

8 Sept 2017

From: Oliver L. Canaday, 713 Camellia Ave, Panama City, FL., 32404

- (reference my little farm on/about 909 Parker Town Rd, Four Oaks, N.C. 27624)

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EXECUTIVE DIRECTOR
PUBLIC STAFF

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Sep 14 2017

→ To: Christopher J. Ayers, Executive Director Public Staff, 4326 Mail Service Center,
- Raleigh, N.C. 27699-4300

→ Encl: (1) **Extra Low Frequency Power Lines!**; (Property Devaluation Near power
- Lines (Beuler)), From The Wall Street Journal, Print Media Edition: Eastern
- edition, New York, Dec 8 1993

Subj: **Docket No. E-2, Sub 1150**, Property Devaluation Near Power Lines, (Different
- Property Owners Tell Their Story of Property Devaluation)

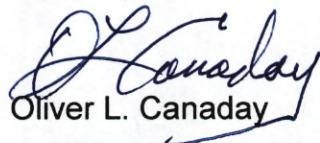
1.- Enclosure (1) is forwarded for record; -how electric power lines effect property values in different parts of USA and how utility companies deal with public consumers.

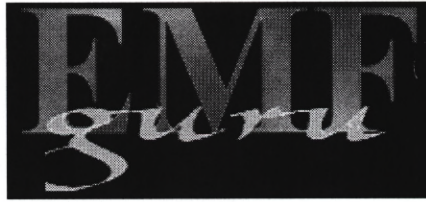
2.- There are some points made. Once a utility company has Right Of Way (ROW) it seems as they have the right for use at their discretion. This means utility companies can add/reduce lines, increase electric power on lines at will, bury lines in ROW, put another line in same ROW, (happens a lot in FL., GA., & S.C.; you have to look, it blends in unless you look up a bit).

3.- What I glean from the article that is useful; -Prior to a transmission line being run on your property, -Get it appraised by a licensed appraiser. -Later if issues develop about value of property due to transmission lines you have previous appraisal that provides "credible, tangible evidence"; before - after value of property, gives a jury something to compare. - Also, there is strength in numbers, "class action" by 20 property owners goes further than one individual.

4.- Pay attention to EMF research in Sweden by **Karolinska Institute** finding of leukemia rate among Swedish children living near power lines. If you want to expand knowledge on health issues, suggest you pull up **BioInitiative 2012**, get a big cup of coffee, it will take a while.

Sincerely,


Oliver L. Canaday



**Extra Low Frequency
Power Lines!**
Property Devaluation Near Power Lines (Beuler)

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Posted:
11 January 2000

----- Forwarded message -----

Date: Mon, 10 Jan 2000 17:50:31 -0000
From: John Bueler <buelnerds@earthlink.net>
To: Roy Beavers <rbeavers@llion.org>
Subject: Fw: houston appraiser and transmission lines

→ Mr. Beavers I found the article I was looking for. So many people quote this article but this is the first time I have actually read the article. Please make this available for all you readers if you think it will be of help to them. Thank you for your suggestions of how to find it....

The following article has been sent by a user at CALIFORNIA STATE UNIVERSITY via ProQuest, a Bell & Howell information service.

→ Power lines short-circuit sales, homeowners claim Wall Street Journal

From The *Wall Street Journal*
Print Media Edition: Eastern edition
New York
Dec 8, 1993

Authors: Freedman, Alix M

Pagination: PAGE B1

ISSN: 00999660

Subject Terms: Real estate
Litigation
Electromagnetism
Electric power

Abstract:

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Enc. 1/1

After two decades of debate over the safety of the electromagnetic field, or EMFs, produced by electric power lines, courts in California, Florida and New York are now recognizing lawsuits against power companies that bypass medical issues and focus on the economic impact of home buyers' fears. Copyright Dow Jones & Company Inc Dec 8, 1993

Full Text:

The legal battles over the purported hazards of high-voltage power lines have shifted from health to real estate.

The new breed of plaintiffs are people like Jean and Martin Covalt, owners of a spacious villa in San Clemente, Calif., with avocado orchards, saunas -- and a power line running through their backyard.

Soon after the Covalts bought the house in 1989, San Diego Gas & Electric Co. workers added eight more wires to the line and cranked up the current. The fall-out: Near the family swimming pool, the electromagnetic fields, or EMFs, produced by that current rose to about 10 times the level that some people deem safe. The EMF readings were also extremely high in the bedroom of the Covalts' two infants.

Last year, after an epidemiologist dispatched by SDG&E failed to allay their fears, the frantic couple put their house up for sale. It didn't draw a single offer, even after its price was cut in half to \$750,000. Convinced the house is unsellable, the Covalts have stopped making their \$6,000-a-month mortgage payments and are wondering when their bank will foreclose.

Just before Thanksgiving, the Covalts delivered a jolt of their own: they joined with 22 neighbors in a class-action lawsuit against SDG&E. "We sank every dime into this house because we thought we would live here for 20 years," Ms. Covalt says. "The utility has basically ruined our lives and destroyed us."

Significantly, the lawsuit doesn't allege that anyone's health has been damaged by proximity to the power lines. Instead, these plaintiffs in tony San Clemente -- along with an increasing number of angry homeowners nationwide -- are saying that they should be compensated because the value of their property has fallen due to a perceived health risk.

Not surprisingly, SDG&E officials take a different view. "This is a group of well-to-do homeowners who purchased their home at the peak of the California real-estate market. . . and appear to be looking for a deep pocket to mitigate their loss in wealth," says Greg Barnes, an SDG&E lawyer.

→ For two decades, scientific debate has raged: How dangerous are the EMFs that emanate from every wire through which a current runs? Although the risks are believed to be low, some scientists have found an association between childhood cancer and power lines and similar risks among occupationally exposed workers.

→ A year ago, researchers from Sweden's prestigious Karolinska Institute reported finding up to a fourfold higher leukemia rate among Swedish children living near power lines. A companion study released at the same time by the National Institute of Occupational Health, also in Sweden, showed that male workers exposed to approximately the same levels of EMF had three times the rate of a certain kind of leukemia.

→ Still, certain other studies of workers have found no unusual cancer levels and health problems among exposed workers. And, no one has figured out how EMFs may cause cancer and how much exposure might be perilous. The utility industry, which is now spending more than \$15 million a year to fund EMF studies, says the evidence is inconclusive.

Until now, plaintiffs charging that power lines caused their cancer have had scant success. But continuing scientific controversy and rising public awareness have produced plaintiffs like the Covalts. The biggest energizer: Courts in states including California, Florida and New York now allow lawsuits that bypass the medical issues to focus solely on the economic impact of home buyers' fears.

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Last month, in a landmark case brought against the Power Authority of the State of New York, the state's Court of Appeals ruled that landowners whose property is seized by utilities for new construction can seek damages when "cancerphobia" lowers the value of the rest of their property. The judge said that property owners must present "credible, tangible evidence" of that fear. Plaintiffs' lawyers contend the ruling also applies to homeowners whose land hasn't actually been seized by a utility, but who live near new or existing lines.

Although their claims are largely untested, plaintiffs' new liberty to skip the science has utilities braced for more suits and more payouts. "Property devaluation cases are going to be a major source of litigation against utilities," says Michael Withey, a Seattle lawyer who is leading the nascent EMF bar's crusade. "They are cheaper to bring than personal-injury cases because you don't have to conduct mini-trials on the science."

Utility officials insist that EMFs pose no threat either to health or real estate values, but some are jittery about the sheer numbers of potential litigants. To date, transmission lines, which are highly visible and carry power cross-country at high voltage, have grabbed the headlines. Still the less imposing distribution lines that run through America's neighborhoods are far more ubiquitous and closer to homes. And these too can generate high levels of EMF.

"The potential impact of these suits may be greater because it's a lot easier to find someone who merely lives near a power line than someone with substantial EMF exposure who has died of cancer," says Mark Warnquist, a lawyer who represents the utility industry.

In Pleasantville, N.Y., Howard Reiss blames a Consolidated Edison Co. power line 75 feet from his house for driving him from his intended retirement home. Fearful for his health, he put his house up for sale in April and stopped counting after 89 prospective buyers trooped through his house (first priced at \$400,000 and now at \$275,000) without a single offer.

In Guilford, Conn., Kevin Brunelle accuses Connecticut Light & Power Co. of wreaking havoc on his marriage and his dream home, a two-family house located in the shadows of the utility's substation. In 1991, after his street gained media notoriety for what residents characterized as an unusually high incidence of EMF-related cancer, his tenants moved out. And when one of his sons developed a tumor in his leg, his wife and children decamped, too. Unable to handle his mounting debts, Mr. Brunelle put his house, appraised at \$140,000 in 1986, on the market for \$118,000. Eventually, his bank foreclosed; the house was sold last month after being listed at \$69,900.

Derek Benham, a new homeowner in Oakland, Calif., says when a realtor recently tried to show him a house a stone's throw away from a transmission line, he and his wife "just turned around and split." David Bolton, a Houston appraiser, did a study several months ago showing that 100 properties bordering a transmission line sold for 13% to 30% less than 100 comparable properties away from the line, but in the same neighborhood.

The utility industry tells a different story. Kansas City Power & Light Co. is just the latest to release a study concluding that power lines have no impact on property prices. Utility officials argue that the economy, not fear of EMFs, is the prime culprit behind sluggish real-estate sales. And while many utilities are trying to reroute or reconfigure wiring on new lines to reduce EMF levels, they say the expense of rejiggering existing lines makes no sense since EMFs are an unproven hazard.

But some homeowners say such obduracy has made court their last resort.

At a town meeting with Con Edison Co. this past summer, Pleasantville residents entreated the utility to bury the line. But officials cited a \$10 million-per-mile figure, offering only to study the matter further. Now some irate residents have put out legal feelers. "They've pushed us to the point where we have no other alternatives," says Mr. Reiss. A Con Edison spokesman replies that the utility's concern is not the money but the absence of information about what levels of EMF may be unsafe.

Similarly, Dr. Mark McCartin, who brought the class action against SDG&E last November, says that he and his neighbors are fighting for the health of their kids and "would get out of their hair forever" if the utility would

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simply move its line to an unpopulated area. ←

But Mr. Barnes, SDG&E's lawyer, estimates that moving the three-mile line in question would cost a prohibitive \$1.8 million. The plaintiffs, he adds, turned down SDG&E's offer to reconfigure the line to cancel out some of the magnetic fields. That would have reduced EMF levels by up to 70% for a mere \$76,000. ←

It isn't clear if line-linked property claims will turn into the next asbestos litigation. Since EMFs are so omnipresent -- flowing from cellular phones, hairdryers and VDTs -- plaintiffs' lawyers suspect jurors will require land owners to offer powerful proof that EMFs truly were the cause of declining property values. ←

And things might prove tricky even for homeowners armed with reams of market data. Recently, for example, Dorothy English was forced to take a \$70,000 loss on her Feasterville, Pa., house, located just 100 feet from Philadelphia Electric Co.'s power line. Ms. English, who wants to sue the utility, claims the property registered dangerous levels of EMF. But Deborah Taylor, the new buyer, says the line never fazed her.

Why was the house such a bargain? "It didn't show very well because they had three dogs and 10 cats and the litter boxes on the wall-to-wall carpets could make you gag," Ms. Taylor says.

Credit: Staff Reporter of The Wall Street Journal

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