

**BEFORE THE
NEW JERSEY BOARD OF PUBLIC UTILITIES**

**IN THE MATTER OF THE PETITION OF
JERSEY CENTRAL POWER & LIGHT COMPANY PURSUANT TO
N.J.S.A. 40:55D-19 FOR A DETERMINATION THAT THE
OCEANVIEW 230 KV TRANSMISSION PROJECT IS
REASONABLY NECESSARY FOR THE SERVICE, CONVENIENCE
OR WELFARE OF THE PUBLIC**

Direct Testimony

of

Tracey J. Janis

Re: REAL ESTATE/PROPERTY RIGHTS

1 **I. INTRODUCTION AND BACKGROUND**

2 **Q. Please state your name and business address.**

3 A. My name is Tracey Janis. My business address is 800 Cabin Hill Drive,
4 Greensburg, Pennsylvania 15601.

5 **Q. By whom are you employed and in what capacity?**

6 A. I am employed by FirstEnergy Service Company (“FirstEnergy”), as Manager,
7 Right-of-Way Services. As the Manager, my primary responsibility is the
8 oversight, guidance and leadership of the Right-of-Way Services group that
9 acquires the land rights (easement and fee) necessary for the construction and
10 maintenance of transmission facilities.

11 **Q. Please describe your professional experience and educational background.**

12 A. I graduated with honors from Marietta College in Marietta, Ohio in 1988 with a
13 Bachelor of Science in Biology with an emphasis in ecology and environmental
14 science. In December 2000, I graduated from Duquesne University in Pittsburgh,
15 Pennsylvania with a Master of Science in Environmental Science and
16 Management. I have been employed with FirstEnergy since 2011 when the
17 merger of FirstEnergy and Allegheny Energy was complete. Prior to the merger,
18 I was employed with Allegheny Energy Service Corporation since 1992 holding
19 various positions in Transmission Engineering and Construction and in Real
20 Estate.

21 My education, experience and qualifications are fully-set forth in
22 Appendix A to my testimony.

1 **Q. Have you previously testified in Board of Public Utilities (“Board” or “BPU”)**
2 **proceedings?**

3 A. No.

4 **Q. Have you testified in proceedings before other utility regulatory**
5 **commissions?**

6 A. Yes. I have provided testimony before the West Virginia Public Service
7 Commission, the Pennsylvania Public Utility Commission, Maryland Public
8 Service Commission, and Public Utilities Commission of Ohio.

9 **Q. Would you describe the purpose of your testimony?**

10 A. The purpose of my testimony is to describe any necessary property-related rights,
11 including additional rights-of-way (“ROW”), access and vegetation clearing rights,
12 which may be required for the construction, operation and maintenance of the
13 Oceanview 230 kV transmission line (“Project”).

14 **II. PROPERTY ISSUES**

15 **Q. When did JCP&L acquire the ROW on which the proposed project will be**
16 **built?**

17 A. JCP&L acquired the original ROW in the 1930s. The original ROW was acquired
18 in both easement and in fee simple. In the early to mid-1970’s, easements were
19 amended and revised, as needed to accommodate the upgrades to the existing
20 230 kV facilities that are present on a portion of the proposed route. These
21 upgrades consisted of modifications to existing structures, the addition of
22 structures, and a conductor upgrade.

23 **Q. Does JCP&L own the ROW in fee or by easement?**

1 A. It is a combination of fee and easement, with approximately 99% being owned by
2 easement.

3 **Q. Does JCP&L need to acquire any new ROW or property for the construction**
4 **of the project?**

5 A. JCP&L does not need to acquire new ROW or property to construct the Project.
6 However, JCP&L may need to acquire additional easement rights for vegetation
7 management. The Company may have to enter into temporary right-of-entry
8 agreements with private and/or public property owners for access points and
9 possibly laydown areas during the construction period of the Oceanview Project.
10 JCP&L will negotiate with and compensate these property owners for the
11 additional easement rights that may be needed for vegetation management and any
12 temporary right-of-entry agreements that may need to be entered into for
13 construction access and laydown rights.

14 **Q. How many existing easements does JCP&L need to amend in order to**
15 **construct the Project?**

16 A. JCP&L is currently reviewing its existing easements to determine whether any will
17 need to be amended for construction of the Project.

18 **Q. How many parcels and property owners are potentially involved in the areas**
19 **requiring additional rights for vegetation and/or access?**

20 A. Based on the preliminary design, there are approximately thirty-six parcels owned
21 by twenty-eight different landowners which may require additional rights for
22 vegetation management. The rights could require amendments to the existing
23 easements or acquisition of additional rights.

1 Access road selection has not been finalized and as such, the number of
2 parcels requiring temporary right-of-entry agreements has not been determined.
3 However, existing easement rights grant JCP&L ingress and egress to the
4 property. Therefore, the number of temporary right-of-entry agreements that
5 JCP&L may need are expected to be minimal.

6 **Q. How will JCP&L acquire the amendments or additional rights needed for this**
7 **project?**

8 A. JCP&L will work with the property owners to acquire the necessary rights,
9 including additional easements, access and vegetation management rights, for this
10 Project. JCP&L will also prepare property value opinions utilizing recent sales
11 data for the geographic area and is hopeful that it will be able to successfully
12 negotiate with the affected property owners. If JCP&L is unable to negotiate a
13 settlement with a particular property owner, JCP&L will seek approval to exercise
14 eminent domain rights pursuant to N.J.S.A 48:3-17.6 and 48:3-17.7.

15 **Q. What is the current schedule for negotiating with property owners for**
16 **additional easement rights or rights-of-entry?**

17 A. JCP&L anticipates commencing negotiations in Spring 2014 for this Project.

18 **Q. Does this conclude your direct testimony?**

19 A. Yes, it does.

20

TRACEY J. JANIS
Manager, Right of Way Services

Employment History

February 2013 **Manager, Right of Way Services**

Primary Responsibility: Management of right of way services and land right support for the construction and maintenance associated with transmission facilities.

August 2012 **Interim Manager, Right of Way Services**

Primary Responsibility: Management of right of way services and land right support for the construction and maintenance associated with transmission facilities.

May 2011 **Supervisor, Real Estate Services**
FirstEnergy Service Company
Greensburg, PA 15601

Primary Responsibility: Management of real estate services and land right support for the construction and maintenance associated with transmission facilities.

July 2007 **General Manager, Transmission ROW and Permitting**
Allegheny Energy Service Corporation
Greensburg, PA and Fairmont, WV

Primary Responsibility: Management of transmission siting, permitting, right of way and fee acquisition associated with transmission projects. This included management of the real estate activities for the Trans-Allegheny Interstate Line (TrAIL).

June 2006 **General Manager, Real Estate**
Allegheny Energy Service Corporation
Greensburg, PA

Primary Responsibility: Management of real estate services and land right support for the construction and maintenance associated with transmission and distribution facilities. Responsible for managing the corporate land asset portfolio, including land rentals, acquisitions and divestitures.

January 2003 **Manager, Real Estate**
Allegheny Energy Service Corporation
Greensburg, PA

Primary Responsibility: Management of real estate services and support for the construction and maintenance of distribution facilities and third party pole attachments. Responsible for managing the corporate land asset portfolio, including land rentals, acquisitions and divestitures.

December 1992 **Transmission Engineering and Construction – Specialist,
Environmental**
Allegheny Energy Service Corporation
Greensburg, PA

Primary Responsibility: Siting and permitting of transmission facilities

March 1990 **Staff Scientist/Project Manager**
Law Environmental, Inc.
Pittsburgh, PA

Primary Responsibility: Management and contract administration for asbestos-related services, air and water quality evaluations and environmental site assessments, including wetlands and habitat evaluations.

Education

Bachelor of Science-Biology, Marietta College, OH 1988

Master of Science-Environmental Science and Management,
Duquesne University, PA 2000