



*State of West Virginia*  
*Joe Manchin III*  
*Governor*

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September 25, 2009

**West Virginia Boundary Commission:**

Mr. Curt Keplinger  
Post Office Box 826  
Petersburg, West Virginia 26847

Mr. Charles Sypolt  
Department of Land Resources  
Glennville State College  
200 High Street  
Glennville, West Virginia 26351

Mr. Tom Rayburn  
Post Office Box 629  
Chapmanville, West Virginia 25508

Re: Pocahontas County Boundary Line Dispute

Dear Commission Member:

I write to request an investigation of the West Virginia Boundary Commission to settle a dispute involving the boundary of Pocahontas County, West Virginia and Highland County, Virginia. The dispute concerns a wind turbine project permitted for construction in Highland County, Virginia. The developer of the project is a company named Highland New Wind Development, LLC. The Pocahontas County Commission believes that a portion of the project, as presently engineered, encroaches upon the territory of this State. See September 15, 2009 letter from Martin V. Saffer, attached.

**OFFICE OF THE GOVERNOR**

If, indeed, a portion of the project is constructed in West Virginia, certain state regulatory action is required. Therefore, I respectfully request, pursuant to W. Va. Code § 29-23-2, that the Commission investigate this boundary dispute. I further request that the Commission take all actions that are necessary and appropriate to identify the location of the boundary line in question including, but not limited to, seeking the assistance of the West Virginia Geological and Economic Survey, contacting similar commissions or bodies in the Commonwealth of Virginia, or recommending appropriate legislation to the Legislature.

Enclosed with this letter are several documents that may aide the Commission in investigating this matter. Should the Commission require further information or assistance, please do not hesitate to contact Jonathan Deem, General Counsel, at (304) 558-2000.

Thank you for your assistance and your dedication to the State of West Virginia. I look forward to the results of your investigation.

With warmest regards,



Joe Manchin III  
Governor

**Attachments**

cc: Honorable Earl Ray Tomblin, President, Senate of West Virginia  
Honorable Richard Thompson, Speaker, West Virginia House of Delegates  
Honorable Tim Kaine, Governor, Commonwealth of Virginia  
Honorable Michael A. Albert, Chairman, West Virginia Public Service Commission  
Honorable Randy Huffman, Secretary, West Virginia Department of Environmental Protection  
Honorable Chris Morris, West Virginia State Tax Commissioner  
Honorable Randall Reid-Smith, Commissioner, West Virginia Division of Culture and History  
Dr. Michael E. Hohn, State Geologist, West Virginia Geological and Economic Survey  
Martin V. Saffer, Esq., Pocahontas County Commission  
John W. Flora, Esq.

bc: Professor Robert Bastress