

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 Approval is **not guaranteed** and projects *can be denied* or withdrawn under pressure.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