

Potomac-Appalachian Transmission Highline PATH Project - Code of Conduct for Right-of-Way Agents and Subcontractor Employees

This Code of Conduct applies to all communications and interactions with property owners and occupants of property by all right-of-way agents and subcontractor employees representing the Potomac-Appalachian Transmission Highline (“PATH”) Companies¹ in the negotiation of right-of-way and the performance of surveying, environmental assessments and the other activities for the PATH Project on property not owned by the PATH Companies.

1. All communications with property owners and occupants must be factually correct and made in good faith.

- a. Do provide maps and documents necessary to keep the landowner properly informed
- b. Do not make false or misleading statements.
- c. Do not misrepresent any fact.
- d. If you do not know the answer to a question, do not speculate about the answer. Advise the property owner that you will investigate the question and provide the answer later.
- e. Follow-up in a timely manner on all commitments to provide additional information.
- f. Until the PATH Companies have been authorized by the state utility commission in each state to construct the PATH Project, do not suggest that the PATH Project is a “done deal” or is “99 percent sure” or make similar statements suggesting that the state utility commission has authorized construction of the project.
- g. Do not suggest that the project is required for national or homeland security reasons or has been authorized by the federal government.
- h. Do not send written communications suggesting an agreement has been reached when, in fact, an agreement has not been reached.

¹ For the purposes of this Code of Conduct, the term “PATH Companies” includes PATH West Virginia Transmission Company, LLC; PATH Allegheny Transmission Company, LLC; PATH Allegheny Virginia Transmission Corporation; PATH-WV Land Acquisition Company; and PATH-Allegheny Land Acquisition Company and their affiliates.

- i. If information provided is subsequently determined to be incorrect, follow up with the landowner as soon as practical to provide the corrected information.
- j. Do provide the landowner with appropriate contact information should additional contacts be necessary.

2. All Communications and interactions with property owners and occupants of property must be respectful and reflect fair dealing.

- a. When contacting a property owner in person, promptly identify yourself as representing one or more of the PATH Companies and display your PATH Project photo ID badge.
- b. When contacting a property owner by telephone, promptly identify yourself as representing one or more of the PATH Companies.
- c. Do not engage in behavior that may be considered harassing, coercive, manipulative, intimidating or causing undue pressure.
- d. All communications by a property owner, whether in person, by telephone or in writing, in which the property owner indicates that he or she does not want to negotiate or does not want to give permission for surveying or other work on his or her property, must be respected and politely accepted without argument. Unless specifically authorized by a PATH Company, do not contact the property owner again regarding negotiations or requests for permission.
- e. When asked to leave property, promptly leave and do not return unless specifically authorized by a PATH Company.
- f. If discussions with the property owner become acrimonious, politely discontinue the discussion and withdraw from the situation.
- g. Obtain unequivocal permission to enter property for purposes of surveying or conducting environmental assessments or other activities. Clearly explain to the property owner the scope of the work to be conducted based on the permission given. Attempt to notify the occupant of the property each time you enter the property based on this permission.

- h. Do not represent that a relative, neighbor and/or friend have signed a document or reached an agreement with a PATH Company.
- i. Do not ask a relative, neighbor and/or friend of a property owner to convince the property owner to take any action.
- j. Do not represent that a relative, neighbor and/or friend supports or opposes the PATH Project.
- k. Do not suggest that any person should be ashamed of or embarrassed by his or her opposition to the PATH Project or that such opposition is inappropriate.
- l. Do not argue with property owners about the merits of the PATH Project.
- m. Do not suggest that an offer is “take it or leave it.”
- n. Do not threaten to call law enforcement officers or obtain court orders.
- o. Do not threaten the use of eminent domain.
- p. Do not suggest that the PATH Companies will seek federal authorization to construct the project.
- q. Avoid discussing a property owner’s failure to note an existing easement when purchasing the property and other comments about the property owner’s acquisition of the property.

All communications and interactions with property owners and occupants of property must respect the privacy of property owners and other persons.

- a. Discussions with property owners and occupants are to remain confidential.
- b. Do not discuss your negotiations or interactions with other property owners or other persons.
- c. Do not ask relatives, neighbors and/or friends to influence the property owner or any other person.
- d. Avoid discussions or personal matters about the property owner, others and yourself.

Source:

[http://www.pathtransmission.com/docs/Filings/WestVirginia/Appendix %20H,%20Tab%209%20-%20Ruberto%20Direct%20Testimony.pdf](http://www.pathtransmission.com/docs/Filings/WestVirginia/Appendix%20H,%20Tab%209%20-%20Ruberto%20Direct%20Testimony.pdf)