

OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
AEP OHIO TRANSMISSION COMPANY, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR THE
ROUSE-BELL RIDGE 138KV TRANSMISSION
LINE PROJECT IN MONROE AND
WASHINGTON COUNTIES, OHIO.

CASE NO. 17-1908-EL-BTX

ENTRY

Entered in the Journal on April 12, 2018

{¶ 1} Pursuant to R.C. 4906.04, no person shall construct a major utility facility without first having obtained a certificate from the Ohio Power Siting Board (Board). In seeking a certificate, applicants must comply with the filing requirements outlined in R.C. 4906.04, as well as Ohio Adm.Code 4906-2-01 and 4906-5-01.

{¶ 2} On September 22, 2017, AEP Ohio Transmission Company, Inc. (AEP Ohio Transco or Company) filed a pre-application notification letter with the Board regarding its Rouse-Bell Ridge 138 kilovolt (kV) transmission line project (the Project). In the letter, AEP Ohio Transco explained that the project is part of the Company's overall Southeast Ohio area improvements. AEP Ohio Transco explains that the 23 kV infrastructure currently in place has reached an age where it is in need of rebuild and redesign to improve reliability for customers across the region. It further explains that the Rouse-Bell Ridge transmission line will be built as a 138 kV transmission line, connecting a proposed Rouse Substation in Monroe County to a proposed Bell Ridge Substation in Washington County.

{¶ 3} On October 12, 2017, AEP Ohio Transco held a public information meeting to discuss the proposed project with interested persons and landowners. On October 11, 2017, AEP Ohio Transco filed affidavits of publication demonstrating its compliance with the notice requirements of Ohio Adm.Code 4906-3-03.

{¶ 4} AEP Ohio Transco filed its application with the Board for a certificate of environmental compatibility and public need for the Project on January 9, 2018. In the

application, AEP Ohio Transco states that the Project is located in southern Monroe County and northeastern Washington County, approximately 10 miles northeast of Marietta, Ohio. It indicates that the Company and its siting team have identified a preferred and an alternate route after conducting a siting study. The preferred route is approximately 12.7 miles long, while the alternate route is approximately 12.8 miles long. AEP Ohio Transco estimates that the Project will be complete during Fall 2020.

{¶ 5} Pursuant to Ohio Adm.Code 4906-3-06, within 60 days of receipt of an application for a major utility facility, the Chairman of the Board must either accept the application as complete and compliant with the content requirements of R.C. 4906.06 and Ohio Adm.Code Chapters 4906-1 through 4906-7 or reject the application as incomplete. By letter dated March 12, 2018, the Board notified AEP Ohio Transco that its application was compliant and provided sufficient information to permit Staff to commence its review and investigation. Pursuant to Ohio Adm.Code 4906-3-06 and 4906-3-07, the Board's March 12, 2018 letter directed AEP Ohio Transco to serve appropriate government officials and public agencies with copies of the complete, certified application and to file proof of service with the Board. The letter further instructed AEP Ohio Transco to submit its application fee pursuant to R.C. 4906.06(F) and Ohio Adm.Code 4906-3-12.

{¶ 6} On March 21, 2018, AEP Ohio Transco filed a certificate of service of its accepted and complete application as required by Ohio Adm.Code 4906-3-07. And, in compliance with Ohio Adm.Code 4906-3-07(C), AEP Ohio Transco also indicated that it had submitted its application fee to the Treasurer of the State of Ohio on March 15, 2018.

{¶ 7} Ohio Adm.Code 4906-3-08(A) states that, once the applicant has complied with Ohio Adm.Code 4906-3-07, the Board or the administrative law judge (ALJ) shall file an entry indicating the date on which the accepted, complete application is deemed filed. Additionally, once the effective date is established, the ALJ must promptly fix the dates for public hearings. Under R.C. 4906.07(A), the public hearing must be held not less than 60 nor more than 90 days after the effective date.

{¶ 8} Therefore, the effective date of the application shall be April 6, 2018. The ALJ finds that a local public hearing in this matter shall be held on June 7, 2018, at 6:00 p.m., at the cafeteria located within Frontier High School, 44870 State Route 7, New Matamoras, Ohio 45767. The evidentiary hearing shall commence on June 28, 2018, at 10:00 a.m., in Hearing Room 11D at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 9} Petitions to intervene in this proceeding will be accepted by the Board up to May 31, 2018.

{¶ 10} In accordance with Ohio Adm.Code 4906-3-09, AEP Ohio Transco should issue public notices of the application and hearings. Pursuant to the same rule, in addition to other required information, that notice shall include a statement that the public hearing in this case shall consist of two parts:

- (a) A local public hearing, pursuant to R.C. 4906.08(C), where the Board shall accept written or oral testimony from any person on June 7, 2018, at 6:00 p.m., at the cafeteria located within Frontier High School, 44870 State Route 7, New Matamoras, Ohio 45767.
- (b) An evidentiary hearing commencing on June 28, 2018, at 10:00 a.m., in Hearing Room 11D at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 11} Further, under Ohio Adm.Code 4906-03-09, the initial notice shall include the following language:

Petitions to intervene in the adjudicatory hearing are due not later than May 31, 2018. However, the Board strongly encourages interested persons who wish to intervene in the adjudicatory hearing to file their

petitions as soon as possible. Petitions should be addressed to Docketing Division, the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215-3793 and cite the above-listed case number.

{¶ 12} Ohio Adm.Code 4906-2-09 provides that the ALJ shall regulate the course of the hearing. In so doing, the ALJ may require expert or factual testimony to be offered at Board proceedings to be reduced to writing and filed with the Board. Accordingly, the ALJ establishes the following procedural schedule and process:

- (a) Pursuant to Ohio Adm.Code 4906-3-06(C), Staff shall file its report of investigation (Staff Report) on or before May 24, 2018.
- (b) On or before May 31, 2018, each party shall file a list of issue(s) citing specific concerns about which they may be interested in pursuing cross-examination of witnesses at the evidentiary hearing.
- (c) All expert and factual testimony to be offered by AEP Ohio Transco shall be filed by June 14, 2018. All expert and factual testimony to be offered by the intervenors and Staff shall be filed by June 21, 2018.
- (d) The parties are strongly encouraged to arrange for electronic service of testimony and other pleadings amongst themselves. If electronic service is agreed to, the parties are also directed to provide an electronic copy to the assigned ALJ.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the hearings in this matter be scheduled at the times and places designated in Paragraph 8. It is, further,

{¶ 15} ORDERED, That notices of the application and hearings be issued by AEP Ohio Transco in accordance with Paragraphs 10 and 11. It is, further,

{¶ 16} ORDERED, That the parties file their issues lists and testimony in accordance with Paragraph 12. It is, further,

{¶ 17} ORDERED, That Staff file its Staff Report pursuant to Paragraph 12. It is, further,

{¶ 18} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE OHIO POWER SITING BOARD

/s/ Anna Sanyal

By: Anna Sanyal
Administrative Law Judge

jrj/vrm

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in

Case No(s). 17-1908-EL-BTX

Summary: Administrative Law Judge Entry setting forth procedural schedule; electronically filed by Vesta R Miller on behalf of Anna Sanyal, Administrative Law Judge, Ohio Power Siting Board