

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of Columbus)
Southern Power Company for a Certificate of)
Environmental Compatibility and Public) Case No. 08-170-EL-BTX
Need for the Roberts-OSU 138kV)
Transmission Line Project.)

ENTRY

The administrative law judge finds:

- (1) On December 30, 2008, Columbus Southern Power Company (CSPC) filed an application for a certificate of environmental compatibility and public need to construct a 138-kilvolt (kV) transmission line from its Roberts Station to The Ohio State University (OSU) Station. CSPC submits that the construction of this line will enhance reliability for the Columbus, Ohio and The Ohio State University campus area.
- (2) By letter dated February 27, 2009, the Board notified CSPC that its application had been certified as complete and directed CSPC to serve appropriate government officials and public agencies with copies of the complete, certified application. On April 9, 2009, in accordance with the requirements of Rule 4906-5-07, Ohio Administrative Code (O.A.C.), CSPC filed proofs of service of the accepted and complete application. The effective date of the filing of the application shall be May 6, 2009.
- (3) A local public hearing in this matter will be held on July 14, 2009, at 6:00 p.m., at the City of Upper Arlington Council Chambers, 3600 Tremont Road, Columbus, Ohio 43221. The adjudicatory hearing will commence on July 16, 2009, at 10:00 a.m., in Hearing Room 11-G, at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (4) CSPC should issue public notices of the application and the hearings, in accordance with Rule 4906-5-08, O.A.C. As part of the information to be included in the notices, as required by Rule 4906-5-08, O.A.C., CSPC shall include a statement that the public hearing in this case shall consist of two parts:

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- (a) a local public hearing, pursuant to Section 4906.08(C), Revised Code, where the Board shall accept written or oral testimony from any person on July 14, 2009, at 6:00 p.m., at the City of Upper Arlington Council Chambers, 3600 Tremont Road, Columbus, Ohio 43221.
 - (b) an adjudicatory hearing commencing on July 16, 2009, at 10:00 a.m. at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Hearing Room 11-G, Columbus, Ohio 43215-3793.
- (5) Further, regarding the initial public notice required under Rule 4906-5-08(B)(1), O.A.C., CSPC shall include the following statement:

Petitions to intervene in the adjudicatory hearing will be accepted by the Board up to 30 days following publication of the notice required by Rule 4906-5-08(B)(1), O.A.C., or later if good cause is shown. 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 the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793 and cite the above listed case number.

- (6) On February 12, 2009, the City of Upper Arlington (Upper Arlington or movant) filed a motion seeking to intervene in this matter. In support of its motion to intervene, Upper Arlington states that both the preferred and alternate routes of the proposed transmission line intersect the City of Upper Arlington within road right-of-way. Moreover, the movant claims that the City of Upper Arlington satisfies the four-part test set forth in Rule 4906-7-04(B)(1), O.A.C.
- (7) The administrative law judge finds that the City of Upper Arlington has established good cause to become a party to this proceeding. Therefore, the City of Upper Arlington's motion to intervene shall be granted.

It is, therefore,

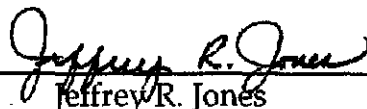
ORDERED, That the hearings in this matter be scheduled at the times and places designated in finding 3. It is, further,

ORDERED, That notices of the application and hearings be published by CSPC in accordance with finding 4. It is, further,

ORDERED, That the City of Upper Arlington be granted intervention in accordance with finding 7. It is, further,

ORDERED, That a copy of this entry should be served upon all parties of record.

THE OHIO POWER SITING BOARD


By: Jeffrey R. Jones
Administrative Law Judge


JK/vrm

Entered in the Journal

MAY 06 2009



Renee J. Jenkins
Secretary