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January 15, 2009

VIA CERTIFIED MAIL, FIRST CLASS MAIL
& EMAIL

Elisa Young
Meigs Citizen Action Now
48360 Carmel Road
Racine, Ohio 45771

Re: American Municipal Power Generating Station Project

Dear Ms. Young:

This letter is to you individually and as the representative of the Meigs Citizen Action Now organization. As you are aware, this firm serves as counsel for American Municipal Power-Ohio, Inc. ("AMP-Ohio") in connection with the American Municipal Power Generating Station ("AMPGS") Project in Meigs County, Ohio. In recent months and weeks, AMP-Ohio has become aware of, and increasingly concerned about, multiple false statements made by you regarding the AMPGS Project.

These statements include, but are not limited to:

1. Your repeated statement that AMP-Ohio has admitted that it will exceed the limits on sulfur dioxide emissions at AMPGS, including such claims during a February 15, 2008 radio interview with Mike McConnell on 700 WLW and during an April 21, 2008 lecture at Kenyon College. This has recently been repeated by you in a letter to the editor published by the Athens News dated January 9, 2009.
2. Your statement that AMP-Ohio coal wastes are used on roads and at schools in Meigs County during an October 2007 meeting of Oberlin City Council.
3. Your October 10, 2008 statement in a radio interview with Sabrina Artel on the show "Trailer Talk" in which you claim that you and your organization, Meigs CAN, have been successful in getting enough communities to drop out of participation in AMPGS to cause AMP-Ohio to have insufficient participation to build AMPGS.

While AMP-Ohio believes your opposition to AMPGS is unfounded and misguided, it recognizes your right to oppose the AMPGS Project and to express your opinions regarding it. AMP-Ohio also recognizes that you have rights protected by the Ohio and United States Constitutions including the right of freedom of speech and the right to petition government agencies. AMP-Ohio does not intend to infringe upon those rights.

However, while the Ohio Constitution provides that "(e)very citizen may freely speak, write and publish his sentiments on all subjects," it also provides that citizens are "responsible for the abuse of the right." The intentional publication of false statements or the reckless publication of statements without regard to their truthfulness or falseness is an abuse of free speech rights and is actionable under Ohio law. Similarly, the United States Supreme Court in its landmark opinion in *New York Times v. Sullivan* recognized that the free speech rights guaranteed by the U.S. Constitution do not extend to statements made with knowledge that they are false or with reckless disregard for whether they were false or not.

Although AMP-Ohio believes that you are aware of the false nature of the statements referenced above, this letter will serve as notice to you that those statements are false and that:

1. AMP-Ohio has never stated that it will exceed the sulfur dioxide limits contained in its air permit to install, issued by Ohio EPA on February 7, 2008.
2. AMP-Ohio has never nor does it plan to distribute coal wastes on roads, driveways, or schools.
3. AMP-Ohio continues pursuit of all necessary permits, authorizations, and other approvals for construction of AMPGS and already has sufficient participation in AMPGS to proceed with its development and construction.

AMP-Ohio will consider any further publication of these statements, as well as any other blatantly false statements, to be intentional and malicious and will exercise its right to assert all claims available to it against you and your organization.

Very truly yours,

A handwritten signature in black ink, appearing to read "C. R. Saxbe", with a long horizontal flourish extending to the right.

Charles R. Saxbe

CRS/ccn