

HELP Us CURB
This Power

SMP
POLICE

CURB UPDATE

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FEBRUARY 24, 2017

OUR MISSION IS TO EDUCATE AND INFORM ...

VOLUME 3 ISSUE 3



Is APCO in Violation of Its
License and State Law

Smith Mountain Lake, VA

**CURB YouTube
CHANNEL**



**LITIGATION
STATUS**

IMPORTANT LINKS

Stakeholder Stories

APCO Authority

**Property Owner
Survey**

Realtor Survey

CURB Handouts

Relevant Case Law

Sign Our Petition

**Articles of
Incorporation**

FAQs

Timeline

I Sent the Following to the White House Today ...

STOP FERC SHORELINE MANAGEMENT

The Federal Energy Regulatory Commission (FERC) is enforcing shoreline management rules decades after hydroelectric projects were developed. Retroactive rules are irrational, without need, or scientific basis. The burden of this regulation far outweighs any public benefit. The impact on surrounding communities cannot be exaggerated as FERC rules are discouraging private investment, lowering property values, killing jobs, limiting access to project waters, inhibiting landowner's ability to sell, violating Federal, State and local ordinances, and trampling on private property rights.

The Federal Power Act, which empowers FERC and its licensees, includes no provision for Shoreline Management Plans (SMP aka Steal My Property). FERC administrative staff invented this regulation, without any enabling legislative action, placing this agency and its licensees in charge of land use and development along the shoreline of major hydroelectric projects, like Smith Mountain Lake, Virginia. FERC requires its licensees to impose over-reaching regulations upon private property, over which FERC has NO authority to regulate. FERC licensees seize property via permitting scams, citing federal authority where there is none, that take property rights without compensation—in violation of the 5th Amendment.

FERC imposed regulations duplicate existing federal, state and local regulations. As one example, FERC requires its licensees to designate wetlands and to restrict development. The designation and protection of wetlands is legislatively delegated to the US ACOE, EPA, USFWS, and states. Neither FERC nor its licensees have the authority or expertise to designate wetlands. Yet under FERC's rules we now have private electric utilities designating wetlands and regulating development on private property.

FERC records show they regulate 614 major hydroelectric projects across the US—141 are publicly owned and 473 are privately owned. It is illegal for the government to delegate regulatory authority to a for profit corporation per the US Constitution and the US Supreme Court, yet this is exactly what the FERC is doing. Please order FERC to stop its illegal shoreline management activities. This will save its licensees millions of dollars annually and restore constitutionally guaranteed private property rights to citizens. Read more at www.CURB-FERC-AEP.com.

Please email the White House at <https://www.whitehouse.gov/contact#page>. You can use all or part of my message. But it's important that FERC and Shoreline Management are keywords in your message. This new administration is dedicated to deconstructing the administrative state. Let's help them. This is not partisan – this is American!

THE GREAT CON -- For over 15 years, Appalachian Power Company and the Federal Energy Regulatory Commission, claiming federal law, methodically scammed the Smith Mountain Lake community to sign-away property rights for permission to build a dock. In December 2016, this fraud was exposed by six federal appellate justices who declared that since FERC only regulates APCO, a landowner cannot violate federal law by constructing a dock. The final battle to recover our property, invalidate fraudulently obtained APCO Permits and replace the Shoreline Management Plan with lawful regulation is underway in Franklin County Circuit Court. Every property owner, should rally to defend their constitutionally guaranteed right to own and enjoy their property. It's simply illegal to take property without paying.

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