

UPDATE FOR LANDOWNERS:

NEXTERA HAS NOW FILED WITH THE WV PUBLIC SERVICE COMMISSION (PSC)

Today, **NextEra officially filed its application with the West Virginia Public Service Commission (PSC)** for the MARL transmission project. This starts the formal regulatory process — **but it does NOT mean they can enter your property or take your land.**

Here's what landowners need to know right now:

YOU STILL DO NOT HAVE TO SIGN ANYTHING

Even after filing:

- NextEra **does not automatically have permission** to enter your property
- "Survey," "environmental," and "right-of-entry" agreements are still **voluntary**
- If you do not give permission, entry onto your land is **trespassing**

Do not sign anything at this stage.

Landowner Advice

FILING ≠ APPROVAL

Filing an application simply **starts** the PSC review process.

What comes next:

- Public notice and hearings
- Written public comments
- Intervention by affected landowners
- Legal review and testimony
- A final decision by the PSC

This process typically takes **many months and often more than a year**. Approval is **not guaranteed** and projects *can be denied* or withdrawn under pressure.

EXPECT INCREASED PRESSURE FROM LAND AGENTS

Now that NextEra has filed, landowners should expect:

- More phone calls
- Door-to-door visits
- Claims like:

"Now you have to cooperate"

"The PSC filing changes everything"

"This is your last good offer"

None of this is true.

Early offers are almost always **lowball offers**, and waiting often **improves your leverage**, not the opposite

Landowner Advice.

GET EVERYTHING IN WRITING

- Do not negotiate verbally
- Do not rely on promises
- Insist on email or written correspondence
- Save all documents and messages

A polite written response like "**No thank you — please contact me in writing**" is enough.

ABOUT EMINENT DOMAIN (IMPORTANT)

Even after filing:

- NextEra **does NOT yet have eminent domain authority**
- Eminent domain is only possible **if** the PSC approves the application

- That decision is still far in the future

If eminent domain were ever granted:

- You are constitutionally guaranteed **just compensation**
- Compensation includes **loss of value to your remaining property**, not just the land taken
- You would then hire an attorney experienced in eminent domain
- In West Virginia, valuation disputes can go before a **jury of fellow landowners**, which strongly favors property owners

Landowner Advice

You do NOT need to hire a lawyer now unless you plan to sign — which you should not.

WHAT LANDOWNERS SHOULD DO NOW

This is the **most important phase** for stopping the project.

- Do not sign anything
- Do not allow surveys
- Attend upcoming **WATI workshops** to learn how to become a PSC intervenor
- Submit public comments to the PSC
- Contact legislators, county commissioners, and the Governor
- Support **West Virginians Against Transmission Injustice (WATI)** — your organized voice in Charleston

BOTTOM LINE

NextEra filing **does not weaken landowners** — it activates your most powerful tools.

You still control access to your land.

You still have time.

And **the project can still be stopped**.

Do not sign away permanent rights to your property under pressure