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In the letter dated April 5, 2012, sent to Clean Line from then Deputy Secretary of Energy, Daniel Poneman, one of the conditions set forth by Deputy Secretary Poneman in accepting Clean Line's section 1222 application was: "Clean Line will agree that eminent domain authority will be used only as a last resort after negotiations in good faith have concluded with all affected landowners".

The key phrase is "negotiations in good faith". It has been reported that Clean Line has already violated that condition set forth by Deputy Secretary Poneman. Clean Line land agents have reportedly engaged in deceptive or threatening tactics to trick or bully landowners into signing right of way easements. There can be little doubt that Clean Line's negotiating strategy will be even worse if the DOE gives Clean Line de facto federal eminent domain authority. I believe that Clean Line's "good faith negotiations" will amount to "Sign the easement agreement or we'll condemn your property". The end result will be to further inflame the emotions of a large group of landowners.

Please understand that what I am about to say is not a threat, it is a prediction. There are landowners who will not quietly surrender the sovereignty of their land to Clean Line or the DOE. In my opinion, there is a high probability that some landowners will use force to defend their property. Local, state, or federal law enforcement officers could find themselves in situations where they have to use deadly force. No one wants that.

By approving Clean Line's 1222 application, the DOE will voluntarily make itself hostage to Clean Line's bad business practices. Secretary Moniz, please give this 1222 application a great deal of sober deliberation. This is a decision that will have ramifications far beyond catering to political donors, business interests, and environmental groups.

Joel Dyer