shame  
24 that we are standing here today not taking that safety  
25 precaution into consideration. Thank you very much.

1 JUDGE NENE: Thank you, sir.

2 (Witness excused.)

3 Fred and Vivian Lovetro.

4 MRS. LOVETRO: Is there any way that can be turned  
5 up at all?

6 JUDGE NENE: Fred and Vivian Lovetro.

7 MR. LOVETRO: No, we don't want to say anything.  
8 Can we say we are for or...

9 JUDGE NENE: You don't have to be for or against  
10 it. You can say whatever you want. We want to hear the  
11 public's input.

12 MR. LOVETRO: I don't have much to say and I'm not  
13 very good at speaking.

14 JUDGE NENE: It doesn't matter, just say what's on  
15 your mind.

16 MR. LOVETRO: Thank you.

17 JUDGE NENE: Terrence Nypaver. It would be  
18 helpful, not that it's your name, but if you would spell  
19 your name for the court reporter.

20 Whereupon,

21 TERRENCE J. NYPAVER

22 having previously been duly sworn, testified as follows:

23 DIRECT TESTIMONY

24 JUDGE NENE: Go ahead, sir.

25 THE WITNESS: My name is Terrence J. Nypaver.

1 That's N-y-p-a-v-e-r. I live at 1956 Shady Oak Circle.

2 Your Honor, I appreciate the time you are spending  
3 on this. I know you are required to do this and I know  
4 it's not an easy job, but I really appreciate your time,  
5 and the same way with Duquesne Light's representatives who  
6 are here tonight.

7 JUDGE NENE: Thank you.

8 THE WITNESS: I was surprised when I went to  
9 McCandless after, like, getting the first notice, that the  
10 application basically only took into consideration routes  
11 that were on new right-of-way or exiting right-of-way.  
12 Granted, they did consider other routes, but they did not do  
13 a full impact on all the routes. All they did was choose  
14 the routes that -- if they impacted in new right-of-way or  
15 existing non-electric right-of-way.

16 I started doing some number crunching. My house is  
17 the first house as you cross into North Park, so up to that  
18 point in time, I think it's more wilderness, or I guess  
19 they call it forrest land. From my house basically down to  
20 Thompson Run, it's basically residential. Looking at the  
21 numbers that I crunched, I've estimated about 60 percent of  
22 the route, not the houses, but just the route itself going  
23 through residential areas.

24 JUDGE NENE: That's before you get to Thompson Run  
25 Road?

1 THE WITNESS: That's all the way down to the  
2 substation, taking out a little bit before Duncan Manor.

3 JUDGE NENE: That includes Thompson Run Road?

4 THE WITNESS: Yes, either route was about 60  
5 percent. Route E and E-1 are about 60 percent. One was 61  
6 and one might have been 60 or something like that. That  
7 was the calculation I got from their study, you know,  
8 taking their distances that they put in their study.

9 Looking at PA Code 57, they basically say in PA Code  
10 57 that -- the application says that, "This approach is  
11 based on premise that the portions of the route that are  
12 located on existing electrical right-of-way are not  
13 considered to generate substantially new impact."

14 My understanding is, Subchapter G of Chapter 57, the  
15 PA Code, doesn't really say that there's any exclusions. I  
16 don't have it here per se word for word. I'm sure you can  
17 look it up, but to me, it's like bypassing or circumventing  
18 the whole impact of the route. I mean, if you are just  
19 studying what the -- on new right-of-way.

20 JUDGE NENE: Do you have the cite; 52 PA Code,  
21 57.75?

22 THE WITNESS: Yes.

23 MS. SESTAK: Your Honor, I believe he's referring  
24 to 57.75 Sub(e) that sets out the criteria to be considered  
25 in determining whether or not to grant the authority.

1 JUDGE NENE: Okay, thank you.

2 THE WITNESS: They also evaluated three areas.  
3 They said immediate construction right-of-ways, areas  
4 adjacent to the proposed right-of-way in view is sensitive  
5 resources, and a four-mile corridor based on the centerline  
6 of the right-of-way. Every homeowner is basically involved  
7 on route E, and they are all unique as far as the  
8 circumstances. You heard a couple today and you heard a  
9 couple yesterday.

10 When I went looking for my house, and being a first-  
11 time homeowner, I am basically -- this my first house and  
12 currently still is my first house. I did a lot of  
13 research. I looked the area around, did location of  
14 facilities, school districts, all that I considered, and of  
15 course, financing was a big deal. Then I liked the privacy  
16 of the area. In fact, the previous owner who I bought the  
17 house from actually developed the Park Meadows plan, which  
18 I am in.

19 The lines were only 4 kV, I think that's the correct  
20 number for it, when the houses were built. They have since  
21 upgraded it to 23 kV, and now they want to go six times  
22 that to 138.

23 I'm concerned with not only myself, but my  
24 neighbors. My house is 80 feet away from the line, but it  
25 actually goes over one of my neighbor's house. I have some

1 pictures for you, Your Honor. I brought...

2 JUDGE NENE: You have to show them to counsel  
3 first.

4 THE WITNESS: Okay. I do have copies for  
5 everybody.

6 JUDGE NENE: If you want to make them part of the  
7 record, we will mark them. If you have no objection, Ms.  
8 Sestak, we will make them part of the record. We will  
9 mark it Nypaver A. Do you happen to have two copies for  
10 the court reporter and one for myself?

11 (Whereupon, the document was marked  
12 as Nypaver Exhibit No. A for  
13 identification.)

14 THE WITNESS: Yes.

15 JUDGE NENE: Any objection, Ms. Sestak?

16 MS. SESTAK: Your Honor, may I reserve objection  
17 until we have had further opportunity to examine these  
18 documents? Although the first few documents are simple  
19 photographs, further along there are charts, graphs, maps.

20 JUDGE NENE: I see what you mean. They would be  
21 difficult -- we will reserve your right to object to them,  
22 but certainly there is going to be no objection to the  
23 photographs?

24 MS. SESTAK: To the best of my knowledge, the  
25 photographs are accurate, but I'm not even certain of that

1 at this point.

2 JUDGE NENE: I don't know how you could be, but we  
3 admit this into evidence subject to subsequent objections.

4 (Whereupon, the document marked as  
5 Nypaver Exhibit No. A was received in  
6 evidence.)

7 THE WITNESS: I understand. It's my pictures, so  
8 -- I took them, so I could tell you where they are.

9 JUDGE NENE: Okay.

10 THE WITNESS: The first two pictures actually show  
11 one of my neighbors' house. You can see the pole in front  
12 and then the pole in the back and the lines go over right  
13 over his addition.

14 The picture below that is the front of his house,  
15 and the pole that you see in the back in this top picture  
16 is also the pole in the back of his house in the bottom  
17 picture, just to give you some perspective.

18 This house is a couple doors down from me, and it  
19 just recently had a fire in the front of the house. The  
20 fire fighters -- I was not there, so I don't know about  
21 what happened, but basically, I would be a little concerned  
22 if I was fighting a fire with that line overhead even as it  
23 stands right now.

24 I'm basically surrounded by three wires. I have a  
25 distribution wire in front, a sub-transmission wire which

1 is the existing 23 kV line, the one that splits my property  
2 in half, and there's actually a smaller line that goes  
3 behind my house on Wildwood Country Club. I think it feeds  
4 Wildwood Country Club and I think it's 4 kV. So, basically  
5 I have three lines around my house.

6 I'm concerned that if they start putting these poles  
7 in, they are going to be really high and the visual aspect  
8 of the property in my area will be diminished.

9 The next two pictures show a cell tower that is on  
10 Wildwood Country Club that is behind -- that is behind the  
11 house on Shady Oak Circle, but you can see that I took the  
12 picture from Shady Oak Drive, so I am looking at it as I  
13 drive into my property.

14 Am I going to see something like that when I drive  
15 up towards my house with the power lines there? The power  
16 lines, I think, will be over the tree line. Also, since it  
17 is over a house, I think it's even going to be higher than  
18 the normal -- what Duquesne Light had said.

19 The other thing is home safety. Obviously, there  
20 are safety factors involved in any electrical thing. Even  
21 a 120 is dangerous for people if you are not careful. I  
22 just wonder what the effects are on children. I do see  
23 some neighborhood children playing in the park behind my  
24 house and they walk around where these poles will be going.

25 JUDGE NENE: What park is that?

1 THE WITNESS: North Park. My property borders  
2 between Wildwood Country Club and North Park.

3 The other thing I am concerned about is medical  
4 devices. I know Duquesne Light kindly answered my  
5 questions, a little late after our first meeting in April.  
6 I'm just still wondering if it's going to be a hazard for  
7 some people. My neighbor is up in age and I'm not saying  
8 he has one, but if needs something, is it going to pose a  
9 problem for him?

10 The thing I am worried about is, if something  
11 happens to a line, what they call step voltage gradient. I  
12 know it happens more in business than it does in the  
13 utilities, but it can happen, and basically, if you take a  
14 step, you can be killed.

15 JUDGE NENE: Say the phrase again?

16 THE WITNESS: It's called step voltage gradient.  
17 It's basically if line is tied in the middle of the ground,  
18 there's different voltage potentials. As you take a step,  
19 you are crossing between two different voltage potentials,  
20 and the current will transpose through you depending on the  
21 resistance of your body. If you're at a high voltage and  
22 you take a step, you are actually between two different  
23 potentials.

24 Now, that's not a case that can happen here if  
25 nothing happens to the line, but if a car accident hits the

1 line and the line snaps and sits there and there's a kid  
2 there, or anybody there, taking one step could be  
3 dangerous.

4 Of course the visual impact, I mentioned about that,  
5 but also everybody is affected by it, the houses on  
6 Thompson Run, Ringeisen. They like their privacy, too; and  
7 the trees actually give them a little barrier for that, and  
8 you've already heard about that.

9 When I looked up on Appalachia Power and a few other  
10 power company websites, they recommend a hundred feet,  
11 right-of-way clearance for anything over 138 kV. For 138  
12 kV, they require a hundred feet of right-of-way. Most of  
13 the houses, especially the house of Shady Oak Circle, they  
14 are less than 50 feet away.

15 JUDGE NENE: Not right-of-way, you don't mean  
16 right-of-way, you mean distance from the transmission line?  
17 Right-of-way is the right of Duquesne Light to run the  
18 lines there in the first place.

19 THE WITNESS: Well, what I read was that they  
20 required a hundred feet right-of-way, which means they have  
21 the right -- they don't recommend you building anything  
22 within that distance.

23 JUDGE NENE: Okay.

24 THE WITNESS: The next two pictures, this is off of  
25 Bryant Road. This is considered route C, which is the

1 railroad. I know this is not typical of that particular  
2 area, but this is the best I can do for getting a camera,  
3 walking there and getting pictures. But, it shows that  
4 it's fairly wide. Duquesne Light always said for the route  
5 C, the railroads won't give us the -- well, they will give  
6 us the right-of-way, but we might have to move our lines.  
7 I understand that, but the railroads don't own the whole  
8 valley.

9 Then next two, three diagrams are lot and block  
10 numbers from Allegheny County. It basically shows that  
11 there is a barrier around the tracks, so the railroad only  
12 owns -- a friend of mine worked for the railroad, and he  
13 said the right-of-way is 16 feet from the centerline of the  
14 track unless it's otherwise specified.

15 Basically, there is a band around the railroad owns,  
16 but the railroad doesn't own there rest of the valley is my  
17 point for that. Duquesne Light said -- I should say  
18 Duquesne Light. The study by GAI indicated that that was  
19 the lowest impact route, but because -- I'm thinking  
20 Duquesne Light could back off the existing, within reason  
21 of course. I'm not an environmentalist. I don't what's  
22 outside the existing right-of-way. But, they could back  
23 off of that and still use a 25 to 30 right-of-way  
24 clearance.

25 The next two, three pictures, show an existing

1 substation and power lines in Wexford, one where McKnight  
2 Road and Perry Highway split. The other pictures are in  
3 Wexford Flats and Cranberry. It shows actually installed  
4 power lines along major routes. That's what these pictures  
5 are to show. I don't think they are Duquesne Light's. I  
6 think they are the power company north of here.

7 JUDGE NENE: Your point being on that?

8 THE WITNESS: Well, they consider -- just that's is  
9 doable. It can be done. There's now law saying they can't  
10 do it.

11 The spread sheet that is following that, the next  
12 two spread sheets are a general list of businesses on both  
13 Route 8 and Wildwood road. When I say general, it's the  
14 best that I could record down. Basically it's showing that  
15 it's not a very heavy industrialized are of Route 8.

16 I know that there are parts of it in the study  
17 saying there is heavy industrialized or heavy  
18 commercialized. It's not like if you would got north of  
19 Wildwood Road where it's very commercialized or even  
20 Cranberry. Cranberry is very commercialized and you can  
21 see that they already have power lines.

22 JUDGE NENE: You're referring to the rail route  
23 that takes this line across or near Route 8?

24 THE WITNESS: Well, this actually -- I'm switching  
25 over route A now, which is Route 8.

1 JUDGE NENE: Okay.

2 THE WITNESS: Just doing a quick analysis of their  
3 report, I was curious when I saw the word "endangered."  
4 Obviously, that would raise a red flag for most people, you  
5 know, there's something to protect here.

6 I saw an article in the application that said that  
7 this particular wild flower was in danger. It was the Snow  
8 Trillium. I looked on the Pennsylvania DCNR website, and  
9 it said it was rare, not endangered. In the report I saw  
10 where it said endangered and I also read where it said  
11 rare.

12 I tried to talk to somebody at DCNR, but she just  
13 referred me to the website. It basically says that the  
14 plant is not endangered. It's actually contradicting  
15 because a letter was sent from the Pennsylvania DCNR to GAI  
16 saying that it was endangered.

17 JUDGE NENE: This is in that Coal Valley?

18 THE WITNESS: Coal Valley area. I was wondering if  
19 -- they said it did not affect the impact, but when I  
20 looked...

21 JUDGE NENE: I read it to say it was rare in that  
22 area.

23 THE WITNESS: There were actually two instances in  
24 the report. One said endangered, and they referred to a  
25 letter from DCNR, and the next two pages show from the

1 DCNR, the first page shows the endangered plant, and the  
2 second page shows the Snow Trillium as being what it is,  
3 apparently secure, vulnerable and Pennsylvania rare.

4 The last issue I have is they mention in the report  
5 about Wildwood Mine. Having worked coal mines for two  
6 summers, I know the dangers of a mine, but I also now that  
7 there are dangers above ground. I looked on the DEP  
8 website to see what area had mines.

9 On the map, you can Ventura Drive. I didn't  
10 highlight it, but...

11 JUDGE NENE: What's the red line on the map.

12 THE WITNESS: I think it's the turnpike.

13 JUDGE NENE: Okay.

14 THE WITNESS: If you follow Wildwood Road, you will  
15 Ventura. Basically it's saying that the it is mined  
16 underneath the existing substation. Now, is it a concern?  
17 Your guess is as good as mine as to what can happen.

18 You have heard a lot of testimony here today and you  
19 are going to hear a lot more concerning health, safety  
20 hazards, and I just wanted express my concerns about this  
21 mine.

22 JUDGE NENE: Thank you. We will make your exhibit  
23 part of the record.

24 THE WITNESS: Thank you.

25 (Witness excused.)

1 JUDGE NENE: A. R. Belmont.

2 MR. BELMONT: I have nothing to say at this time.  
3 Mr. Higgins covered pretty well what I was going to say.

4 JUDGE NENE: Thank you, sir.

5 Tom Negle.

6 MR. NEGLE: My name is Tom Negle, N-e-g-l-e. I  
7 live at 1959 Shady Oak Circle.

8 Whereupon,

9 TOM NEGLE

10 having previously been duly sworn, testified as follows:

11 DIRECT TESTIMONY

12 JUDGE NENE: Go ahead, sir.

13 THE WITNESS: Like Mr. Nypaver, I wish to say thank  
14 you to the PUC for giving us this forum to air some  
15 concerns, and thanks to all of you involved for giving us  
16 due consideration as homeowners. It's greatly appreciated.

17 We are fortunate, even though living in Pittsburgh,  
18 we are in an area that's experiencing some growth, and  
19 that's something you don't normally hear in the Pittsburgh  
20 area. Unfortunately, accommodating that growth can at  
21 times lead to differences of opinion and clashing  
22 interests. Of course, that's what we are involved with  
23 right here.

24 In order to get additional power supply out to the  
25 northern suburbs, Duquesne Light is looking at utilizing

1 route E as the best way of accommodating 138 kV line. .  
2 Obviously, we along that route E, so we are concerned about  
3 that.

4           During last night's testimony, I heard one question,  
5 what would you suggest as alternative? That's exceedingly  
6 important. I don't think we can come up here and just say,  
7 we don't want it. You have to do something to accommodate  
8 the growth. I would like say that route C is your best of  
9 accommodating that growth.

10           When I take a look at the Duquesne Light website,  
11 the frequently asked questions, I take a look particularly  
12 at what you have written about line C and where it's  
13 located. It is state on your website that route C is  
14 almost entirely on an operating right-of-way own by CSX  
15 Transportation. That would seem good because there are no  
16 residents along that right-of-way, or at least minimal.

17           On your website, it does say that route is highly  
18 undesirable, and that's because the right to locate those  
19 lines is not an absolutely permanent right. There's a  
20 chance that perhaps you can be kicked to the curb. I don't  
21 know if you can quantify what the possibility of that might  
22 be.

23           Neither can we quantify what the percentage chance  
24 might be that we could occur some kind of carcinogenic  
25 effects to the electromagnetic fields, but still, you know,

FORM 2

1 there is what Donald Rumsfeld would call the "known  
2 unknown." We know that these are a consideration. We just  
3 don't know how to quantify them.

4 There are also known knowns. If you are to take a  
5 look at the different routes, such as route C, you have to  
6 think, what is our additional costs. Are you willing, or  
7 have you done any kind of study to say what your additional  
8 costs would be for going route C?

9 MS. SESTAK: Your Honor, would you like us to  
10 respond to that?

11 JUDGE NENE: Have you done any calculations?

12 MS. SESTAK: I have not personally. I'm not  
13 certain that we have anybody here tonight who has that  
14 information. I can commit to bringing some with that  
15 information to the evidentiary hearings.

16 JUDGE NENE: As a matter of fact, as a result of  
17 last night's testimony, I am going to request that you  
18 produce that evidence at the technical hearings. I was  
19 going to make that statement at the conclusion of the  
20 testimony so that evidence will be considered.

21 THE WITNESS: Here is where I would like to go with  
22 that thought. We are looking right now at route E being  
23 4.9 miles, and along that 4.9 miles, there is how many  
24 houses? I don't know the number, you might. What would be  
25 the average value of these houses? I'm going to estimate

1 somewhere in the area of \$150,000, \$200,000 a house.

2 Of course, it's a much broader range than that, but  
3 if you take the study that Mr. Higgins cited that talks  
4 about a ten percent devaluation, you are talking about each  
5 homeowner being subjected to \$15,000 to \$20,000 of reduced  
6 net worth. To some, that might not mean much. To others,  
7 that might be a tremendous burden.

8 So, you take a look at what your alternative is, and  
9 that might be line C. What is your cost there? Well,  
10 somebody had mentioned to me previously that if you  
11 negotiate a right-of-way with the railroad, it could  
12 conceivably be about \$40 a foot. That would be maybe about  
13 \$1,020,000 over the course of 4.9 miles.

14 Duquesne Light has 78 million shares of stock  
15 outstanding. That additional cost is simply 1.3 cents a  
16 share. It's not too much of a burden to Duquesne Light and  
17 would relieve a tremendous burden on many of us homeowners.

18 Duquesne Light has a statement of Corporate  
19 Principles, dated April 22nd, 2004 and was amended November  
20 19th, 2004. There are several statements here, but one of  
21 them is, "By virtually any measure, success in the conduct  
22 of our core business as a public utility is dependant upon  
23 maintaining a highly positive stature, and in some  
24 instances, harmonious relationships with certain  
25 constituencies. The most important of these are our

1 residential, commercial and industrial customers."

2 We asking that Duquesne Light enhance that customer  
3 relationship and utilize route C as an alternative since  
4 it's traverses a railroad and not residential  
5 neighborhoods. Thank you.

6 JUDGE NENE: Thank you very much.

7 (Witness excused.)

8 Francis Cooper.

9 Whereupon,

10 FRANCIS COOPER

11 having previously been duly sworn, testified as follows:

12 DIRECT TESTIMONY

13 JUDGE NENE: Go ahead, sir.

14 THE WITNESS: I'm Francis Cooper here with my wife  
15 Nancy, 1645 Pin Oak, 15237. We're about three houses down  
16 from Thompson Run.

17 Basically I agree with -- I'm not going to repeat  
18 everything. I agree with what has been said here. I think  
19 one of the things that should happen is the process should  
20 be changed so that when people like yourself are looking at  
21 these proposals, that Duquesne Light shows you what it is  
22 going to cost to build this thing. That's what they are  
23 interested in.

24 I think it's got to be broader than that. You've  
25 got to have numbers. Everybody's got the estimates, well,

1 100 houses, 200 houses. That study can be done. It might  
2 take a week, but somebody can do a study and say, along  
3 this route, there are 340 houses, there is an approximately  
4 house value of this much. Real estate agents can give that  
5 to you, and then you can see what the real cost is.

6 This thing about the hundred feet in the third-world  
7 countries, and we are struggling here, putting these lines  
8 over our heads. We should know how many people live within  
9 a hundred feet and that should be part of the proposal that  
10 they give you. Then you look at that and then you look at  
11 the one for the railroad, and then you say, this is a no-  
12 brainer. If it's a few dollars extra, so what?

13 I'm a Duquesne Light customer, and if this were  
14 going in anywhere else, I don't care where it would be, I  
15 would be willing to pay the extra. The shareholders, okay,  
16 they can pay some, but the customers don't want to see  
17 other customers getting a raw deal.

18 If the railroad line would even cost more money and  
19 it would affect fewer people, I, as a customer, would be  
20 willing to pay that even if it were in another area because  
21 I wouldn't want it done to me.

22 Somebody should evaluate the depreciation on the  
23 houses and on people like Ms. Brown who has got a business.  
24 What would it cost to relocate her and make her whole?  
25 That's only fair.



1 neighbor be identified.

2 THE WITNESS: Yes, I will. With which would you  
3 like me to begin?

4 JUDGE NENE: It's your floor.

5 THE WITNESS: I will try to be succinct. Last  
6 evening the Judge had asked me to make some copies aerial  
7 views that I had downloaded from the Internet.

8 You had asked me to make four copies, and I have  
9 those copies that I would like to give...

10 JUDGE NENE: One to Ms. Sestak, two for the court  
11 reporter and I would like one for myself. I hope you have  
12 one for yourself.

13 THE WITNESS: I do.

14 JUDGE NENE: Thank you.

15 THE WITNESS: I will try to hold these up and I  
16 will try to be succinct, Your Honor, and you asked me to  
17 list them as Exhibit A, etcetera. I have Exhibits A  
18 through S.

19 JUDGE NENE: For consistency for the record, I am  
20 going to put on the file that this is Barbara...

21 THE WITNESS: Zaun, Z-a-u-n, I live at 8233  
22 Thompson Run Road.

23 JUDGE NENE: This file will be marked as the  
24 Barbara Zaun Exhibits A through S, just so we all know and  
25 the record is clear.

1 (Whereupon, the documents were marked  
2 as Zaun Exhibit Nos. A through S for  
3 identification.)

4 THE WITNESS: They are lettered A through S, and  
5 again, I will try to be succinct, and I will hold up my  
6 copy for those of you here, if you can see it.

7 I downloaded these from a website called Live Local,  
8 local.live.com. The first series of photos with which I  
9 will begin here, the road that is running through the  
10 middle of the sheet is Thompson Run Road. The road that  
11 cuts that to a perpendicular is Hazlett Road, for those of  
12 you that are familiar with that, and Exhibits A through I  
13 will go from Hazlett Road to the electric power station on  
14 Thompson Run Road.

15 I have done this at, if you look at the bottom  
16 righthand corner, you will see that that is a satellite  
17 image and it is out from 70 yards, 210 feet above our  
18 homes. The house at the corner of Hazlett and Thompson Run  
19 faces Hazlett, but the side is one Thompson Run, is owned  
20 by Todd Soergel. He was here last evening. He did not  
21 speak. He would like me to speak for him this evening, and  
22 I will do that shortly.

23 As you see, going down, I have shown this picture to  
24 give an idea to the Judge and to the audience, if you do  
25 not live on Thompson Run, of both the proximity of one

1 house to another and also, and particularly, the proximity  
2 of our homes to Thompson Run Road.

3 This is Exhibit A. You will see seven homes, six of  
4 which are on Thompson Run, one is on the corner of Hazlett  
5 and Thompson Run, and across from that home is the Russian  
6 Orthodox Church, and to the north of that is a swim club.  
7 It is McCandless Swim Club, which of course there are  
8 children there every day.

9 If you turn to Exhibit B, this continues down  
10 Thompson Run Road and if you continue from north to south  
11 and you count the fifth that you see, the fifth total house  
12 across from which there is a road going up, that is my  
13 neighbor's driveway -- excuse me, the second house down.  
14 You will see a sidewalk that parallels Thompson Run Road.  
15 That is my house at 8233.

16 If I exit my house from my front door, from my front  
17 porch to the pole that is in the middle of my front yard,  
18 and I measured last evening, it is 47 feet to that pole.  
19 If you look at my house and the houses on both sides of me  
20 and as you go down the road, you will see that those homes  
21 are pretty much the same distance from Thompson Run Road.  
22 That does not vary tremendously.

23 At the bottom of the picture, you will see a road  
24 that goes to the left at the very bottom. The road to the  
25 left is the Pine Run plan, and if you look at Exhibit C,

1 that is now at the top of that.

2 If you were to turn down Pin Oak Drive, the first  
3 home on the right is, to my knowledge, lived in by Mr.  
4 Janosko, who spoke last evening, and the house to the left,  
5 I believe the couple that lives there are here this evening  
6 and perhaps they will speak later.

7 Last night we had at least a few, at least two that  
8 I recall, one being an electrical engineer, who live on  
9 Streamside Drive, on the far left of Exhibit C, and they  
10 were voicing their concerns. As you continue south from  
11 Pin Oak down Thompson Run, you will see that it is  
12 completely residential.

13 I'm doing this because when I looked through the  
14 studies of Duquesne Light and I saw that Duquesne Light did  
15 have two pictures of each proposed route, as I mentioned  
16 last evening, the one picture of route E showed the  
17 electrical power station. The second picture was taken  
18 south of Sutter Road looking northbound, showed a lot of  
19 foliage, which again I admire and it's one reason I live on  
20 that road, but it showed only two homes.

21 I'm doing this this evening just so that the Judge  
22 knows and everyone is reminded, this is a residential area,  
23 home after home after home.

24 The poles are on the left side. On the right side  
25 where you see Bennington Lane, this is a new development.

1 All of the back yards of these homes border Thompson Run.  
2 To my knowledge, these people were not notified at all. In  
3 fact, my neighbors who live on the other side of Thompson  
4 Run were not notified because the existing poles are not in  
5 their yards. We notified them.

6 Exhibit D continues south and as it does, you will  
7 see the intersection of McIntyre Road, and on that corner  
8 in the upper left, you have a church. It is a Baptist  
9 church. On the other side of the intersection, you have a  
10 second church. I forget the name of that church. North  
11 Hills Christian Church. Regardless, there are two churches  
12 at that intersection.

13 On the other side of the road north of McIntyre, you  
14 see again that you have homes, and those are all back yards  
15 of homes that are in the new development, and those back  
16 yards are very close to Thompson Run. You can see the  
17 poles from the 70-yard pictures. I am certain that those  
18 back yards are well within the 100 feet, well within  
19 because it's just the width of the road and then those back  
20 yards of those people's homes begin.

21 Continuing south to Exhibit E, I go from McIntyre  
22 Road, again a residential section. We had a Mr. Buccilli  
23 that spoke this evening and the woman who has the child  
24 care, Ms. Brown. Both of those homeowners live in this  
25 group of homes, which is north of Amity Road, which you see

1 going to the right, but on Thompson Run. Again, this chart  
2 that I have here from A to I shows all of the property.  
3 there is nothing missing.

4 Those homes -- and again you see the poles. If my  
5 house is 47 feet, I would say that your homes are 47 feet  
6 at the most, and perhaps closer than 47 feet.

7 From that, continuing southbound, south of Amity  
8 Road, there are two homes to the left, two people that were  
9 here yesterday afternoon. I don't know if they spoke or  
10 not and I don't know if they are here this evening.

11 Then we come in to the area, if you continue to  
12 Exhibit F, where you will see that you have fewer homes for  
13 a while, but it's what I mentioned last evening. One of my  
14 reasons for moving on to Thompson Run, and if you live on  
15 Thompson Run or if you go on Thompson Run, you know exactly  
16 what I am saying, the foliage in the fall is absolutely  
17 spectacular.

18 Even though this parallels McKnight Road, when you  
19 are on this road in the fall, it's as though you were in  
20 the country. That was one reason I chose to live on this  
21 road, and I have lived there for 19 years.

22 As I continue south from Exhibit F to G, you see  
23 more of the foliage, but at the bottom right, you see once  
24 again that you start with more homes. Notice the proximity  
25 of those homes to Thompson Run Road. That is closer, much

1 closer than 47 feet. I was at these homes.

2 If you continue from G to H, I have those homes  
3 again, but now they are in the top lefthand corner. After  
4 those two homes, you see a road that leads to the right, or  
5 as I'm going southbound, it leads to the right. It is  
6 Sycamore Drive. If you live on Thompson Run, you are  
7 familiar with Sycamore Drive. Then you have Sutter Road,  
8 West Sutter Road that leads to the right.

9 If you were to follow from the right side of the  
10 picture, pretend as though you are on Sutter Road, and you  
11 are traveling towards Thompson Run, now you are at the stop  
12 sign. You see that from Thompson Run to Sycamore, you have  
13 a bit of a wedge there. Think of a pie shape. There is a  
14 home that is right there.

15 I hope you don't mind my repeating. I mentioned  
16 this last that when I went to this home and I asked if this  
17 person would be in support of opposing this project, I  
18 don't remember the man's name, but he said to me, I'm  
19 sorry, I can't because this is already a done deal.  
20 Duquesne Light has been to my house and they have promised  
21 me new landscaping on the side of my house along Thompson  
22 Run, and for that reason, I cannot sign your petition.  
23 That was very upsetting to me.

24 I will continue south. South of that, if you  
25 continue down and I continue down, you will see that there

1 is another home that veers off of Thompson Run. If you  
2 looking at the picture, it's on the left side, the side  
3 where the poles are. That would be the Loebig's house. I  
4 believe that is right and I believe they are here this  
5 evening. If anything out of all this, I've met some new  
6 people and they have all been very nice.

7 The Lobic's house, and maybe they will speak later,  
8 to my knowledge too, those poles are as close or closer  
9 than where my house is, and the house that is south of  
10 that, which I believe this is Oak Meadow Drive -- is that  
11 correct?

12 VOICE: White Oak.

13 THE WITNESS: White Oak Drive, that is the road  
14 that you see going to the left south of those two homes,  
15 off of which you see Red Oak. There is a home right on the  
16 corner there of Thompson and White Oak. When I was  
17 speaking to that homeowner and I was on his front porch,  
18 the pole was, I would say, within 20 feet. Those poles are  
19 right in front of those homes. You can see the proximity  
20 from the street.

21 Then the bottom righthand corner where you see Red  
22 Oak, keep that in mind, because on Exhibit I, Red Oak  
23 continues. I did not go there. I'm sure they were not  
24 notified, but their back yards, and this is the last little  
25 community before you see the electric power station on the

1 right, this would be the end of the proposed route, all of  
2 their back yards border those poles, and those poles are on  
3 their side of the road on Thompson Run Road.

4 So, A through I, I'm showing you this because I'm  
5 very concerned about how close we are and particularly  
6 after what Mr. Higgins said this evening about not only  
7 Appalachia Power. Last night I mentioned Allegheny Power's  
8 rule of thumb is not to have any structure within a hundred  
9 feet. Tonight I hear that a third-world country will not  
10 have a structure within 100 feet. We live in a country  
11 that are we are to be the protectors of the world and we  
12 are going through this this evening.

13 Exhibit J, if you go from A, which is at Hazlett,  
14 this is now going north. This is at 100 yards, and I have  
15 this panned out a little bit to get it on one picture.  
16 This takes us -- from the bottom right, the very bottom  
17 shows the swim club which is at the corner of Hazlett, so  
18 if you couple this with Exhibit A, you will see that. You  
19 have the swim club.

20 Going northbound, we have a YWCA, and we have a  
21 Jewish Temple, the Synagog, and then you see a little  
22 commercialized area. We have an intersection and there is  
23 not a red light, there is a four-way stop. At that stop,  
24 we have two gas stations, we have one Italian restaurant.

25 This is for the Judge and Duquesne Light and then I

1 will show, what I would like you to do, when you go north  
2 on Thompson Run, I want you to not bear to the immediate  
3 right. That would be Ferguson Road. Those are the people  
4 that you met with a year ago, or someone met with a year  
5 ago, initially on Ferguson Road. You veer somewhat, you go  
6 straight, but you are veering somewhat here, so it's as if  
7 you are going to the shopping center.

8           When you come up by the shopping center, you see it  
9 comes to a three -- you have three lines coming out. Going  
10 straight, you continue on Duncan and there's a little wedge  
11 there. That road that leads to the left, that is right  
12 next to the shopping center, if you look at Exhibit K, we  
13 are not on Ringeisen Road. Last night we had several  
14 speakers from Ringeisen. Exhibit K and L, at 70 yards I  
15 have all of Ringeisen. Again, I don't live on Ringeisen,  
16 but I'm hoping that if there is someone from Ringeisen here  
17 this evening, that someone from Ringeisen will speak later.

18           It's very evident in looking at both Exhibits K and  
19 particularly L, how similar it is to Thompson Run. There  
20 is foliage, there is privacy and the proximity of one home  
21 to the other, and in addition, the closeness of those homes  
22 to Ringeisen Road, well within the 100 feet, probably  
23 within the 50. Maybe someone from Ringeisen can elaborate  
24 on that further so that I don't take too much time.

25           From Exhibit L, and I need people from Shady Oak to

1 help me with this, I had M and N, and if you hold them like  
2 this, just like this, in the bottom lefthand corner of M is  
3 Coventry Square. That is the end of Ringeisen Road.

4 Have your eyes go to the right, which is Sample  
5 Road. Follow Sample Road to the first road to the left,  
6 which is High Meadow Road. When High Meadow Road connects  
7 with Concord, go to the right. Then from Concord, go to  
8 the left and go up Springfield Drive. Now you are going  
9 all the way into Exhibit N. Follow Springfield drive until  
10 it ends and you hit Shady Oak Drive. From Shady Oak Drive  
11 to the right, you have Shady Oak Circle. So, the people  
12 that were speaking to you this evening from Shady Oak  
13 Circle, this is where they live.

14 JUDGE NENE: There's no poles in that area?

15 THE WITNESS: Oh, yes there are.

16 JUDGE NENE: There are?

17 THE WITNESS: Yes, I have closer shots. They are  
18 coming.

19 VOICE: A line goes over a house.

20 THE WITNESS: There are poles, and as the man just  
21 said, a line goes over a house. You will see that. These  
22 are from 100 yards just so that could show you the entire  
23 route. It seems as though the people from Shady Oak to  
24 the bottom Thompson Run, we are the ones that who have been  
25 speaking, so I wanted to give you the entire route without

1 anything having been eliminated, and I did it as well as I  
2 could.

3 If you look at Exhibit O and P, O and P are closer  
4 pictures of Shady Oak Circle. I don't know, Your Honor, if  
5 you would allow someone from Shady Oak to come up here and  
6 show you, but if you look at Exhibit O, I believe if you  
7 look at the top part of Shady Oak Circle, behind these  
8 homes you will see power lines. Is someone else allowed to  
9 come up here and point that out to you?

10 JUDGE NENE: They can do that in time. We can only  
11 take one witness at a time.

12 THE WITNESS: Okay. This is Shady Oak Circle on O.  
13 I drove there last evening. From the car on the road, I  
14 saw the power lines. They are there and they are close to  
15 the homes. I drove there after this meeting, so even in  
16 the dark...

17 JUDGE NENE: You have been very busy since you left  
18 here last night.

19 THE WITNESS: I have been busy because I care, as  
20 everyone else does.

21 Exhibit P is also of Shady Oak Circle, and I believe  
22 Mr. Negle mentioned the cell phone tower. If you look at  
23 the far right of Exhibit P and look right where my thumb  
24 is, you see a bit of a line, it looks like a square.  
25 That's where that cell tower, to my knowledge, is, and I

1 did see it last night when I drove up through your Shady  
2 Oak Circle, and I saw it from a distance, as you had  
3 mentioned.

4 Judge and Duquesne Light, I offer all of these to  
5 you, A through P, to give you an idea of the entire route  
6 so that you have all of the homes. I want to just clarify  
7 again and emphasize how residential this is.

8 I have just a few more, and the few that I have,  
9 labeled Q and R, again beginning at Hazlett, so Q is the  
10 same as A only it is in closer. It is from 30 yards.  
11 Thirty yards is 90 feet. That is 15 feet above the  
12 proposed 75-foot pole for the 138 kV line.

13 Again, at the very top where you see Thompson Run,  
14 to the left is a house, and that is the of Todd Soergel,  
15 for whom I will speak this evening. To the right is the  
16 Russian Orthodox Church.

17 I did this because at 30 yards, you very clearly can  
18 see those telephone poles. You can very clearly see how  
19 close the homes are and you see that the homes do have  
20 trees close to those poles.

21 If you go from there to R, I am just continuing down  
22 the street, one more shot only, and I suppose that's  
23 because my house is on that shot and I am speaking. My  
24 house is the one almost in the middle where you see the  
25 sidewalk. The builder built a sidewalk and then stopped

1 the sidewalk, so I'm the only one with a sidewalk.

2 That's where I live. I have trees in the front of  
3 my yard. They give me privacy in both summer and winter.  
4 I have trees across the street, and my neighbors both have  
5 trees. I mentioned all of that last evening, so I won't  
6 continue with that.

7 The last one is Exhibit S. I took this shot because  
8 it is of neighbors, most of whom I really don't know, but  
9 they live further south. I know that two of them here this  
10 evening. It's by Amity Road. If you look at Amity and  
11 Thompson Run, the house to the left, I believe is the  
12 Maire's, and I believe they are here this evening. There  
13 are three people here this evening from there.

14 Mr. Buccilli, and I'm not sure, Dean, which house is  
15 yours, but I know...

16 MR. BUCCILLI: The third one down.

17 THE WITNESS: Okay, the third one down, and the  
18 daycare center is which home?

19 MS. BROWN: The second one.

20 THE WITNESS: The second one down, okay. So, the  
21 second one down is the daycare. You see the proximity  
22 there. Those poles are clearly evident at 30 yards, and  
23 that's why I included that. The church, the third church,  
24 this church does have a summer Bible school for it's  
25 children. That sign is posted in front of that church as I

1 speak.

2 Those are the exhibits that I have for you this  
3 evening.

4 JUDGE NENE: Thank you very much.

5 THE WITNESS: I'm not quite done yet.

6 JUDGE NENE: Well, this group, I'm just going to  
7 say for the record that your Exhibits A through S will be  
8 made part of the record.

9 (Whereupon, the documents marked as  
10 Zaun Exhibit Nos. A through S were  
11 received in evidence.)

12 THE WITNESS: Thank you.

13 JUDGE NENE: You can continue.

14 THE WITNESS: I'm almost finished. I know I am  
15 being lengthy and I don't mean to be.

16 JUDGE NENE: It's very informative.

17 THE WITNESS: The one thing -- I had my notes last  
18 night, but one thing that I thought of today that I did  
19 forget and a few other people mentioned, when I read over  
20 these studies that other people had actually done a lot of  
21 work in putting together, I noticed and I was informed that  
22 these power lines -- I understand Duquesne Light needs to  
23 improve it's line to increase it clientele. You are a  
24 business and you want more business. I understand that.

25 But, from what I've read, the new business, the new

1 clientele, because as I mentioned last night, I said that  
2 we are the captive clientele and that those of us who live  
3 here, we do have a choice for power generation, but we do  
4 not have a choice for power distributor.

5           You have to be our choice, and we have been pleased  
6 with you so far. I don't think anyone has a problem with  
7 the electric. But, the new power line is not going to give  
8 me brighter light in my home, it's not going to give me  
9 more power at all. Those new lines are going to be for  
10 people that are living in Cranberry and near Butler. That  
11 is to increase your market share that you have more  
12 clients, and I understand that. You're a business.

13           But, at the same time, when you have people that do  
14 not have choices and you have clientele such as us who have  
15 been your clients and customers from a number of years  
16 without a choice, then, as I said last night, you have an  
17 ethical responsibility to make sure that you do not  
18 negatively impact our quality of life just to get increased  
19 market share for increased building that is on in the  
20 north, especially when they are other choices.

21           The man talked about the railroad, and what I have  
22 looked through with the railroads and what the other people  
23 have said, the railroad or even on the highway where I have  
24 seen high-power lines, but the railroad, there are no homes  
25 on there.

1           There is no one living close by, there is no concern  
2 that someone's child, or even adults, will be harmed in any  
3 way, and no property values will be lost. Also, the  
4 aesthetics, which are important to all of us, will not be  
5 jeopardized because of that.

6           That's all I have to say on my behalf. I ask that I  
7 be allowed to read just one comment from Todd Soergel who  
8 was not able to be here this evening.

9           JUDGE NENE:     You may.

10          THE WITNESS:    Thank you. Todd Soergel was here  
11 last evening. His last name is S-o-e-r-g-e-l. He lives at  
12 1578 Hazlett Road. If you think of Thompson Run and  
13 Hazlett Road, he lives on the corner. He e-mailed this to  
14 me today because he said that unfortunately, something came  
15 up and he was not able to speak and he asked that I do  
16 this, so I am reading Todd's words.

17          "Many of my neighbors have made eloquent and  
18 compelling statements regarding this proposed route and its  
19 potential health risks, its negative impact on property  
20 values, its detrimental effect on trees and the aesthetic  
21 qualities of the residential neighborhoods it will  
22 traverse, and flaws in the GAI study. Rather than repeat  
23 these arguments, I will simply state that I agree with  
24 them, although the classification of EMFs as a possible  
25 human carcinogen bears repeating.

1 "As a parent of two young children in a home that is  
2 less than 50 feet from the existing line, this is my  
3 primary concern."

4 Second bullet. "I believe the financial  
5 implications of choosing an alternative route with lower  
6 residential impact also must be carefully reviewed. The  
7 Frequently Asked Questions portion of Duquesne Light's own  
8 website for this project notes the difficulty of  
9 construction, temporary inconvenience to businesses, and  
10 added distance of route A" route a is along Route 8, "as  
11 well as the difficulties of licensing arrangements with CSX  
12 Transportation, Inc., required of route C," which is along  
13 the railroad. "In short, these difficulties equate to  
14 added cost for Duquesne Light.

15 "In 2005, Duquesne Light Holdings, the parent  
16 company of Duquesne Light Company, realized net income of  
17 \$114.2 million dollars. In 2004, net income was \$87.0  
18 million. This is after all operating costs, taxes and  
19 other expenses. These figures are from Duquesne Light  
20 Holdings' own 2005 Annual Report."

21 Next bullet. "I do not know the actual cost of this  
22 proposed line, but I have seen estimates that the total is  
23 in the \$3 million dollar range. Any increased cost  
24 associated with an alternative route would appear to be  
25 minor to a company generating this much annual income."

1           Next bullet. "It was mentioned in a previous  
2 hearing that while consumers may have the option to choose  
3 from whom we purchase our electricity, we have no such  
4 option in terms of who the distributor of that electricity  
5 is. In that regard, Duquesne Light is our only option."

6           Next bullet. "It is incomprehensible, then, that  
7 Duquesne Light would propose a route that causes so much  
8 long-term negative impact to the residential areas it  
9 serves. particularly when viable alternatives are  
10 available."

11           The final bullet. "This community demands that  
12 Duquesne Light, a PUBLIC," public is in all caps, "utility  
13 respect the concerns of the public from which it generates  
14 its revenue stream and develop a suitable alternative to  
15 this proposal. I ask that the PUC deny Duquesne Light  
16 permission to proceed with this project until that is done.  
17 Thank you."

18           JUDGE NENE: Thank you very much.

19           MS. SESTAK: Your Honor, can I say something?

20           I apologize, are you finished?

21           THE WITNESS: My final thing is, again I'm not  
22 speaking for myself, I have a list of signatures of  
23 neighbors that will oppose the project, and I have a copy  
24 that I would like to give to you this evening.

25           JUDGE NENE: Do you have a copy for Ms. Sestak and

1 two for the reporter, or do you want to submit them later?

2 THE WITNESS: I have one copy.

3 JUDGE NENE: You will have to mark it as an exhibit  
4 and submit it. We will mark it as your exhibit.

5 THE WITNESS: Can I run down and get copies?

6 JUDGE NENE: Are you through with your testimony?

7 THE WITNESS: I am.

8 JUDGE NENE: Let Ms. Sestak speak first.

9 MS. SESTAK: Your Honor, I have no questions. I  
10 have a brief comment. As you know, Duquesne Light Company  
11 is reserving its testimony for the evidentiary hearings to  
12 deal with issues like electromagnetic fields and things of  
13 that nature.

14 However, it's important to clarify at this point  
15 that Duquesne Light Company has not promised landscaping to  
16 anyone in conjunction with this project. It's possible  
17 that landscaping has been promised by Duquesne Light to an  
18 individual for some other reason unrelated to this project.  
19 No landscaping has been promised in conjunction with this  
20 project.

21 In addition, Duquesne Light does not intend to use  
22 this project to serve anyone beyond its service territory,  
23 including Cranberry and Butler. These are not part of  
24 Duquesne Light's service territory. The purpose of this  
25 project is to provide enhanced service to our existing

1 customers because the three substations in this are  
2 presently either overloaded or verging on being overloaded,  
3 as will be presented further at the evidentiary hearings.

4 But, I wanted to make clear that Duquesne Light  
5 Company is not attempting to obtain further customers  
6 outside of our jurisdictional service territory.

7 JUDGE NENE: Thank you. Ms. Zaun, if you will mark  
8 that exhibit as Zaun Exhibit T and you may go and provide  
9 us with copies without coming back on the record, okay?

10 (Whereupon, the document was marked  
11 as Zaun Exhibit No. T for  
12 identification and was received in  
13 evidence.)

14 THE WITNESS: Thank you.

15 JUDGE NENE: Thank you very much for all the work  
16 you did on this.

17 (Witness excused.)

18 Robert Watkins.

19 Whereupon,

20 ROBERT WATKINS

21 having previously been duly sworn, testified as follows:

22 DIRECT TESTIMONY

23 THE WITNESS: My name is Robert Watkins. I live at  
24 1933 Shady Oak Circle in Allison Park.

25 Your Honor, I just would like to thank you for

1 allowing myself and everyone here the opportunity to speak.  
2 I do appreciate it. I appreciate the representatives of  
3 Duquesne Light and everyone here who has come to represent  
4 your community and yourselves.

5 Everything that I have heard certainly increases my  
6 passion about how I feel about this. Obviously, passion  
7 isn't going to necessarily make or break an argument as far  
8 as what the right is to do there. Nonetheless, I will hope  
9 to at least express my opinion without over-reiterating  
10 some of the information that has been already be brought  
11 before you, Your Honor.

12 I first off want to address the issue of home  
13 values. I have a great concern with that impact and I  
14 really do hope there can be a little bit further insight  
15 done as far as what this really means as an impact. We've  
16 talked about -- we don't need to review the numbers, but  
17 the figures this organization as far as net profit, I  
18 believe we are talking less than a couple pennies, what the  
19 potential cost could be when you break it down to the per  
20 share costs versus comparatively what I believe is an undue  
21 burden on a homeowner and the percentage of a hit we  
22 expected to take on a home.

23 My home is on Shady Oak Circle. I don't know if  
24 it's practical at this point to refer back to Zaun Exhibits  
25 O and P, to briefly look so I can just point it out to you.

1 JUDGE NENE: That's fine.

2 THE WITNESS: Just to give you some context, if we  
3 look on Exhibit O, Shady Oak Circle, my house is, if you  
4 are looking at the very middle of the picture towards the  
5 top, right where the word Oak is, there's a sidewalk that  
6 goes to the a house and you can see a level of pine trees  
7 directly behind my house.

8 JUDGE NENE: Where it says Shady Oak Circle?

9 THE WITNESS: Yes, almost the top middle of the  
10 picture. If we start from the very bottom on Shady Oak  
11 Drive, you make a left on to Shady Oak Circle. There's the  
12 first group of words, Shady Oak Circle, and then the second  
13 group of words, Shady Oak Circle, coming around then bend  
14 that you bear to your right. On the lefthand side of the  
15 word, Oak, is my home, 1933 Shady Oak Circle.

16 JUDGE NENE: I see it.

17 THE WITNESS: To give you some context, those pine  
18 trees line behind my house. I do own the property all the  
19 way down to the road and back, Peebles Road, and all of the  
20 woods beneath that. In between those pine trees and the  
21 back corner of my house, it's not really visible here, but  
22 those are the power lines in between there.

23 To give you an idea, the required building on this  
24 by the one who built most of the homes on this, from the  
25 front road to my front door, the requirement for the

1 building was 40 feet. In fact, it's just about 40 feet on  
2 the nose to my front door.

3 If you make that visual comparison, you can tell  
4 that if there is a set of power lines going between those  
5 pine trees and my house, we are talking, quite frankly,  
6 from the one power line existing right now, probably about  
7 eight feet difference. If you drop a vertical line from  
8 that power and then measure it over to the corner of my  
9 home, we're talking about eight feet.

10 From center line, I will be gracious and say about  
11 12 feet from center line. The actual pole placement,  
12 however, is to the left of my property down toward the pine  
13 trees to the left of the picture, of which we have a patio  
14 area directly underneath these lines. This is where my two  
15 and a half year old son plays, and will hopefully play for  
16 the future through his childhood pending the outcome of  
17 these lines.

18 I appreciate you indulging me to give you some  
19 context. Two house up from that is the house where the  
20 power lines go directly overhead.

21 As far as having fire recently, I'm greatly  
22 concerned about the potential fire hazards having line of  
23 this magnitude in proximity. Obviously I don't know the  
24 realistic odds of the line, under some store or for some  
25 reason, breaking or snapping, but clearly we are talking

1 very close proximity to my house, over other homes and I  
2 fear for the families and potentially for fire fighters if  
3 they would have to put themselves in the line of risk, if  
4 they were willing to do so.

5 Next I want to also mention, I'm not an expert about  
6 the health issues and whatnot. I think -- what concerns me  
7 is when I think about my son developing. He's in a very  
8 important developmental stage. The cells in his body are  
9 still dividing and creating him into the adult that he will  
10 some day be.

11 My concern is we have inconclusive evidence to the  
12 extent that there is a concern that there may be a medical  
13 impact, be it leukemia, carcinogenic or what that magnetic  
14 field has the potential to do on a human that is still  
15 being created, if you will. As a father, I'm not as  
16 concerned about my physical health, but to know that I have  
17 invested and worked hard to purchase a home and to feel  
18 that I may be forced to move is very frustrating.

19 JUDGE NENE: Do you want to take break?

20 THE WITNESS: We can take a break or continue,  
21 whichever you prefer, Your Honor.

22 JUDGE NENE: We can continue.

23 THE WITNESS: Obviously, I have a vested interest.  
24 I don't feel that I'm acting or wanting to irrational, but  
25 I really do need to emphasize, and maybe this is a poor

1 analogy, I don't, but we can cite different examples in  
2 life where our history will show us where things were  
3 thought to be natural and healthy to the body -- I think of  
4 cigarette smoking.

5           When we think of the progression of where we are now  
6 to the point that history has reflected that it was looked  
7 at where it was thought to be almost homeopathic, it was  
8 healthy and then there was turning point. Somewhere along  
9 that road questions started to arise. Then it got to the  
10 point where, you know what, it's no longer a question.  
11 It's a certainty that this bad for one.

12           Maybe it's a poor analogy, but in my mind it makes  
13 to sense to think that we have a big question mark about  
14 the medical and safety, the health and safety, especially  
15 of young children. Some people mentioned before, studies  
16 in Europe that expressed concerns about increased cancer  
17 and leukemia risks to children, typically under five such  
18 as my son.

19           I worry that if this line is put in and five years  
20 down the road, we are then able to determine conclusively  
21 that yes, this is something that is damaging and  
22 threatening to the health of children or adults. At that  
23 point, it's too late.

24           I think what I would ask is, the term was use before  
25 by, I believe, Mr. Jim Bailey, about prudent avoidance

1 because there is this question mark, if you will. I would  
2 argue that that is not being exercised in this particular  
3 instance.

4 I do believe that the other routes, the CSX Railroad  
5 route in particular, certain would be prudent and would  
6 also avoid exposure to these potential risks. In addition,  
7 I believe Route 8 would also be a more suitable choice.

8 I would like to now address aesthetics and visual  
9 impact. Before I do that, when I bought the house, I  
10 learned a very valuable lesson. I saw the power lines and  
11 I fell in love with the neighborhood. I fell in love the  
12 -- you saw how much property I actually own, about 70, 80  
13 yards down to another road of woods, trees, deer, turkey,  
14 everything. I fell in love with the community. It  
15 virtually borders North Park. I just feel that having  
16 these large lines, which I believe will end up rising above  
17 some of the tree lines, that it's just going to ruin that  
18 feel and that park-like setting.

19 I was naive to think -- I can remember back saying,  
20 there's no way they would put high-voltage in this  
21 neighborhood. I made a big mistake. I was ignorant, and I  
22 have learned that lesson. Certainly if I'm forced into a  
23 position where my wife and son and I are forced to move, I  
24 will certainly not make that mistake again.

25 The last thing I want to get out is I believe, when

1 we looked at scoring, and it's been mentioned before, these  
2 existing routes are given a zero on the scoring that  
3 they've used. I don't believe that it's been, speaking of  
4 prudent -- that it's prudent to ignore the transition going  
5 from a low-voltage to high voltage, from a distribution  
6 line to a transmission line and not measuring that into the  
7 factor. Quite frankly, I think if were measured into the  
8 factors, the score would inflate to the point where this  
9 would not be a viable option.

10           However, as it may be, we are going off the numbers  
11 at this moment as they sit, but I would ask Your Honor to  
12 consider that evaluation to be done on some level to  
13 quantify this route rather than essentially eliminating  
14 it's impact simply because it's an existing right-of-way.  
15 I believe that the difference is quite significant.

16           I have heard it mentioned also as far as temporary  
17 inconvenience to some of the business on Route 8 and  
18 whatnot. I think a temporary inconvenience to a business  
19 versus a permanent inconvenience to homeowners is something  
20 that is really a poor argument. I would just really ask  
21 you to please consider if you were living this line as  
22 well, how you would feel, if you would your grandchild who  
23 is still growing and developing, to be exposed to that for  
24 16 hours a day.

25           One last point, my heart goes out to the woman to

1 has a daycare. With all due respect, madam, I know son, if  
2 I had that choice, I would not choose to place him within  
3 that close of a proximity to high-voltage power line. I do  
4 feel terrible if this line goes through, the impact that  
5 it's going to have on her livelihood, and I don't think  
6 that can be measure.

7 With that, again, Your Honor, thank you for  
8 indulging me and I thank everyone for allowing us to have  
9 this venue.

10 JUDGE NENE: Thank you.

11 JUDGE NENE: Richard Jacobs.

12 MR. JACOBS: I have nothing to say at this time,  
13 Your Honor.

14 JUDGE NENE: Thank you, sir. Beverly Gruarin..

15 MS. GRUARIN: Yes.

16 Whereupon,

17 BEVERLY GRUARIN

18 having previously been duly sworn, testified as follows:

19 DIRECT TESTIMONY

20 JUDGE NENE: Spell that for the court reporter,  
21 please.

22 THE WITNESS: G-r-u-a-r-i-n, Beverly. I live at  
23 8110 Thompson Run Road. I purchased the property in 1991,  
24 and I have to agree with Barb Zaun, I was very much  
25 impacted by the appearance of Thompson Run Road. The name

FORM 2

1 of my property was and is Tall Oaks. I very much  
2 appreciate and value those trees to this day.

3 On of the things that particularly upset me was the  
4 weighting system and the GAI study that was done. I don't  
5 know if I am being wholly accurate, but in reading through  
6 it, Duquesne Light created the system, determined how they  
7 would weight certain aspects of the system and then went so  
8 far as to tweak some of those things to suit their own.  
9 purposes. By tweaking, I mean eliminating even rating the  
10 people or giving them any weight in their system who lived  
11 on the opposite sides of the streets. Certainly that is  
12 within that 100-foot right-of-way.

13 I know myself that when those lines come through, if  
14 indeed that is the case, that according to their own  
15 specifications within that study, that those trees can be  
16 cleared to suit their purposes so that they do not  
17 interfere with those lines.

18 In conjunction with that, just in the recent past,  
19 so recent as this morning, and that can be verified through  
20 your emergency response records, I was driving down  
21 Thompson Run Road and two vehicles were stopped just past  
22 McIntyre, approximately a mile past that intersection of  
23 McIntyre and Thompson Run road. There was an electric line  
24 sparking and it exploded with a small electrical explosion  
25 causing a branch to fall. I can only imagine what that

1 would have been had it been a 138 kV line.

2           It astounds me that Duquesne Light would even  
3 consider putting this high-voltage line through a  
4 residential area and having two very viable alternate  
5 routes, the Route 8 route, which I believe is route A, and  
6 the railroad route, both of which would not impact a  
7 residential area.

8           I would like to turn to the quality of life within  
9 that 138 kV line. I really applaud some of the people who  
10 have gotten up here this evening. You have done some  
11 marvelous research. There have been eloquent presentations  
12 and you've done a lot of work presenting them. I'm not  
13 going to reiterate. I don't think I could even come close  
14 to doing a better job.

15           The only thing that I would like to say is that all  
16 of us have invested probably the largest investment of our  
17 life in our home and our property. Certainly with those  
18 lines coming in, as you can, some of the individuals were  
19 very emotional here this evening. It's already having a  
20 psychological impact on their live and their well being.

21           Regarding the physiological aspects, it cannot be  
22 ruled out that these 138 kV lines and the high-voltage  
23 lines, the electromagnetic effects, it cannot be ruled out  
24 that they are carcinogenic, and that is a fact. It has  
25 been proven by several studies.

1 Of course, there's always the aesthetics, the noise,  
2 the house value. When we are looking to another route  
3 where they were worried about the Trillium, what is the  
4 value of even the possibility of harming a human being  
5 running through a residential area when for a small  
6 financial investment, they could run through one of these  
7 other routes that would not impact a residential area..

8 Also, in new areas they are made to -- the current  
9 standard is to put these lines underground, and I don't  
10 know if that would be a viable alternative for them, but  
11 that might be something that they would want to consider.

12 Again I would just like to reiterate what one of the  
13 other people brought up about the poles and the increased  
14 incidents of accidents. I'm sure all the people that live  
15 on Thompson Run Road are familiar with the husband and his  
16 daughter that lost their lives when his Mustang hit the  
17 electrical poles. The car was split in two. He and his  
18 young daughter, I believe she was five or under, were both  
19 killed.

20 We also lost a gentleman a few doors down from where  
21 Barb Zaun and I live. He was doing some work for one of  
22 our neighbors cutting down trees. He lost his life as a  
23 result of a high tension wire, and it was not a 138 kV  
24 line.

25 The only other question I would have of Ms. Sestak

1 is referring back to the incident when Barb Zaun was  
2 collecting signatures. Unless this man has lost his mind,  
3 he seemed very adamant regarding the promise of Duquesne  
4 Light to landscape his side yard. He even stated to Ms.  
5 Zaun that he had hired an attorney to negotiate this  
6 transaction.

7 MS. SESTAK: Ma'am, could I ask you, were you  
8 present when he spoke to Ms. Zaun?

9 THE WITNESS: No, I was not.

10 MS. SESTAK: Thank you.

11 THE WITNESS: But, I don't think that would be very  
12 difficult for you or Duquesne Light to research as to how  
13 that statement came about or to question the attorney who  
14 he supposedly has representing him in this transaction.

15 MS. SESTAK: It's very possible that there is some  
16 other matter going on between Duquesne Light and this  
17 gentleman other than this particular transmission line.  
18 There are many reasons that Duquesne Light might offer to  
19 landscape property, including if they -- for example, if a  
20 Duquesne Light truck had caused damage or any other matter.

21 THE WITNESS: There was no mention of any damage.

22 JUDGE NENE: I don't think we need to pursue that.

23 THE WITNESS: Surely, I just find that as -- it  
24 just struck me as quite odd. Once again, thank you for  
25 indulging me.

1 JUDGE NENE: Thank you.

2 (Witness excused.)

3 MR. WATKINS: Your Honor.

4 JUDGE NENE: Yes, Mr. Watkins.

5 MR. WATKINS: I had forgotten one piece of  
6 information that came in the mail today, so it wasn't part  
7 of my initial...

8 JUDGE NENE: I would appreciate if you would give  
9 the rest of the people and opportunity to speak. If you  
10 want to stay for the end...

11 MR. WATKINS: That's fine. I would to speak about  
12 this for the record.

13 JUDGE NENE: Okay. James Moorehead, and you are  
14 Cindy?

15 MS. MOOREHEAD: Yes.

16 JUDGE NENE: I can't read the last name.

17 MS. MOOREHEAD: That's right.

18 JUDGE NENE: We have to take one at a time.

19 MS. MOOREHEAD: Should I sit down?

20 JUDGE NENE: No, you can stay there.

21 MR. MOOREHEAD: You can offer support.

22 JUDGE NENE: That's fine.

23 Whereupon,

24 JAMES MOOREHEAD

25 having previously been duly sworn, testified as follows:

## DIRECT TESTIMONY

1  
2 JUDGE NENE: Go ahead, sir.

3 THE WITNESS: I'm Jim Moorehead, M-o-o-r-e-h-e-a-d.

4 We live at 1650 Pin Oak Drive, which is in the Pine Run  
5 plan and our house is right along Thompson Run Road. We  
6 are the first house in the plan directly across from the  
7 Janoskos who have file a formal complaint.

8 Our concern really is, in addition to the property  
9 value, we have two small children and our home is  
10 approximately 50 feet from an existing line. We certainly  
11 have all due respect for Duquesne Light and their desire,  
12 and probably the most economical route is this route  
13 because of the existing line.

14 We certainly have no bias towards Duquesne Light.  
15 My father worked for Duquesne Light for 44 years. He  
16 passed several years ago, but raised three children on his  
17 income, so certainly there's no bias to Duquesne Light and  
18 I'm appreciative of the income that was provided to him  
19 during that period.

20 The concern, again, is really based up the fact that  
21 we have small children and the affect on our property  
22 value. This project has been going on for a long time.  
23 However, we've only become aware of it probably within the  
24 last six months.

25 So, we were -- we have just become active in the

1 last month. We were notified about it and then we started  
2 hearing -- we talked to the Janoskos who filed file the  
3 complaint and informed us of it. Certainly our neighbors,  
4 and as you looked at route C and they talked about the  
5 houses that are directly along Thompson Run, there are many  
6 more houses on Streamside and so forth, there's a plan...

7 JUDGE NENE: You don't mean route C, do you?

8 THE WITNESS: I mean Exhibit C. If you look at  
9 Exhibit C, we are on Pin Oak Drive. We are the first house  
10 on the left. As you come off of Thompson Run, we are the  
11 first house on the left.

12 This map is actually pretty good, and I will go  
13 right to this point because if you look at Exhibit C and  
14 you are looking at Pin Oak, our house is...

15 JUDGE NENE: You have the red car in the driveway.

16 THE WITNESS: The red car in the driveway. What's  
17 interesting when we talk about safety and the number of  
18 residents that are here, you can actually see a row of pine  
19 trees that dots the line along Thompson Run. You can see  
20 also right to the right of the last pine tree closest to  
21 Pin Oak, you can actually see the power line there.

22 What I wanted to point out, and I am glad this  
23 picture is here, is that there used to be two rows of pine  
24 trees there. There is only one now. The reason is because  
25 a car came through at 10:00 or 11:00 one evening southbound

1 on Thompson Run, went in between the power line and our  
2 house and took out a second -- there was a second line.  
3 These pine trees were planted maybe six feet apart in a  
4 parallel row, parallel to Thompson Run. It took out the  
5 whole row of pine trees.

6           These pine trees were ten foot tall and there was  
7 eight of them. The last one was 20 foot tall. It sheared  
8 them off at the ground. My point of mentioning that is  
9 simply that again he came inside the power line that was  
10 butted up against Thompson Run. It just missed that power  
11 line.

12           Again, safety is definitely a concern on Thompson  
13 Run with that power line. God forbid, if that would have  
14 hit that power line, what could have happened. Not that it  
15 couldn't happen wherever they are going to reroute, or  
16 could reroute this power line, but there are a number of  
17 accidents along this road. So, putting that high of  
18 voltage along that road is a concern.

19           One of the -- again because we didn't have much  
20 notice, we have been trying to catch up and get as much  
21 information as we could, I went on the website and I see  
22 these stats and I see route A, B, C, D, E and it took a  
23 while to find which routes are which and how they come with  
24 these numbers.

25           I'm still not sure, but I think I do, know that it

1 talks about the houses within 100 feet of the center line.  
2 Route E, which is the current route, it shows a number of  
3 116. Is that 116 houses that are impacted by this?

4 JUDGE NENE: I don't know. Ms. Sestak, do you know  
5 what he is referring to?

6 THE WITNESS: I'm referring to table 3-1-A.

7 MS. SESTAK: Mr. Cass is saying yes, that's what it  
8 means.

9 MR. CASS: That there are 116 houses within 100 feet  
10 up the proposed line.

11 THE WITNESS: Okay, 116 houses. That's within a  
12 hundred feet of the center line, so does that mean -- if  
13 that pole is on my property, does that mean 50 foot on  
14 either side is your hundred foot?

15 MR. CASS: Fifty foot on either side of the pole,  
16 is that...

17 JUDGE NENE: Just for the record, I want the record  
18 to reflect who is speaking.

19 MR. CASS: Mr. Cass.

20 JUDGE NENE: Wait a minute. I don't know who you  
21 are.

22 MR. CASS: Paul Cass, C-a-s-s.

23 JUDGE NENE: Okay.

24 MR. CASS: I cannot answer that specifically  
25 because I don't remember. I have to read the language.

1 THE WITNESS: The reason I asked is because that  
2 number seems awfully low, it really did. If you know this  
3 route and you travel this route, that number seems awfully  
4 low. So, it's not a hundred foot in either direction?

5 MR. CASS: That is correct. I have the addendum  
6 with me. It's a hundred feet on either side of the right-  
7 of-way. That would be a total width of 200 feet.

8 THE WITNESS: There's 116 home or whatever that  
9 number was; you came up with 116 homes impacted by this?

10 MR. CASS: This number was a reflection of GAI's  
11 calculations.

12 THE WITNESS: I just believe that that number is  
13 low, and that's one thing, but the second thing is that  
14 when you put these poles up in place, and if you look at  
15 Exhibit C, Bennington Woods, and you don't really see  
16 Bennington Woods. I don't know if anyone here is from  
17 Bennington Woods, but the kind of sit up high and they have  
18 a gorgeous view out over all of our houses into the valley  
19 and up to McIntyre Square, a lot of foliage.

20 I'm sure they weren't notified of this. When you  
21 stick a pole another 25 foot up, I'm sure it's going to  
22 come even further into their view. When we talk about  
23 nature and conserving nature and so forth and views within  
24 North Park and everything, I'm sure the weren't notified  
25 and I'm sure they are going to impacted because I'm sure

1 they weren't expecting this kind of pole to be in their  
2 line of sight. I just wanted to mention that.

3 Again, I haven't had a lot of time to study the  
4 routes, but it would appear to me that, without seeing the  
5 economics -- I don't know, has any economics been brought  
6 forth at this point as to the economics of the cost of  
7 doing it on route A versus B versus C versus D?

8 JUDGE NENE: No.

9 THE WITNESS: There has not?

10 JUDGE NENE: No.

11 THE WITNESS: Okay, so we know 116 houses are  
12 impacted and I know people have alluded to the economics  
13 here, but since we don't know the costs, we can't  
14 adequately discern whether -- we can run some numbers. A  
15 hundred homes, \$200,000 value average, \$20 million  
16 aggregate value of these homes.

17 I don't think that anyone would argue that these  
18 poles are increase the value of our homes, would you? Will  
19 these increase the value of our homes?

20 MS. SESTAK: I'm not a real estate expert. I don't  
21 know.

22 THE WITNESS: Okay. I was just curious. I wasn't  
23 sure, but I don't think they are going to increase it, so I  
24 would have to say they are going impact them somewhere from  
25 one to ten percent. If you do the math, anywhere from

1 \$400,000 to \$4 million would be the impacted residents,  
2 which again I believe the number of residents impacted here  
3 is low, or the number that they have some up with is low.

4 Without seeing the economics of route A versus B  
5 versus C, we can't make that determination, but it would  
6 seem to me that the burden is being shifted away from  
7 Duquesne Light and onto the homeowner.

8 These poles are pretty obscene looking. They are  
9 industrial looking poles. We believe -- again without  
10 looking at the alternate routes, my personal opinion is  
11 that they belong on Route 8.

12 Route 8, I guess their one argument that I've heard  
13 against Route 8 is the impact on the businesses, the  
14 disruption for installation of the poles. Route 8 is  
15 protected by guard rails, these poles will be protected by  
16 guard rails in the event of an accident like I just  
17 described. Along our house, we have no guard rails

18 They are industrial looking poles. They are quite  
19 obscene looking, in my opinion, and I think they should be  
20 on that Route 8 or on the railroad. I think that makes the  
21 most sense.

22 They are shifting the burden away from themselves  
23 and on to the consumer, and I just don't think that that's  
24 been fully considered and certainly we don't have the  
25 information to gauge that.

FORM 2

1           We bought our house eight years ago, approximately  
 2 eight years ago. Janoskos and I have talked. We will be  
 3 moving if these go in, possibly out of McCandless Township.  
 4 I hope not because we like McCandless Township, but we will  
 5 be moving. It will impact us. It impacts a lot of people.

6           With all due respect, I think you would agree that  
 7 these are not going to increase value, they will decrease  
 8 value. You wouldn't want one in your yard. It makes all  
 9 the sense in the world to put them along Route 8 or along  
 10 the railroad. That's all I have, sir.

11           JUDGE NENE: Thank you.

(Witness excused.)

13 Whereupon,

14                                   CINDY MOOREHEAD

15 having previously been duly sworn, testified as follows:

16                                   DIRECT TESTIMONY

17           JUDGE NENE: Mrs. Moorehead, state your name for  
 18 the record.

19           THE WITNESS: My name is Cindy Moorehead, and I  
 20 live at 1650 Pin Oak Drive.

21           I'm really just speaking as a mom. I didn't really  
 22 hear anyone talk about this, but I heard it mentioned about  
 23 traffic jams. If this were to go along Route 8, it would  
 24 affect the traffic. I don't know if anyone has driven on  
 25 Thompson Run when they were trying to patch potholes or if

1 Duquesne Light was trying to fix a pole. It makes the  
2 traffic horrible on that road. It's a two-lane road. When  
3 they paved it several years ago, it was horrendous.

4 My kids have to get on a school bus at 8:30 in the  
5 morning. They don't get home until 4:00. I can't even  
6 imagine what the delays are going to cause, and that  
7 doesn't just affect Peebles Elementary School. It affects  
8 a lot of schools in the North Hills School District and a  
9 lot of private schools as well.

10 I know that's not going to be a long-term thing, but  
11 it's going to affect them for probably a good part of a  
12 year. I don't know what the school district is going to  
13 have to do to rearrange their bus routes and stuff for the  
14 kids.

15 The other thing Jim had mentioned was just about the  
16 -- there's not just cars on that road. There's big trucks  
17 and buses that barrel down that road at 4:00 and 5:00 in  
18 the day during rush-hour. If one of those trucks on a  
19 rainy or a snowy day would hit that telephone pole, you  
20 know -- it's bad enough now with the line that's on there.  
21 I can't even imagine if, my youngest daughter does not go  
22 to school yet, she were out in my back yard and something  
23 like that happened.

24 That's all I wanted to say.

25 JUDGE NENE: Thank you.

1 MR. MOOREHEAD: And they do wait for the bus. The  
2 bus is right underneath those power lines.

3 JUDGE NENE: Thank you.

4 THE WITNESS: Thank you.

5 (Witness excused.)

6 JUDGE NENE: Gene Maire.

7 Whereupon,

8 GENE MAIRE

9 having previously been duly sworn, testified as follows:

10 DIRECT TESTIMONY

11 THE WITNESS: My name is Gene Maire, M-a-i-r-e. I  
12 live at 769 Thompson Run Road directly across from Amity  
13 Road.

14 I don't want to go into the EMFs and everything  
15 else. To me, that's no different, Duquesne Light saying  
16 they don't have the studies or the studies aren't complete,  
17 than the cigarette companies saying cigarettes didn't cause  
18 lung cancer. We all know it does. There's no need to go  
19 into that anymore.

20 I wanted to give you a little history of how long I  
21 have lived there. My family bought the house in 1947. I  
22 own the house now, one of seven children that grew up  
23 there. That area was the classic picket fence area in the  
24 1940s and 1950s.

25 Since then it has totally declined. They widened

1 the road, they put in all these massive telephone poles.  
2 My last count was a couple weeks ago, and I think it was  
3 either 13 or 15 wires hanging off those poles. Only three  
4 of them are phone company and cable company. The rest  
5 belong to Duquesne Light.

6           These poles are all literally bending or falling out  
7 of the ground. If you ride up and down Thompson Run and  
8 through some of these plans where these people live and  
9 look at the poles, some of them are that (witness  
10 demonstrating).

11           About a year ago I was at the Citco station at  
12 Peebles and Duncan Avenues. I was getting gas and a  
13 Duquesne Light truck was just setting up to do some work on  
14 the power line there, and I asked him if he was there to  
15 replace those poles, if they were getting ready to replace  
16 those poles. These poles are literally like that (witness  
17 indicating) on each side of the road.

18           He looked at me and he said, we don't -- Duquesne  
19 Light doesn't have a budget for repair. I said, what do  
20 you mean there's no budget for repair, and he sat there and  
21 he said, they don't repair the poles. I asked, well, what  
22 do they do with the poles? He explained to me that they  
23 allow them to fall over and the insurance company will pay  
24 to replace the poles and fix the damage that they cause.

25           I looked at him, and this guy was totally serious.

1 I said that I can't believe that they would allow that.  
2 But, if you ride along these roads and just look up at the  
3 poles -- most people look right in front of them, they  
4 don't look up. Look at all the poles along these roads.  
5 They are literally coming out of the ground. They don't  
6 even put the tie wires on them anymore trying to support  
7 them.

8 They run all the power lines on one side of the  
9 pole. They were originally supposed to run them on both  
10 sides of the poles to balance the weight out, but they gave  
11 up that because somebody has to walk on the other side of  
12 the pole and hand the wire around the back side of the  
13 pole. They can't it right off the reel.

14 So now all the wires are on the same side, which is  
15 causing more of a problem, the same side of the pole that  
16 all the transformers are hanging off of. Just today, five  
17 transformers in my neighborhood went out.

18 Now, Duquesne Light fixed the problem very fast. We  
19 were only without electric for five and a half hours, but  
20 five transformers on our road between my house and the  
21 substation blew today. I don't know what's in those  
22 transformers, but that can't be safe if you are underneath  
23 one of those things and the blow on you.

24 Other problems, other than the poles themselves, is  
25 that this road is not so much a high-speed road, but it

1 sits at -- between the substation and the other end of  
2 Thompson Run, there are two bars, one on each end, and  
3 people get drunk and they come down the road. They fly  
4 down the road, they are careless, they run off the side of  
5 the road.

6 In the last week alone, there's been two accidents  
7 in front of our house. One of them went through our picket  
8 fence in the front of our house. It knocked out our fence  
9 and our mailbox and pushed it all into our driveway. He  
10 barely escaped hitting the first pole, and he stopped in  
11 time before he hit the second telephone pole.

12 To add extra height to poles that can't even stay in  
13 the ground by themselves, and if a car hits them, they  
14 definitely come out of the ground, or if a tree falls on  
15 them. That reminds me of the old saying, the bigger they  
16 are, the harder they fall. You know, you put more weight  
17 up there and you put more height, they are going to fall a  
18 lot easier, and you can't even control the ones you have  
19 now.

20 We are in the lowest part of the valley. Where our  
21 house, Dean's house and Jeanne's house is, everybody that  
22 has a mortgage has to have flood insurance out there. The  
23 valley is so bad that the ground is saturated pretty much a  
24 hundred percent of the year. You mow your grass in the  
25 middle of summer is bone dry, and your lawn mower sinks

1 into the ground. That's why the telephone poles won't stay  
2 up in that area.

3 They have had to knock down trees right up by the  
4 substation. They knocked down a whole hillside of trees  
5 because the trees kept pulling out of the ground and  
6 falling on their lines, so they just wiped out all the  
7 trees on the whole hillside. That looks real good now.

8 The property values, myself and my family have sunk  
9 thousands and thousands of dollars into our property and  
10 our house trying to maintain it an upgrade it so that we  
11 could sell it at a decent price.

12 We have a creek dead center in middle of our  
13 property which is killing our property value. The flood  
14 insurance is killing it, and now we have to put up with  
15 taller telephone poles and high transmission lines in front  
16 of the house. Anybody that says that is not going to  
17 affect the property value is just an idiot. I'm sorry.

18 The traffic accidents are unbelievable. We have  
19 been up to this building and talked to the commissioners  
20 and police and that trying to get them to put in stop signs  
21 at Amity or red lights or something to slow these people  
22 down.

23 They don't pay attention. There's always people  
24 stopped right in front of our house trying to turn on to  
25 Amity, and these people come down and ram right in to the

1 back of them or fly into our front yard trying to avoid  
2 them.

3 This is not a good route. Thompson Run should have  
4 never been considered for this, other than to save you guys  
5 money, that's the only thing I can come up with.

6 I've seen the same commercials they have on TV, and  
7 I'm wonder who you are doing the commercials for because we  
8 don't have a choice in electric companies. So, why are you  
9 spending all this money saying you upgrading your equipment  
10 and that when you -- you have things up against the PUC  
11 right now that you want rate increases. So, not only are  
12 we going to lose property values, you're going to jack up  
13 our rates on us for putting these lines in and all this new  
14 equipment.

15 These lines may not be going out to Cranberry and  
16 that where they got that amazing boom out there, but  
17 they're going to housing plans that have six, eight, ten  
18 bedrooms in them. These people have to air condition them,  
19 they have to heat them and they have to light them.

20 I was born in the age where my parents us, all of  
21 us, to turn the lights off when you were done in a room,  
22 don't run the air conditioner too long or anything like  
23 that. These people have to heat all these rooms, cool them  
24 all summer long, and I don't think we should be responsible  
25 and lose our property value to people that just totally

1 waste energy.

2 I didn't get to see all these people here from  
3 Duquesne Light and the representatives. Can I ask them a  
4 question, is that permissible?

5 JUDGE NENE: It would be better if you talk to them  
6 after the hearing. It's 9:15 now and if you have a  
7 personal question, you can ask...

8 THE WITNESS: No, it's not a personal question. I  
9 would just like to know how many of them have these power  
10 lines right in front of their house, and if they would move  
11 into an area that had these power lines in front of those  
12 houses, if they would even consider buying it?

13 JUDGE NENE: We have your opinion.

14 THE WITNESS: I would never buy a house with wires  
15 like that going over the house. Who would? I mean, you  
16 would have to be a fool to buy a house that has that type  
17 of electric and those poles.

18 Right across the street from me, Duquesne Light came  
19 in and put a taller pole on the corner of Amity and  
20 Thompson. That was about a year ago. They left the old  
21 pole. It's still there. They got a short pole and long  
22 pole. There's nothing on that pole. It's been in this  
23 guy's driveway, on the edge of his driveway, for a year.  
24 They haven't come and removed that pole yet.

25 I'm wondering how many of these old poles are going

1 to stay standing for years before they get around to  
2 pulling them back out of the ground. Are they just going  
3 to let them fall?

4 That's about all I had. If anybody thinks this  
5 isn't going to hurt our property values, deter people from  
6 buying property, especially in a flood zoned area with  
7 saturated earth where they can't keep the poles up, I'd  
8 like to meet them because they got to be a fool. Thank  
9 you.

10 JUDGE NENE: Thank you, Mr. Maire.

11 (Witness excused.)

12 Darlene Loebig.

13 Whereupon,

14 DARLENE LOEBIG

15 having previously been duly sworn, testified as follows:

16 DIRECT TESTIMONY

17 THE WITNESS: I am Darlene Loebig, L-o-e-b-i-g. I  
18 live at 671 Thompson Run Road.

19 I'm not going to reiterate what everyone else said  
20 because I can hardly be as eloquent and have not done the  
21 research that everyone else has done. I thank you all for  
22 the research and for what you have all said.

23 I would just like to say that I am very concerned  
24 for the health and safety of myself, my family and my  
25 neighbors. I'm concerned for my neighbor's livelihood, her

FORM 2

1 daycare center. I'm concerned with my neighbor's young  
2 children who are still developing. I'm concerned for the  
3 safety of the Berkley Hills Fire Department, who would be  
4 servicing our are should there be a fire, and who I believe  
5 would be possibly afraid to fight a fire in our area.

6 I think it's highly immoral to jeopardize the health  
7 and well being of a group, no matter how large, even if it  
8 is only 116 houses, for the business profit or the well  
9 being of another. Thank you.

10 JUDGE NENE: Thank you, Ms. Loebig.

11 (Witness excused.)

12 I see on another sheet, there is a Joseph Loebig.

13 Whereupon,

14 JOSEPH LOEBIG

15 having previously been duly sworn, testified as follows:

16 DIRECT TESTIMONY

17 THE WITNESS: My name is Joe Loebig. I live at 671  
18 Thompson Run Road. L-o-e-b-i-g. I wasn't going to speak,  
19 but I learned a lot from this meeting and I feel like I  
20 have to speak now.

21 About several months back, I received a letter from  
22 Duquesne Light, which I thought was from Duquesne Light. I  
23 guess it was from opposing people, a document of some sort.  
24 I just laid it down on my counter and that was the end of  
25 it.

FORM 2

1 Well, through some of the people here speaking  
2 tonight enlightening me a little bit, I actually picked  
3 this letter up and started to read it. I said, whoa, there  
4 is something -- some serious concerns here.

5 Now that I'm listening to everybody -- I don't have  
6 any notes. I have a Pirate hat. I'm sorry about that,  
7 too. I was at the game last night. It wasn't pretty.

8 Anyway, these people did their homework, and I feel  
9 for you, Judge, having to make a decision on this.

10 I, myself and my wife, we live at 671, like I was  
11 saying, and I'm thinking to myself that these power lines  
12 -- when I look out my front window, my head doesn't have to  
13 go up to see these where the birds land. It's straight  
14 ahead. I'm elevated at that height, or real close to it,  
15 on the top lines, your power, not your telephone lines.

16 Anyway, I'm looking at these things at approximately  
17 -- I hear these numbers of 50 feet. I believe I am under  
18 50 feet. I have a tape measure I always carry in my  
19 pocket. I'm a maintenance man and I got to have it. It's  
20 a 12-foot roll, and I don't think I need too many more of  
21 these to go to that pole from my front door. I'm actually,  
22 I think, under that 50 foot number.

23 Anyway, I thought I had better express my opinion  
24 here because now I'm going to start doing my homework a  
25 little bit. I guess it's a little short in time.

1 If there's another route, I would really -- out of  
2 the kindness of your heart, I think you should really look  
3 into that, Your Honor. I think it would definitely pay off  
4 with everyone's feelings and financial situations if we can  
5 solve this problem some other way. Thank you very much.

6 JUDGE NENE: Thank you, Mr. Loebig.

7 (Witness excused.)

8 I can't read the first name on the next person, but  
9 it looks like Sobolov at the end.

10 (No response.)

11 Silvia -- I can't read this either, F-u-n-o-v-i-t.

12 (No response.)

13 Bruce Krist. Just for the record, that's the last  
14 name I have here. If there's anybody else who wants to get  
15 on the list, I think there's still a sign-in sheet there.  
16 Whereupon,

17 BRUCE KRIST

18 having previously been duly sworn, testified as follows:

19 DIRECT TESTIMONY

20 JUDGE NENE: Mr. Krist, would you spell your name  
21 for the court reporter?

22 THE WITNESS: K-r-i-s-t.

23 JUDGE NENE: Thank you.

24 THE WITNESS: I don't have anything prepared  
25 either, but I think this has gone -- I'm on 3954 North.

1 Monet Court, so it's actually route E-1, which was the  
2 original line that was proposed.

3 I think some history is important because this all  
4 started over more than a year ago and I am still interested  
5 in it because they could always go back and choose that  
6 line, and they could choose any of the other lines, or I  
7 should say the Judge could choose that because that's how  
8 it was stated to us, that even though Duquesne Light asked  
9 for the E now, any of the lines could be chosen.

10 Whenever we first started to go over this at the  
11 McCandless meeting and the Hampton meeting, one of the  
12 things that really irritated us a lot as residents was the  
13 fact that Duquesne Light really seemed unwilling to talk to  
14 us or work with us on any of these issues. Things that we  
15 brought up, concerns that we had were basically either  
16 dismissed or ignored. Some answers would be given, but  
17 they were not in any kind of detail, weren't satisfactory,  
18 nor have they been up to this point.

19 Right now I guess some of the things that are still  
20 a problem, without going in to a lot of detail because I  
21 would like to save a lot of that stuff for the evidentiary  
22 hearings, are still a part of the original complaint that  
23 we have had.

24 Even though Duquesne Light conveniently amended the  
25 application right after we had the filing with over 200

1 signatures on the original application, it seems odd that  
2 they seemed to address issues, not ours directly, but  
3 seemed to make it -- the reason they were doing this  
4 amended application was for some other kind of a reason,  
5 and that's still not clear to us either, even in the  
6 explanations that have been given or the information that's  
7 available on their website.

8           Basically we sit out here scratching our heads  
9 trying to wonder who is it that's going to help, who is  
10 concerned about us because right now we don't see anyone in  
11 this room or who is on our side or is going to assist us in  
12 this process.

13           We made phone calls to other people. If you look  
14 around, nobody is here from any businesses, it's only  
15 residents, another example of how Route 8 would affect  
16 really nobody regularly. There's very few residents, if  
17 any on there. The ones that are there are going to be  
18 moving very shortly. There's all kinds of development in  
19 store for that whole area, the Route 8 corridor.

20           There's township meetings between Shaler, Hampton,  
21 Richland, all in that corridor. It's going to be new  
22 development. It's going to be all torn out, the old  
23 businesses. They have a who planning commission for that  
24 area. That's the best place to put right now before all t  
25 hat stuff happens.

1           The safety issues are really important, and I think  
2 a lot of the people have hit on that. I had explained that  
3 right on my street, that the back of my street is Ferguson,  
4 and there was an accident there just about two months ago.

5           You can't help but see lights when your inside your  
6 house, that there's something going on. So, we walked down  
7 to see what happened. A pole was literally cut in half  
8 about halfway up, which a car cannot get that high. It was  
9 either the stress of the line once the car hit it or truck  
10 hit it that caused it literally crack in half.

11           I've heard the people in this area that have said  
12 about people that have died hitting these poles. I think  
13 that person was fortunate enough because I never saw any  
14 kind of new report that they did die. But, I can guarantee  
15 you that more people will die with these bigger poles,  
16 heavier poles and poles that will meant to be in ground a  
17 lot deeper, that aren't meant to come out. They are not  
18 going to crack, they're not going to break, they're not  
19 going have any letting the stress go. The people inside  
20 are going to die.

21           That needs to be on the hands of the people that are  
22 in this room and other people that are responsible for  
23 things like that because the first thing that I am going to  
24 suggest to the people when that happens, is I'm going to  
25 suggest a lawsuit based on a lot of these things that are

1 coming up now because there are alternatives.

2           You have Route 8 which is curbed, a lot of guard  
3 rails. If they had to make curbs in these areas, it would  
4 be almost impossible because of how close the houses are.  
5 You would have to tear out people's front yards to make it  
6 safer.

7           Other things that I'd ask is, there is confusion, at  
8 least on my part, on how the evidentiary hearings would  
9 proceed and I will need still more assistance and direction  
10 on that. I ask that Jim Balik be allowed to speak at that  
11 hearing, also to cross examinations of people that Duquesne  
12 Light will put forward because he has a lot of the  
13 knowledge and has worked in our group and is named on the  
14 originally application that we filed, as are, like I said,  
15 more than 150 people, which for some reason, the list seems  
16 to have gotten skinnied down.

17           I can understand that in some respects, we don't  
18 want everybody to have to speak, but I do ask that Jim be  
19 allowed to speak be he is more of a -- expertise and can  
20 navigate some of the issues that are going to give some of  
21 us more problems.

22           I guess there's probably a lot of other things, but  
23 I do want to keep it short. I do ask that -- I'm not sure  
24 if this is possible, but a lot of the information that has  
25 been put forward has really come up on us rather quickly.

1 At times when we were ready in the fall for this process,  
2 it ended up getting changed on us and there really didn't  
3 seem to be a definite plan on how these things were going  
4 to go.

5 I have to say, based on my own time, I've had to  
6 take time off and some of it on short notice, too, which we  
7 were supposed to be required to be notified of some of  
8 these things more than a day in advance, and I was not  
9 notified that early with at least the pre-hearing.

10 I think we have been receptive to a lot of the  
11 things that have happened and followed the protocol, and I  
12 ask that we be given more time for this evidentiary hearing  
13 because I think, as a group, we need to sit down and go  
14 over some of these things and also see what kind -- in  
15 order to present more information to Duquesne Light because  
16 I think there's definitely some other things that we need  
17 to go over and present as a group in the most organized  
18 format.

19 Also, we haven't even seen any of the things from  
20 Duquesne Light yet, at least I haven't. That's only two  
21 weeks away, and I tell you what, I don't have any time  
22 between now and then to look at any of this stuff. I'm  
23 going to be working almost every day other than the 4th of  
24 July, which I don't intend to do any work that day. I can  
25 tell you that I have kids in other things right now and it

1 would be almost impossible to...

2 JUDGE NENE: Well, I can say that we scheduled  
3 these hearings back in April. The public inputs and the  
4 technical hearings, they were scheduled April 18th. We  
5 really can't change that now. They have been advertised in  
6 the paper.

7 THE WITNESS: Has any of the information be given  
8 from Duquesne Light's side, like who is going to be  
9 testifying? When were the things -- I just wanted the  
10 details of when those were supposed to be submitted, when  
11 we are going to get to see those and how long...

12 JUDGE NENE: June 20th, they were supposed to be...

13 THE WITNESS: When will we get to see that?

14 MS. SESTAK: Your Honor, a copy was mailed to Mr.  
15 Krist.

16 THE WITNESS: Was it?

17 MS. SESTAK: Yes. It's looks like this...

18 THE WITNESS: That book?

19 MS. SESTAK: Yes.

20 THE WITNESS: Okay, so that book is inclusive of  
21 everybody who is going to testify?

22 MS. SESTAK: That's Duquesne Light Company's  
23 witnesses and their exhibits that they intend to offer into  
24 evidence, and that was mailed to you well before...

25 THE WITNESS: Yeah, I did get that book, but

1 appeared more that it was a reference to Mr. Janosko  
2 directly than it was to the whole group. That's why...

3 JUDGE NENE: That is the proposed testimony that  
4 they intend to offer into evidence.

5 THE WITNESS: Well, that's...

6 JUDGE NENE: That's Duquesne Light's evidence that  
7 they...

8 THE WITNESS: That's all they are going to bring  
9 forward at the hearing?

10 MS. SESTAK: That's Duquesne Light Company's  
11 proposed direct testimony. If matters are raised but the  
12 other participants in their part of the case, Duquesne  
13 Light reserves the right to bring in rebuttal witnesses for  
14 those specific issues.

15 THE WITNESS: Well, then we would have the same  
16 right to do that, rebuttal witnesses?

17 JUDGE NENE: Yes.

18 THE WITNESS: Okay. Thanks.

19 JUDGE NENE: Thank you, Mr. Krist.

20 (Witness excused.)

21 Is there anyone else?

22 MS. BROWN: Yes.

23 JUDGE NENE: Daria Brown, that's you?

24 MS. BROWN: Yes.

25 JUDGE NENE: Thank you for bringing this up. Have

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1 you been sworn?

2 MS. BROWN: Yes.

3 Whereupon,

4 DARIA BROWN

5 having previously been duly sworn, testified as follows:

6 DIRECT TESTIMONY

7 JUDGE NENE: Your name is D-a-r-i-a?

8 THE WITNESS: Yes, Brown, B-r-o-w-n, 1635 Pin Oak  
9 Drive. Basically I just wanted to say I had some  
10 information a lot of people had been mentioning.

11 Line C would be -- there are 11 house within a  
12 hundred feet of the center line, whereas line E which they  
13 are proposing, has 116 houses. It has approximately ten  
14 times more houses that are within a hundred feet.

15 JUDGE NENE: Give me those numbers again for route  
16 C.

17 THE WITNESS: There are 11 house within a hundred  
18 feet of the center line, and for route E, there are 116.

19 JUDGE NENE: And how do you know that?

20 THE WITNESS: I have the addendum from Duquesne  
21 Light. It is the amended application of Duquesne Light.

22 JUDGE NENE: And those figures are in there?

23 THE WITNESS: Yes. Would you like to see them?

24 JUDGE NENE: No.

25 THE WITNESS: They are in table A-1. Also in table

FORM 2

1 A-1 for E, the proposed route, they have zero miles of  
2 linear distance in a densely populated area. You are  
3 seeing the area and they have zero miles. I feel we are  
4 pretty dense. They also have a linear distance in a  
5 residential area as zero.

6 I have two small children. I have a Master's Degree  
7 in mechanical engineering. I have see data out the wazoo.  
8 I know it can be skewed, I know it can say whatever you  
9 want it to say if you put the numbers the way you want.  
10 This data is very subjective. It looks scientific, but it  
11 doesn't fee scientific.

12 It is weighted such that Route E that goes right  
13 through people's front yards has very little impact on for  
14 the social or community. It says, "social or community  
15 impact." Route E has very little impact in the tally of  
16 these different routes, and that just doesn't make sense to  
17 me.

18 The only thing that makes sense to me is that this  
19 comes down to money. Looking at the data, this is no-  
20 brainer. The only thing that isn't in here is money, so  
21 this has to come down to money. That's the only thing that  
22 makes sense to me.

23 The thing is, they get to decide. It's there money,  
24 but it's our money too, it's our kids, our health. I would  
25 like to move, like the other people are saying, but I would

1 hate to try and sell a house to somebody and not tell them  
2 this. Once you do, how do you try and sell your house as  
3 an honest person. It's just not fair. That's all I have  
4 to say.

5 JUDGE NENE: Thank you, Ms. Brown.

6 (Witness excused.)

7 Eric Schroeder.

8 MR. SHROEDER: Your Honor, I wasn't sworn.

9 JUDGE NENE: Would you raise your hand, please?

10 Joanne Segal and Jim Balik, would you please stand, too?

11 Whereupon,

12 ALL PROSPECTIVE WITNESSES

13 having been duly sworn, testified as follows:

14 JUDGE NENE: Thank you all. Mr. Schroeder, you may  
15 begin.

16 Whereupon,

17 ERIC SCHROEDER

18 having previously been duly sworn, testified as follows:

19 DIRECT TESTIMONY

20 THE WITNESS: My name is Eric Schroeder, and that's  
21 S-c-h-r-o-e-d-e-r. I live 8281 Thompson Run Road.

22 The first thing I want to do is apologize to these  
23 people here. I haven't been able to get to any of these  
24 due to work conflicts, but I really feel I need to speak to  
25 one issue on this, and that's the safety issue.

FORM 2

1           It was mentioned before by one of the neighbors that  
2 a man died a couple years being electrocuted. I live in  
3 the house next door to where he was electrocuted. I  
4 watched him die.

5           It was a much lower power line and he burned very  
6 quickly simply by a branch crossing the wires and touching  
7 his leg. There was no way to save him.

8           I have a unique position, I think, on Thompson Run  
9 Road in that the window of my bedroom faces the  
10 intersection of Hazlett. I was there before the light was  
11 put up there, the traffic light was put there. I've been  
12 there since, and there has been no real change in the  
13 traffic patterns there.

14           Being a nurse anesthetist, I was a trauma nurse  
15 beforehand and I have trained military medics in trauma for  
16 years. Whenever I'm in my bedroom, about a half-dozen  
17 times I've personally heard the crunch at the intersection.  
18 I pick up my emergency kit, go up the intersection and  
19 treat the people that have been involved in the accidents  
20 that occur there regularly.

21           It's just people coming down off the hills and not  
22 paying attention to people coming through. The last two  
23 times were major impacts of large SUVs at that  
24 intersection.

25           As this lady had mentioned Mr. Soergel's property,

1 I've seen that dug up. He's had it repaired a number of  
2 times because of accidents. Directly across from his house  
3 and across from the pool is another power line. Up the  
4 road from that at about the entrance to the Synagog is a  
5 power pole that was sheared off a matter of months ago and  
6 it was replaced. I watched them replace it.

7 The pole that's sitting at the intersection, I  
8 expect to be sheared off at some point. I have taken care  
9 of people after they have sheared poles off and I have seen  
10 what a regular car can do to a pole.

11 If that pole goes up another 25 feet and gets the  
12 138 kV service on it, it's going to be easier to come down,  
13 and it will cross the road and it will land in the parking  
14 of the pool if it's sheared off in that direction. That  
15 would cause a maelstrom. I will probably hear that one  
16 too.

17 My family is grown. I will be leaving in the next  
18 several years. My plan was to sell my house to another  
19 family whose kids could enjoy growing up there because it's  
20 a very pleasant area to grow up in. There's a lot of  
21 wildlife there, which I'm sure will be scared away.  
22 There's a nice stream and plenty land. However, there's a  
23 pole on the corner of my property.

24 I fear for the large vehicles that travel down that  
25 road. I know that those poles will come down. I hope that

1 when it does come down at that corner, maybe I will still  
2 be there to provide care because it's going to be a mess.  
3 It really concerns me for the safety in that area. Thank  
4 you.

5 JUDGE NENE: Thank you, Mr. Schroeder.

6 (Witness excused.)

7 Joanne Segal.

8 Whereupon,

9 JOANNE SEGAL

10 having previously been duly sworn, testified as follows:

11 DIRECT TESTIMONY

12 THE WITNESS: It's Joanne Segal, S-e-g-a-l, and I  
13 live at 787 Thompson Run Road. I didn't plan on speaking,  
14 and I do want to thank everybody because I'm probably  
15 making a little bit of an excused for slacking off and not  
16 doing my home, but when we did get it in the mail, I was  
17 quite upset, probably went into a denial stage because  
18 sometimes -- as much as we like where we are at, sometimes  
19 I feel trapped.

20 We tried to sell our house eight years ago and it  
21 sat on the market for over a year. Each and every time,  
22 the reason was, they loved your house, they loved the back  
23 yard, but the road is like a highway.

24 Frequently -- our mailbox has been knocked out once.  
25 Our garbage cans have been replaced twice. People speed

1 down our road. We have a -- the existing pole is probably  
2 30 feet from our house. When the transformer blows,  
3 whatever it does, I don't know the technical terms, sparks  
4 fly out.

5 Like Gene Maire was saying, there's cables that are  
6 just hanging. They're not even attached into the ground.  
7 At first I thought they were live power lines when I first  
8 saw it. They are not even attached, right where we put our  
9 garbage cans. I don't know if the poles are free-standing.

10 I do not use the North Hills bus system because I  
11 am deathly afraid of my children taking the bus. I watch  
12 drivers ignore the stop signs on the bus. I ride them each  
13 way to McIntyre. It's not far, but they could easily get  
14 on a bus right in front of the house, but I don't trust the  
15 road.

16 Financially, I could take a loss. I cannot lose my  
17 children. I don't take chances with my children. I don't  
18 let them around secondhand smoke. My daughter is ten and  
19 still sits in a booster because I'm told that's the safe  
20 way to do it. She's so petite and tiny.

21 The only place we have ever really felt safe in our  
22 house on Thompson Run is in our house. Now I would be  
23 putting my children to bed in a bedroom that fronts these  
24 power lines, so now the danger has come into my home.

25 And we probably are stuck. We probably wouldn't be

1 able to sell the house, or if we did, we would have to sell  
2 it below what's it's worth. My husband is a little bit  
3 older father. He's 53. We are not looking to move and  
4 take on a new mortgage. He's looking to retire in the next  
5 ten years.

6 To me, it's just another way it would ruin our lives  
7 on Thompson Run Road, and I can't believe that they  
8 wouldn't take another route where it would affect basically  
9 nobody. Thank you.

10 JUDGE NENE: That you, Ms. Segal.

11 (Witness excused.)

12 Jim Balik. Mr. Balik, you testified last night.

13 MR. BALIK: Yes. I have two quick things that I  
14 didn't testify to, actually one, what I would consider a  
15 positive comment I would like to make. One is mildly  
16 negative, but these are related to the railroad and the  
17 Route 8.

18 JUDGE NENE: The hour is getting late and you have  
19 testified, but you may go ahead.

20 Whereupon,

21 JIM BALIK  
22 having previously been duly sworn, testified further  
23 as follows:

24 DIRECT TESTIMONY

25 THE WITNESS: Two quick things. On the Route 8

FORM 2

1 construction, Duquesne Light has made a comment of the  
2 difficulty of construction. First Energy up in Cranberry  
3 put 6.2 miles right through the heart of the business  
4 district of Cranberry. They also added 2.6 miles in the  
5 Wexford Flats, which is North Allegheny High School, Baierl  
6 Chevrolet area. If First Energy could have done it through  
7 the heart of Cranberry, I'm sure Duquesne Light could put  
8 it down 2.6 miles of Route 8.

9 The last comment I have, and this is regarding the  
10 railroad option, I made some contacts last year and I call  
11 this sort of a win-win. I alluded to this last night, but  
12 I talked to CSX. I talked to CSX last July. I tried to  
13 get back in touch with them, and they explained to me in  
14 detail the restraints they would put on a transmission line  
15 right-of-way and what -- it's possible to do, but CSX will  
16 not give Duquesne Light what Duquesne Light wants, number  
17 one.

18 Number two, as I mentioned to you yesterday, that  
19 railroad line was filed for abandonment five years ago.  
20 They have a short line. They have Allegheny Valley  
21 Railroad on it now running one train a day. I said to the  
22 woman at CSX, what happens if that goes under? She didn't  
23 have a comment. Well, they would file for abandonment  
24 again, she said, and perhaps someone else would come in and  
25 take it over.

1 But, there's this part of me, given the way the  
2 Pittsburgh economy is going, that railroad line will not --  
3 it will be Rails-to-Trails someday. When I talked to CSX  
4 last July -- I will give you the names of the people that I  
5 talked with, and at that time, Duquesne Light hadn't even  
6 talked with them, opened up a conversation.

7 Given the situation that it was up for abandonment  
8 before, it's not critical for CSX. Yes, they have a short  
9 line on it now. Perhaps Duquesne Light could negotiate  
10 something more amenable to Duquesne Light.

11 As I said, this is a north-south route right up to  
12 Butler County, to the most northern regions of your service  
13 area. It may mean some outlay of money, it may mean that  
14 you don't get the agreement you want now.

15 Of course, none of us can predict the future, but  
16 we've seen this over and over again with Montour railroad,  
17 the Rails-to-Trials and power companies taking advantage of  
18 those right-of-ways.

19 To me -- open a conversation with them, try to  
20 negotiate with them. I mean, this woman was giving me  
21 numbers over the phone in terms of what it cost to  
22 typically to "lease" a foot of their right-of-way. I'm  
23 sure that if she was giving me numbers blindly, never  
24 meeting me, me explaining I'm calling from Pittsburgh,  
25 surely if you get -- get your folks in there. See what you

1 can negotiate with them.

2 I call it a win-win because it's best for everybody.  
3 It's best for Duquesne Light. Yes, there's some money  
4 outlay initially, but in the future, I honestly don't  
5 believe -- I believe that's going to end up as Rails-to-  
6 Trails someday. Thank you, Your Honor.

7 JUDGE NENE: Thank you.

8 (Witness excused.)

9 Mr. Watkins, you had something else to say?

10 MR. WATKINS: Yes, thank you so much. I do  
11 appreciate it. I realize the hour is late, so I will make  
12 it brief.

13 Whereupon,

14 ROBERT WATKINS

15 having previously been duly sworn, testified further as  
16 follows:

17 DIRECT TESTIMONY

18 JUDGE NENE: You may proceed.

19 THE WITNESS: I was shocked when I arrived at the  
20 house today to be informed by -- to receive -- there's a  
21 certified letter that I needed to go and pick up, but --  
22 from Duquesne Light that had arrived today. The timing I  
23 guess is good that it was today versus a day later.

24 Duquesne Light had approached, at the recommendation  
25 of another resident on Shady Oak Circle, the residents to

FORM 2

1 come out and discuss potentially moving the line a little  
2 bit further away from our house.

3 I received the letter today which disturbs me on a  
4 few levels, and I'm sure Duquesne Light can probably  
5 provide a copy of the verbiage and what this letter was  
6 because it's pretty much a form letter.

7 Essentially, and this is what really bothers me, is  
8 they are imposing upon us that we need to make a  
9 determination by a certain date, July 24th, whether or not  
10 we accept the terms of the moving of this line further from  
11 our house. Depending on where your property line lies, it  
12 can be varying. I won't get into details of that.

13 I guess I'm just frustrated because things are  
14 moving quickly, at least in my mind, and then I feel that  
15 I'm almost being forced between taking, really, an option  
16 that I don't believe is a viable option and accepting at  
17 least maybe the line a little further away, and still  
18 ultimately maybe being forced to move.

19 Am I thereby, by this date and the lateness of this,  
20 then helping their -- helping them overcome what is really  
21 issue, which is the line shouldn't be here in the first  
22 place? I guess I feel like my rights are being limited on  
23 some level as well as my neighbors' who haven't been able  
24 to get this letter today. They weren't home, the ones that  
25 were here.

1 I've got to make a decision by July 24th. Then am I  
2 now -- essentially is that a passive or not a passive, a  
3 direct endorsement of this line by me saying -- versus me  
4 being able to say -- I don't get to pick the verbiage.  
5 They get to tell me the terms and conditions that fits  
6 them.

7 I don't get to be able to say, well, if this line  
8 gets approved, then I will accept this moving away from my  
9 house. It's more like, okay, you got by this date to tell  
10 us what is going on. I feel like -- I don't appreciate --  
11 I appreciate the fact that they appear to be trying to make  
12 an accommodation, which on one level makes me also question  
13 if they are so confident of the safety of these lines, why  
14 would you even bother because that's another additional  
15 expense. If it's safe, it's safe.

16 On one level I also feel it's a bit of an admonition  
17 that there is an issue here. I just don't like the fact  
18 that this is being -- I feel forced on this decision and  
19 I'm concerned how that may impact the proceedings going  
20 forward as to this undermining what I believe is the right  
21 option, which either Rails-to-Trails or the Route 8 option.  
22 I don't know what else to say.

23 JUDGE NENE: You might want to seek legal advice on  
24 that.

25 THE WITNESS: I guess we are going to have to.

1 Unfortunately we don't have, I appreciate your  
2 recommendation, the resources. I feel some of the undue  
3 burdens they may some of these other routes may have, I  
4 feel with my limited resources, it's an undue burden versus  
5 the thousands of shareholders they have to take on some of  
6 the burden, I think minimal burden, we asking.

7 Thank you. Again, I do apologize that I didn't  
8 share this earlier.

9 JUDGE NENE: Thank you.

10 (Witness excused.)

11 Is there anyone else?

12 MR. JACOBS: Yes.

13 JUDGE NENE: You may introduce yourself.

14 MR. JACOBS: Richard Jacobs, and I was sworn.

15 Whereupon,

16 RICHARD JACOBS

17 having previously been duly sworn, testified as follows:

18 DIRECT TESTIMONY

19 THE WITNESS: I am Richard Jacobs, J-a-c-o-b-s. I  
20 reside at 8110 Thompson Run Road.

21 I would like to thank Your Honor and the employees  
22 from Duquesne Light and everyone that has been here  
23 tonight. I wasn't going to say anything because everything  
24 that has been said, I couldn't add to it. I could just  
25 repeat it.

1           The one thing I have noticed, and I guess it was  
2 Daria that probably spurred me, if she is even still here,  
3 to say something, was that we look at the "study," and for  
4 those of us that look at and use professional studies in  
5 our careers, that's a very loose, loose word for what the  
6 consulting firm put together.

7           We look at the expert witness testimony and we look  
8 at Duquesne Light -- I had a lady say to me, and who it is  
9 really isn't relevant, but she said, how are we -- what are  
10 we going to do, how are we going to compete against  
11 Duquesne Light. I truly, not to get in to what I do, but  
12 what I do for a living, unfortunately the reality is, those  
13 with the resources usually come out on top.

14           As I sat here tonight and I watched you from the  
15 time when you first helped the older couple and you walked  
16 up and looked at the microphone to the way you have handled  
17 yourself the whole evening, you are going to the great  
18 equalizer.

19           Regardless of what goes on July 11th, 12th and 13th,  
20 I just hope that -- I mean, I know everyone in this room  
21 hopes that you hold Duquesne Light's feet to the fire, and  
22 you just make sure that they did it the right way, that  
23 they explored the options. Just in watching you this  
24 evening, I have no doubt that you are going to do that.

25           I think it was said best, a few people have said,

1 the quality of life. Regardless of our socioeconomic  
2 status, our academic levels, everyone in this room has put  
3 a lot of sweat and a lot of tears into their homes.

4 Just, Your Honor, please make sure that Duquesne  
5 Light does look at all the viable options. Thank you very  
6 much.

7 (Witness excused.)

8 JUDGE NENE: As if it wasn't hard enough. Before  
9 we go, I want to ask Ms. Sestak to prepare certain  
10 testimony for the scheduled July 11th hearing. That is the  
11 information that I really believe I am going to need to  
12 evaluate these routes, this application.

13 That is that I would like the estimated costs of  
14 routes, the estimated costs of construction and  
15 maintenance, the line along the proposed corridor and the  
16 amount of time factored into that cost. I would also like  
17 the estimated costs of constructing and maintain the line  
18 on the railroad, route C, and the same with the amount of  
19 time to construct it factored in, construction and  
20 maintenance on both.

21 I have missed the number of residents in each  
22 corridor. A witness pointed me in that direction tonight,  
23 but I would like that too.

24 MS. SESTAK: Yes, Your Honor.

25 JUDGE NENE: It's almost 10 o'clock and we have

1 developed a record here. You have presented very  
2 informative information. Your testimony was, the word was  
3 used twice, eloquent, and I use it again, eloquent and most  
4 informative. I thank you all for coming, and that will  
5 conclude this session tonight. Thank you.

6 (Whereupon, at 9:59 p.m., the hearing was adjourned.)  
7  
8  
9  
10

11 C E R T I F I C A T E

12 I hereby certify, as the stenographic  
13 reporter, that the foregoing proceedings were reported by  
14 me and thereafter reduced to typewriting by me or under my  
15 direction; and that this transcript is a true and accurate  
16 record to the best of my ability.  
17

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