

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of )  
American Municipal Power-Ohio, Inc., for a )  
Certificate of Environmental Compatibility ) Case No. 06-1357-EL-BTX  
and Public Need for an Electric Power )  
Transmission Line and Related Facilities. )

ENTRY

The administrative law judge finds:

- (1) On October 31, 2007, American Municipal Power-Ohio, Inc., (AMP-Ohio) filed an application for a certificate of environmental compatibility and public need to construct an electric transmission line and related facilities necessary to transmit the electricity generated by the proposed 960 megawatt electric generation facility in Meigs County, Ohio.
- (2) By letter dated December 27, 2007, the Board notified AMP-Ohio that its application had been certified as complete and directed AMP-Ohio to serve appropriate government officials and public agencies with copies of the complete, certified application. On January 18, 2008, and January 24, 2008, in accordance with the requirements of Rule 4906-5-07, Ohio Administrative Code (O.A.C.), AMP-Ohio filed proofs of service of the accepted and complete application. Accordingly, by entry dated February 5, 2008, the administrative law judge established the effective date of the filing of the application as February 12, 2008, and scheduled the local public hearing and the adjudicatory hearing in this proceeding.
- (3) However, on February 26, 2008, AMP-Ohio requested that the hearing dates be continued indefinitely. In its request for a continuance, AMP-Ohio stated that it was considering whether an amendment to its application was needed and requested additional time to make such a determination. Subsequently, on May 8, 2008, AMP-Ohio notified the administrative law judge that it had determined that no amendment to the application was necessary and requested that the matter be set for hearing. By entry dated May 29, 2008, the administrative law judge scheduled the local public hearing and the

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adjudicatory hearing for September 17, 2008, and September 22, 2008, respectively.

- (4) However, on July 22, 2008, AMP-Ohio requested a 45 day continuance of the scheduled hearing dates in order to allow the Board Staff time to review and evaluate a modification of the application submitted by AMP-Ohio on July 18, 2008. Accordingly, the administrative law judge finds that the local public hearing in this matter should be rescheduled to October 22, 2008, at 6:00 p.m., at Southern High School, 920 Elm Street, Racine, Ohio 45771. Further, the adjudicatory hearing should commence on October 27, 2008, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, Hearing Room 11-C, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (5) AMP-Ohio should issue new public notices of the application and the hearings, in accordance with Rule 4906-5-08, O.A.C. The initial public notice should be published within 15 days after the issuance of this entry. As part of the information to be included in the notices, as required by Rule 4906-5-08, O.A.C., AMP-Ohio shall note that the hearings have been rescheduled and shall include a statement that the public hearing in this case shall consist of two parts:
  - (a) a nonadjudicatory hearing, pursuant to Section 4906.08(C), Revised Code, where the Board shall accept written or oral testimony from any person on October 22, 2008, at 6:00 p.m., at Southern High School, 920 Elm Street, Racine, Ohio 45771; and,
  - (b) an adjudicatory hearing, commencing on October 27, 2008, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, Hearing Room 11-C, 180 East Broad Street, Columbus, Ohio 43215-3793.

It is, therefore,

ORDERED, That the hearings in this matter be scheduled at the times and places designated in Finding (4). It is, further,

ORDERED, That notices of the application and hearing be published by AMP-Ohio in accordance with Finding (5). It is, further,


ORDERED, That a copy of this entry should be served upon AMP-Ohio and its counsel, those individuals served with a copy of the certified application pursuant to Rule 4906-05, O.A.C., and all other interested persons of record.

OHIO POWER SITING BOARD

  
By: Gregory A. Price  
Administrative Law Judge

*RRG* /ct  
Entered in the Journal

**JUL 25 2008**



Renee J. Jenkins  
Secretary