

From: [Ron Hairston](#)
To: [PlainsandEastern](#)
Subject: Ethics in Partnerships
Date: Monday, July 13, 2015 9:04:37 PM
Attachments: [Ltr RJH to Sec Moniz 150415.pdf](#)

When reviewing posted comments that complain about deceptive practices engaged by Plains & Eastern Clean Line and their partners, I'm reminded of a letter I wrote on April 15, 2015, to Sec Moniz (copy attached). Please include the letter mentioned along with this email in my comments to the Part-2 Application.

There has been a long history of deceptive practices by Clean Line--methods that an agency such as DOE would dare not engage in. If you review copies of all newspaper advertisements regarding the project you will find ample evidence of deceit. The mode of operation is similar to those we learned about in history. For example: The Rockefeller and Morgan families rolled over and exploited everyone and everything that got in their way so that they could gain evermore wealth and power. The goal was to win at any cost no matter who was ruined in the process. The Morgan family, whose interests were in Edison's AC power and desiring a monopoly, blackmailed Westinghouse with threats of frivolous patent suits in order to kill competition using Telsa's DC current. The attitude by the powerful was "the end justifies the means".

Today, we see this kind of activity as an *"arbitrary seizure of one class of citizens for the service to the rest"* (James Madison). It appears that Clean Line is using the same approach. There are misleading ads and promises to local entities. Much of the data and the methodologies, that are supposed to backup conclusions found in the draft Environmental Impact Study, are not available for scrutiny. In a number of instances Clean continues to hold on to studies and reports that clearly have poor correlation to real socioeconomic factors and the region where the transmission line is to be routed. It's abundantly clear from comments made by property owners who are at risk, and by the resolutions of "no confidence" taken by state and local governments representing their interests, that Clean Line's actions have discredited the Applicant's trustworthiness and credibility beyond repair.

There is shamefully little transparency. The current process of review allows no cross examination that would facilitate a reasonable just outcome for property owners who are in effect screaming about the abundance of "manifest injustice" that falls on their shoulders. As a result, the true costs to property owners continues to be ignored. According to the recent (June 2015) ruling by the Supreme Court against the EPA, all costs and disadvantages must be determined. Otherwise, *"agency action is unlawful"*.

This leads us to ask: If federal agencies are bound to ethics that preclude the type of unethical behavior mentioned above, why would DOE permit its partner, Clean Line, to do so? Please review the attached letter and give thoughtful consideration to the issues and questions that are raised there in more detail. Property owners impacted as far as 1,000 ft, 2,000 ft, or more to either side of the proposed line deserve DOE's complete and honest assessment prior to any decision made regarding the Plains & Eastern Clean Line project. I believe this can only happen when DOE modifies its process in a way that allows thorough cross examination and appointment of "ad litem" representation for the property owner class.

Clean Line is in it for the money. Me and my neighbors are in it for our lives.

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April 15, 2015

The Honorable Ernest Moniz
United States Secretary of Energy
US Department of Energy
1000 Independence Avenue SW
Washington, DC 20585

Subject: A Failure in Leadership – Plains & Eastern Clean Line Project

Dear Secretary Moniz:

I'm writing to you to express, albeit imperfectly, how the actions and leadership of DOE (and by extension the federal government) will be viewed by the public should Clean Line Energy Partners (the Applicant) be granted approval of the Plains & Eastern Clean Line project (the Project).

One of the principles of leadership is that every leader gains the trust and confidence of those he serves through his actions. He is expected to be beyond moral and ethical reproach. Even when a leader's decisions are not popular, he cements his authority and right to lead by having the moral courage to do what is proper and just. Key to leadership is his taking responsibility for everything his subordinates (individual or organizational) do or fail to do.

Let me now put these leadership principles in the context of DOE and its cooperative efforts with the Applicant.

1. Unanimous Resolutions Demonstrate Loss of Public Trust: The response by local governments representing property owners impacted by the Project is quite revealing. Unanimous decisions by elected state, county, and other organizations who are concerned with the public good have repeatedly withheld approval for the Project. Why do you think this is? Do you think that the issues surrounding Section 1222 of the 2005 Energy Policy Act were the reason for all the fuss? No, there was much more. In every case, the Applicant has deliberately misled local government, organizations, and individuals with their claims of Project benefits and promises of fair and just treatment for those impacted by the Project.
 - a. Ads claiming economic prosperity and jobs were shamefully exaggerated.
 - b. Public testimonies by Clean Line Energy Partners principals (who have close ties to DOE) and their representatives were equally misleading.
 - c. Then, when one digs into the details of the Draft Environmental Impact Statement (dEIS), we find that the damage borne by those in the path of

the Project is far more egregious than claimed. The magnitude of corona noise and visual pollution is unprecedented. It reaches far beyond the easement, significantly impacting property owners whose property values are taken from them without just compensation.

- d. So what happened? The Applicant (and by extension DOE) lost the public trust. This is what made the decisions by state and local governments unanimous. This why hundreds of property owners representing a far greater number of their neighbors have written or telephoned their congressmen. This is why they have turned out so strongly against the Project during public hearings. This is why DOE is receiving an overwhelming number of negative comments regarding conclusions reached in the dEIS.
2. DOE Tainted by Association: On the surface, agencies of the federal government attempting to engage private individuals and corporations in order to advance infrastructure projects for the public good seems to be a reasonable approach. However, agencies such as DOE must ensure that its partners are above reproach in every way. To put it another way, the public will hold DOE ultimately responsible for everything Clean Line Energy Partners does or fails to do. How is DOE doing so far?
 - a. Do the demonstrated actions (paragraph 1a – 1d above) of Clean Line Energy Partners as they relate to the public and local governments reflect the integrity of DOE and the federal government? Have their actions been morally and ethically above reproach? Have the Applicant and its representatives been honest and forthright or have they skewed their information campaign for their own profit at the expense of an unprotected public?
 - b. Does the dEIS, administered by DOE in cooperation with the Clean Line Energy Partners, present a completely honest assessment of the impact the Project has on the lives and prosperity of those caught in its wake? Would you agree that the magnitude and scope of the Project with unprecedented corona noise and visual pollution causes substantial harm far beyond the right-of-way? Do you believe that all who suffer measurable loss should be justly compensated?
 - c. Is DOE already tainted by its association with an unethical partner? Will DOE have the moral courage to divorce itself from a partnership that significantly harms the public? Or, will DOE become inextricably complicit in actions of deceit that undermine public trust?

In conclusion, the fate of those who will suffer egregious harm should the Plains & Eastern Clean Line project be approved are in your hands. Keep in mind that should DOE fail to lead in a moral and ethical manner, that agency will, in the public's view,

lose its authority and right to lead. DOE's decisions in principled leadership will have lasting effects for decades to come. We trust that you will accept responsibility for present and future DOE partners, and maintain the high standards that inspire public trust and confidence.

Sincerely, and on behalf of my neighbors,

A handwritten signature in black ink that reads "Ron Hairston". The signature is fluid and cursive, with the first name "Ron" and last name "Hairston" clearly distinguishable.

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