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Columbus, Ohio, 43215
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February 19, 2021

Ms. Tanowa M. Troupe, Secretary
Ohio Power Siting Board
Docketing Division
180 East Broad Street, 11th Floor
Columbus, Ohio 43215

Re: OPSB Case No. 21-0018-EL-BLN, In the Matter of the Letter of Notification for the
Miami Fort to Tanners Creek Rebuild Project

Dear Ms. Troupe:

The Affidavit of Publications and proof of publication, relating to the above-referenced case, are
attached for filing today.

Should you have any questions please feel free to contact me.

Sincerely,

/s/ Emily A. Olive, CP

Emily A. Olive
Certified Paralegal

Beshear responds to impeachment petition

Governor: Allegations by GOP group are ‘baseless’

Joe Sonka
Louisville Courier Journal
USA TODAY NETWORK

Kentucky Gov. Andy Beshear has issued a 45-page response to petitioners seeking to impeach him from office, deriding their “baseless” claims against his emergency orders to slow the spread of COVID-19 as a “vendetta that has no support in the law or reality.”

The governor’s attorneys urged the dismissal of the petition by the House impeachment committee, which was created by Republican leadership in early January and is set to have its next meeting Wednesday.

“The Petition cites no facts and little law in a last-ditch effort to upend our constitutional separation of powers, hoping the General Assembly will ignore the judgments of the judicial branch as well as the will of the people in electing their chief executive,” stated Beshear’s attorneys in the response.

The chairman of the impeachment committee, Rep. Jason Nemes, R-Louisville, said the governor’s response was not to be made public until the Wednesday meeting, though it was obtained and posted late Friday by the State Journal newspaper in Frankfort. Beshear’s spokespersons have still declined to turn it over to the Courier Journal, though an open records request is pending.

The petition submitted by four Kentuckians on Jan. 8 alleged Beshear had violated citizens’ rights under the federal and state constitutions by his COVID-19 orders – including those limiting certain public gatherings, out-of-state travel and tenant evictions – as well as taking a large federal loan for the state’s unemployment insurance fund and expanding access to absentee and early in-person voting.

Beshear countered those allegations the following week in his daily COVID-19 press conference, highlighting past inflammatory rhetoric by the petitioners and comparing them to the violent insurrectionists who stormed the U.S. Capitol on Jan. 6.

Noting the Kentucky Supreme Court’s unanimous decision in November upholding Beshear’s authority to issue executive orders during an emergency, the governor’s written response portrayed the petitioners as bitter over the failure of such litigation.

“They now present their increasingly

“This body must uphold the Commonwealth’s constitutional order and put an end to this vendetta that has no support in the law or reality.”

Gov. Andy Beshear
in 45-page response to impeachment petitioners

violent demands and faulty, vague claims to this body in an effort to get another bite at the apple and to overturn both the will of the people and the reasoned judgments of the Kentucky Supreme Court, the United States Supreme Court, as well as various lower state and federal courts,” Beshear’s response stated.

“This body must uphold the Commonwealth’s constitutional order and put an end to this vendetta that has no support in the law or reality.”

Often citing the decision of Kentucky’s highest court, Beshear’s response stated the petitioners “fail to establish any wrongdoing by the Governor what-

soever,” let alone a misdemeanor rising to the serious level of an impeachable offense.

“Impeachments in Kentucky have been reserved for serious misconduct in office. The petitioners, on the other hand, bring this Committee a list of grievances and slights already dismissed and ruled constitutional and necessary by the judicial branch.”

The governor’s response particularly derided the petitioners’ allegation that Beshear’s executive orders expanding access to mail-in voting was in violation of the state constitution, noting the General Assembly explicitly changed a statute allowing the governor and secretary of state to change the manner of an election under an emergency.

Stating this allegation was “abundantly frivolous and would also provide grounds for the Secretary of State’s impeachment,” Beshear’s response said its inclusion “underscores that the Petition is based not on the serious criminal activity for which impeachment is reserved, but is instead based on political disagreement and personal animus.”

Beshear’s attorneys also returned to the online rhetoric of the petitioners, saying they share “a pattern of attacking and even attempting to instill fear in the Governor and his family.”

Schiller: Pick me to fill Hamilton Co. treasurer vacancy

Scott Wartman
Cincinnati Enquirer
USA TODAY NETWORK

Should the next Hamilton County treasurer be the next county treasurer? That’s the solution Democrat Jill Schiller has proposed to solve the upcoming vacancy when the current Hamilton County treasurer, Republican Robert Goering, steps down Feb. 11 to become a judge.

Hamilton County Republicans are looking to appoint someone to fill the seat for about six months before Schiller takes the job. Schiller thinks the Republicans should appoint her.

“Now is no time for patronage,”



Schiller

Schiller tweeted in response to The Enquirer’s story Monday about the vacancy. “I’m the 1st woman ever elected to the office; lame duck appointee does no good. Lots of local Rs talk about unity. Time to walk the talk. Appoint me now to transition this vital office and show HamCo voters we can all work together.”

The Hyde Park resident won a close race in November for county treasurer, beating Republican Charlie Winburn by 7,000 votes, less than two percentage points.

But thanks to a quirk in Ohio law, her

term doesn’t start until September. The current Republican treasurer, Goering, won a race for judge on the Hamilton County Court of Common Pleas, a term that starts Feb. 11. So Hamilton County needs a temporary treasurer.

Hamilton County Republicans have 45 days from Feb. 11 to appoint a replacement, according to state law. If they do not, then the three Democratic county commissioners make the appointment.

Hamilton County Republican Chairman Alex Triantafyllou told The Enquirer last week they intend to appoint a replacement for the next few months. He did not return a message from The Enquirer seeking comment on Schiller’s proposal. Schiller told The Enquirer she

plans on reaching out to Triantafyllou. Appointing her a few months early would be a great show of bipartisanship, she said.

“If we want to take the temperature down, we need to start by example to show we’re willing to work together,” Schiller said. “This is a great way to start that process.”

The treasurer oversees an office with an annual budget of \$4.5 million and 23 full-time employees responsible for taking in and depositing all county revenue. A big part of that is property taxes, which the treasurer receives from taxpayers via mail, credit card, eCheck or payments made in person at the treasurer’s office.

NOTICE OF PROPOSED MAJOR UTILITY FACILITY

Duke Energy Ohio, Inc. (Duke Energy Ohio) proposes to reconductor a portion of a 345-kV transmission line from its Miami Fort Substation, located in Hamilton County, Ohio to its Structure 6BN-X-34-15 located within Boone County, Kentucky and spanning to the Tanners Creek Power Station located in Dearborn County, Indiana. This project comprises the replacement of approximately 4 miles of transmission line, of which only 0.31 miles are located within the State of Ohio, Hamilton County. The remainder of the construction is located outside the State of Ohio. The purpose and need for the project is to alleviate identified transmission constraints and provide greater energy capacity and enhanced service reliability to the growing service area. The existing 4-mile Miami Fort to Tanners Creek line provides 345-kV electric transmission service to residential and commercial/industrial facilities and serves as a pathway in the transmission grid between the Miami Fort Power Station and the Tanners Creek Power Station. To ensure the integrity of the transmission line, 6 lattice structures will be removed and replaced within the Kentucky segment of the project. Four of the structures will be replaced by galvanized steel H-frame structures and the remaining 2 will be replaced by galvanized steel 3 pole structures.

Within the Ohio segment of the project, existing structures will be reconducted and approximately 0.31 miles of 345-kV transmission line (Circuit 4504) will be re-string between the Miami Fort Substation to Structure 6BN-X34-15 located within Boone County, Kentucky.

Duke Energy Ohio has filed a Letter of Notification with the Ohio Power Siting Board (Board), under Case No. 21-0018-EL-BLN. This number should be included in all communications with respect to the Project. The Letter of Notification to construct, operate, and maintain this facility is now pending before the Board. Comments and/or petitions to intervene will be accepted by the Board up to 10 days following the publication date of this notice, pursuant to Ohio Administrative Code Rules 4906-2-12 and 4906-6-08. Petitions or comments should be addressed to Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio, 43215, and must reference Case No. 21-0018-EL-BLN.

A map of the project area is included below. Construction will begin in March of 2021, pending approval of this Letter of Notification.

The following public officials, agencies, and library have been served with a link to the Application, as required by Ohio Power Siting Board regulations:

Hamilton County Commissioners
Denise Driehaus, President
Stephanie Summerow Dumas, Vice President
Victoria Parks, Commissioner
Hamilton County Administration
Todd Gadbury, Director of Planning & Development
Jeff Aluotto, County Administrator
Steve Johns, Planning Services Administrator
Bryan Snyder, Development Services Administrator
Joy Pierson, Community Development Administrator
Brad Miller, Director of Environmental Services
Scott Huber, Hamilton County Soil and Water Conservation Chairperson of the Board of Supervisors
John Nelson, Executive Director
Miami Township
Douglas Berry, President
John Morris, Vice President
Donald Culp, Trustee
Gregory Rogers, Township Administrator
Miami Township Branch Library
Carrie Bernard, Branch Manager
8 North Miami Avenue
Cleveland, Ohio 44102

A copy of the application is available at the main office of Duke Energy Ohio at 139 E. Fourth Street, Cincinnati, Ohio 45202 and at the offices of the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215. It is also available on the Duke Energy Ohio website, at: <http://www.duke-energy.com/transmission-projects>, and on the Ohio Power Siting Board’s website, at: www.opsb.ohio.gov.

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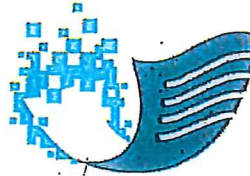
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SCHEDULING DEPARTMENT HOURS: Mon - Fri 7:00am - 10pm | Sat - Sun 9:00am - 5:00pm



Proof of Publication

I, Joshua Park, do hereby attest that the Duke Energy Legal Notices did appear in the following newspaper(s) as ordered:

Cincinnati Enquirer

01/27/2021


Joshua Park
2/3/21
Date

State of Ohio
County of Franklin

On this day, the 3 day of February, 2021 before me, MELINDA M. REYNOLDS the undersigned Notary Public, personally appeared Joshua Park, proved to me on the basis of satisfactory evidence to be the person whose name was subscribed to the within instrument and acknowledged that he executed it.

Witness my hand and official seal.


Notary Public



MELINDA M. REYNOLDS
NOTARY PUBLIC, STATE OF OHIO
FRANKLIN COUNTY
My Commission Expires 8/23/2021