

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of an :
Application by American :
Municipal Power-Ohio :
for a Certificate :
of Environmental : Case No. 06-1357-EL-BTX
Compatibility and Public :
Need for the American :
Municipal Power-Ohio :
345 kV Transmission Line. :

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PROCEEDINGS

before Mr. Gregory A. Price, Hearing Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Room 11-F, Columbus, Ohio, called at 10:00
a.m. on Monday, October 27, 2008.

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22 ARMSTRONG & OKEY, INC.

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1 APPEARANCES:

2 Chester, Willcox & Saxbe, LLP
By Mr. John W. Bentine
3 Ms. April R. Bott
and Mr. Nathaniel S. Orosz
4 65 East State Street, Suite 1000
Columbus, Ohio 43215-4213

5
On behalf of AMP-Ohio.

6 Nancy H. Rogers, Ohio Attorney General
7 Duane W. Luckey
Senior Deputy Attorney General
8 Public Utilities Section
By Mr. William L. Wright
9 and Mr. John H. Jones
Assistant Attorneys General
10 180 East Broad Street, 9th Floor
Columbus, Ohio 43215-3793

11
On behalf of the staff of the
12 Ohio Power Siting Board.

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15 INDEX

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17 JOINT EXHIBIT ID'D REC'D

18 1 - Joint Stipulation and 4 5
Recommended Findings of Fact and
19 Conclusions of Law

20	STAFF EXHIBIT	ID'D	REC'D
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21	1 - Staff Report of Investigation	5	5
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1 Monday Morning Session,

2 October 27, 2008.

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4 ALJ PRICE: Good morning. The Power

5 Siting Board has set for hearing at this time and

6 this place case number 06-1357-EL-BTX, In the Matter

7 of the Application of American Municipal Power-Ohio,

8 Inc. for a Certificate of Environmental Compatibility

9 and Public Need for an Electric Power Transmission

10 Line and Related Facilities.

11 My name is Gregory Price. I'm the

12 administrative law judge assigned to preside over

13 today's hearing.

14 Let's begin by taking appearances

15 starting with the applicant.

16 MR. BENTINE: Thank you, your Honor. On

17 behalf of the applicant in this proceeding, American

18 Municipal Power-Ohio, Inc., please enter the

19 appearance of the law firm of Chester, Willcox &

20 Saxbe, 65 East State Street, Suite 1000, Columbus,
21 Ohio 43215, by John W. Bentine, April Bott, and Nate
22 Orosz.

23 ALJ PRICE: Thank you.

24 Board staff.

25 MR. WRIGHT: Thank you, your Honor. On

1 behalf of the Ohio Attorney General, Nancy Rogers, my
2 name is Bill Wright. Also assigned to the case with
3 me is John Jones representing the Commission staff.
4 We are at 180 East Broad Street, Columbus, Ohio
5 43215.

6 ALJ PRICE: Thank you.

7 Mr. Bentine.

8 MR. BENTINE: Yes, your Honor. The Staff
9 Report has issued and parties have had discussions
10 since that Staff Report was issued, those discussions
11 have resulted in a joint stipulation and recommended
12 findings of fact and conclusions of law that we have
13 agreed on with the staff of the Power Siting Board
14 which we will tender here today.

15 We do have a witness if that would be
16 necessary, although the stipulation does cover
17 bringing everything into evidence and supporting
18 that. I'm in the midst of executing that right now,
19 but I would like to ask that the joint stipulation

20 and recommended findings of fact and conclusions of

21 law be marked as Joint Exhibit No. 1.

22 ALJ PRICE: So marked.

23 (EXHIBIT MARKED FOR IDENTIFICATION.)

24 MR. BENTINE: And I'm almost done.

25 The stipulation itself, your Honor, has

1 a number of exhibits that are marked Joint Exhibit
2 No. 1, Joint Exhibit No. 2, and Joint Exhibit
3 No. 3 -- Applicant's exhibits, excuse me, and those
4 contain Applicant's Exhibits 1 through 5 and those
5 are a part of the joint stipulation.

6 ALJ PRICE: Thank you.

7 MR. WRIGHT: Your Honor, there is one
8 additional exhibit and that would be, I apologize if
9 this was next, Staff Exhibit No. 1 which would be the
10 Staff Report of Investigation itself prepared and
11 filed on October 7, 2008.

12 ALJ PRICE: So marked.

13 MR. WRIGHT: Thank you.

14 (EXHIBIT MARKED FOR IDENTIFICATION.)

15 ALJ PRICE: Do we have any objection to
16 the admissions of these exhibits?

17 MR. WRIGHT: None.

18 ALJ PRICE: Hearing none, these exhibits
19 will be admitted.

20 (EXHIBITS ADMITTED INTO EVIDENCE.)

21 MR. BENTINE: I'd like to point out, your

22 Honor, that Applicant's Exhibit No. 1 is the

23 application itself that is already on file with the

24 Commission, and we have Applicant's Exhibits 2, 3, 4,

25 and 5 with us here today.

1 ALJ PRICE: Thank you.

2 Did you say application, Applicant's
3 Exhibits 2, 3, 4, and 5?

4 MR. BENTINE: Applicant's Exhibit 1
5 which, again -- all these are part of the
6 stipulation, your Honor. Applicant's Exhibit 1 is
7 the application itself that is already on file with
8 the Commission.

9 And then Applicant's Exhibit 2 is
10 supplemental information to the application which we
11 have filed as well.

12 Applicant's Exhibit 3 is our submissions
13 dated July 18th, 2008, and September 25th, 2008,
14 in response to staff data requests.

15 And then Applicant's Exhibit 4 is proofs
16 of publication for the notices required by Ohio
17 Administrative Code Section 4906-5-08 as filed with
18 the Board on August 20th.

19 Applicant's Exhibit 5 would be a list of

20 the landowners along the planned route of the
21 transmission route, that is the preferred route, and
22 each property owner who may be approached by AMP-Ohio
23 for additional easements necessary for that line as
24 required by 4906-5-08.

25 And then Staff Exhibit No. 1 would be

1 the --

2 ALJ PRICE: Separately marked. Thank
3 you.

4 Are there any other matters before we go
5 off the record?

6 (No response.)

7 ALJ PRICE: Thank you. We'll consider
8 this to be submitted on the record. Thank you all.

9 (The hearing concluded at 10:10 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a
true and correct transcript of the proceedings taken
by me in this matter on Monday, October 27, 2008, and
carefully compared with my original stenographic
notes.

Maria DiPaolo Jones, Registered
Diplomate Reporter and CRR and
Notary Public in and for the
State of Ohio.

My commission expires June 19, 2011.

(MDJ-3284)

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Case No(s). 06-1357-EL-BTX

Summary: Transcript AMP-OHIO 10/27/08 electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.