

**WARREN H. FISHER, JR.**

20 Sweetwood Court  
Parsippany, NJ 07054

RECEIVED

DEC 04 2015

December 01, 2015

Irene K. Asbury, Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
P.O. Box 350  
Trenton, NJ 08625-0350

EO15030383

**Subject: JCP&L Montville-Whippany Reinforcement Project**

Dear Ms. Asbury:

I would like to state my strong objection to the currently assigned "Preferred Route" for the Montville – Whippany Reinforcement Project. I respectfully request that the BPU reject JCP&L's Petition and direct JCP&L to reconsider their intended plans and return to the previous "Preferred Route". Failure to do so will result in significant negative impacts to the community, environment and my property. I have been a resident at the above address for the past 40 years

I attended the JCP&L presentation held on November 10, 2014 at the Sheraton in Parsippany and listened to the presenters at the various stations around the room. I was disappointed to learn that JCP&L changed the previously labeled "Alternate Route" to be the new "Preferred Route". My strong objections to this change are based on the following.

1. **Restore The Route To The Previous "Preferred Route":** A "Preferred Route" was apparently established by JCP&L more than two years ago. The current routing was proposed as the "Alternate Route". JCP&L's letter of October 27, 2014 advised us for the first time that the "Alternate Route" is now the "Preferred Route". Apparently, something changed which I find strange. For a long time, JCP&L emphasized the overwhelming reasons why the previous route was preferred. And then, suddenly, the previous route is now the "Alternate Route".

**It is interesting to note that the people of the new "Preferred Route" were not invited to or included in any of the early discussions or meetings relating to the consideration of routes. Once the discussions and meetings resulted in a new "Preferred Route", then and only then were we notified. It appears that this omission on the part of JCP&L was designed to ensure that we who are now in the new "Preferred Route" would have minimal opportunity to defend our positions or to effectively object.**

*C. de Mont  
B. Romaine  
C. McIntosh  
Q. Moore  
Energy*

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2. **Property Values Will Be Negatively Affected:** The immediately proximity of the clearings, towers, and high-voltage lines can only have a negative impact on our neighborhood. JCP&L callously ignores this impact and offers nothing to improve the area. The Real Estate Property Analysis contained in Exhibit JC-9 of the Petition is insulting to all who are adjacent to the ROW. The ridiculous conclusion that there will be no impact on property values is total nonsense. The blight of towers and high-voltage power lines will be enough to turn away many prospective buyers and reduce selling prices. Further, the appraisers comments concerning electro-magnetic emissions (emf) and its effect on property and safety analysis should be dismissed since the appraiser is hardly an expert with respect to emf and its affects. It is also astonishing that the only substantive question asked during the deposition was the appraisers opinion of whether property values would be affected, for which the answer was no. This is to be expected since JCP&L was paying for the appraisal. Certainly, the appraiser should have been challenged regarding his findings instead of acceptance without due diligence. The appraisal does not include the pictures of even one of the affected residences on Sweetwood Court. This appraisal should be rejected in its entirety.
3. **Increase In EMF and Noise:** Petition Exhibit JC-10 discusses "prudent avoidance" and emf and noise impacts. Clearly, the best "prudent avoidance" is to not install the towers and power lines along the new "Preferred Route". Since there are no power lines in the area near my home, the emf levels can only increase. Exhibit JC-10 documents that there will be noise from the power lines. Neither Exhibit JC-10 nor JC-11 concludes that the emf resulting from the new power lines is not harmful. There is no conclusive scientific proof that emf is not harmful in some form, just opinions. Yet JCP&L wants to impose these negative effects on a new area when a nearby area (the previous "Preferred Route") already exists with existing power lines.
4. **Irreparable Damage To The Environmentally Sensitive Area:** The new "Preferred Route" will irreparably damage a significant area of the precious little remaining undeveloped and pristine open space in our area. This is hardly in the interest of anyone. I would certainly expect that the NJ Department of Environmental Protection would object to this route. Wildlife will surely be affected in my own backyard and throughout the affected area. There are visits every year by Blue Heron and White Egrets as well as deer, wild turkeys, foxes, coyotes, painted turtles, snapping turtles, and other species. I fully expect that we will not be seeing them anymore as JCP&L destroys their habitat. While JCP&L professes in the newspapers and at the November 10, 2014 presentation that they are environmentally sensitive, this just isn't the case. The previous "Preferred Route" would have little impact on the enviroment since the path for the route was already cleared at least 40 years ago for the existing towers. The small expansion for the new towers would not significantly expand the existing cleared area.
5. **Wetlands Will Be Reduced For Tower Footings:** The new towers will require firm footings for tower foundations. The area proposed to be cleared for the new "Preferred Route" is through wetlands and areas of otherwise soft surface. Clearly, excavations, fill, and likely pilings will be needed. This would occur in areas historically known to experience frequent and severe flooding.

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6. **Clearing Of Woodlands And Wetlands Will Increase Flooding:** In the immediate area, disastrous flooding has occurred, often more than once a year. As a result of flooding from Hurricane Irene, homes were damaged and destroyed to the extent that homes are now required to be lifted onto pilings. Over the years, Parsippany has spent a significant amount of money and effort to provide effective flood controls to alleviate known areas of flooding, specifically including the areas affected by the new "Preferred Route". Certainly, the fill required for the towers will have a negative impact and require mitigation. Mitigation efforts will require expansion of other areas to control the new runoff patterns. It makes no sense to be developing in areas such as this and make matters worse.
7. **Adjacent Areas Already Protected Under Green Acres Program:** The lot immediately adjacent to my lot and the JCP&L Right of Way (ROW) is protected by the Green Acres Program. Parsippany had the foresight in the early 1990's to recognize the importance of preserving this pristine area and prevent the furtherance of unreasonable development that would worsen the flooding situation in the area. JCP&L should not be permitted to clear more forest and wetlands that will surely cause more flooding.
8. **Large-Scale Clearing Of Pristine Wooded Open Space:** Petition Exhibit JC-7 discusses the environmental impact of the Project along the new "Preferred Route". Yet the previous "Preferred Route" would not have wholesale destruction of wetland and wooded areas since the clearings already exist. JCP&L is planning on large-scale clearing of pristine woodlands and wetlands for the project. Yet, a usable existing clearing for the project already exists and was previously identified as the "Preferred Route". It is quite unreasonable for JCP&L to plan on negatively impacting additional neighborhoods with new routing of towers and cables when a clear, obvious path exists now and has existed for at least the last 40 years.

JCP&L is be a responsible utility interested in the maintenance of good relations with communities, then why willingly and intentionally destroy more neighborhoods and wipe out more of the limited open space and natural habitats that remain in the area? JCP&L cannot justify that this new "Preferred Route" is anything but further environmental destruction of the area when a usable existing path was developed long ago and remains available today.

9. **More Clearing Than Needed Is Planned:** At the November 10, 2014 presentation, I was given inconsistent information regarding the plans. For example, I was told by one representative that the clearings would be 100 feet wide, by another they would be 120 feet wide, by another that they would be 170 feet wide.

Furthermore, I could not get a clear answer regarding the planned height of the towers. When I asked how tall the towers would be, I was told by one that the towers would be 110 feet tall, by another it would be 80 to 110 feet tall, and by another that it would be up to 150 feet tall. The attached letter that I received from JCP&L says the towers will "average approximately 100 to 130 feet in height. Taller structures will be required in some areas." Which is it? This should not be a difficult question to answer, but clearly JCP&L is avoiding telling me. And no one could say for sure where the towers would be located which is a clear and obvious concern to those affected.

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At this point, after years of planning, it seems odd that JCP&L cannot fully explain to us what might be occurring in our backyards.

10. **Negative Social, Economic and Environmental Impacts:** JCP&L advised me in a letter that "JCP&L selected a route that balances social, economic and environmental impacts. The Preferred Route still minimizes environmental impacts compared to other alternatives." Nothing can be further from the truth. A clear path already exists and was previously chosen by JCP&L as the "Preferred Route". The current "Preferred Route" requires extensive clearing of the precious little forested areas remaining, goes through areas that already experience extensive and devastating flooding, and will have tremendous impact on the existing wildlife. How can anyone justify that this minimizes environmental impacts?
11. **Unnecessary Clearing of Areas For Right Of Way:** The width of clearings will have a definite impact on the affected areas. The environmentalists told me that JCP&L will clear no more width than they need. However, I heard from other representatives that the clearings would range from 100 feet wide to 170 feet wide depending on the right of way owned. A JCP&L letter to me states that "The right-of-way (ROW) for this project will vary in width. The minimum ROW needed is 100 feet. JCP&L will seek up to 120 feet in new areas." Again, how is this environmentally friendly? Why destroy more width than necessary?

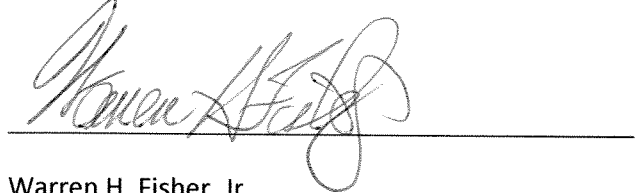
It was clear, though, from the drawings of the towers in the right-of-way examples that only 100 feet clearance is needed. Hence, it appears to me that JCP&L intends to simply clear cut as much as they possibly can because they can. Any development should limit the width of the clearing to only that needed for maintenance of the towers and lines regardless of whether the clearing is through neighborhoods or open space.
12. **Current "Preferred Route" Will Be Costlier to Ratepayers:** It is clearly apparent that the cost to JCP&L to develop the new "Preferred Route" must be significantly higher than to use the original "Preferred Route". For the previous "Preferred Route", less clearing is needed and the path is straighter. Why must the rate payers be subject to the increased costs for developing the new "Preferred Route"?
13. **Mosquito and Insect Infestation:** Absolutely no consideration for this impact is contained in Petition Exhibit JC-7. Every year, often more than once, the Morris County Mosquito Commission uses a helicopter to spray the immediate area from low altitude to control mosquito infestations. This area suffers greatly from mosquitos given the wetlands nature. The helicopter flights will surely be ended to avoid close proximity to the towers and live wires. As a result, the area will suffer greatly. Having lived at my current location for the last 40 years, I can state unequivocally that the impact will be so significant that use of our yards during the spring and summer will be greatly limited due to swarms of mosquitos. JCP&L has not addressed this issue. This is particularly important to families with children and the realistic concern for disease such as West Nile virus.

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14. **Previous "Preferred Route" Is Acceptable:** The previous "Preferred Route" has apparently been partly reconsidered due to existing natural gas lines. However, these natural gas lines have been there for at least the past 40 years with the existing power lines. In fact, only a few years ago, new towers that are bigger and support greater capacity were installed. Certainly, the BPU found no fault with this arrangement. Petition Exhibit JC-3 Section VI discusses that "gas transmission lines are commonly located adjacent to, or within, a utility's electric transmission ROW..." There should be no reason why additional JCP&L towers and power service should not be permitted in this area, especially since the precedent has already been established and clearings exist.
15. **JCP&L Wants To Ignore Local Laws:** The Petition Conclusion, para. iii specifically requests that the laws, ordinances, regulations and requirements of the affected local communities "have no application to the proposed transmission line, substation upgrades and appurtenant facilities". The BPU should not give JCP&L permission to determine its own laws and ignore existing community laws. The current residences and businesses all must comply with law and JCP&L should be no different. JCP&L must comply with New Jersey State laws and should also be required to comply with local laws.

Again, I respectfully request that the BPU reject JCP&L's Petition. JCP&L has a responsibility to limit the impact to areas when developing new power transmission routes and not bring degradation and devaluation to a new area just because it can.

Sincerely,

A handwritten signature in dark ink, appearing to read "Warren H. Fisher, Jr.", is written over a horizontal line.

Warren H. Fisher, Jr.

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