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October 30, 2009

Mr. Kurt J. Boehm, Esq.
Boehm, Kurtz & Lowry
36 East Seventh Street, 1510
Cincinnati, Ohio 45202

Application for Certificate
BP-Husky Refinery 138/69 kV Substation
Case Number 09-750-EL-BSB

Dear Mr. Boehm:

This letter is to inform you that the above referenced application, filed with the Ohio Power Siting Board (Board) on September 23, 2009, has been found to comply with Chapters 4906-01, et seq., of the Ohio Administrative Code (OAC). This means that the Board's Staff has received sufficient information to begin its review of this application. During the course of its investigation, the Staff may request additional information to ensure a full and fair assessment of this project.

Pursuant to OAC Rule 4906-5-05, the certified application must now be filed with the Board in accordance with the provisions of OAC Rules 4906-5-06 and 4906-5-07. In summary form, these rules require:

1. Serving copies of the certified application upon appropriate government officials and public agencies in accordance with OAC Rule 4906-5-06. In this regard, please inform these officials in writing that if they wish to intervene in the proceedings they must file a notice of intervention with the Board within thirty days of being served a copy of the application.

2. Filing Proof of Service with the Board pursuant to OAC Rule 4906-5-07.

Upon completion of these requirements, you will be notified of the effective date of filing and the date and location of the public hearing.

Please be informed that under Section 4906.04 of the Ohio Revised Code (ORC), the applicant shall not commence to construct any portion of the facility prior to obtaining a certificate from the Board. Also be informed that to assist your company in meeting the provisions of OAC Rules 4906-5-06 and 4906-5-07, the Board will serve as a

clearinghouse for the distribution to and service of the application upon the following state agencies:

Public Utilities Commission of Ohio
Ohio Environmental Protection Agency
Ohio Department of Agriculture
Ohio Department of Development
Ohio Department of Health
Ohio Department of Natural Resources
Ohio Department of Transportation
Ohio Historical Society

Upon filing, pursuant to ORC Section 4906.06 (F) and OAC Rule 4906-5-11(B), the amount of $50,000.00 as an application fee is due. The check should be designated by case number and be payable to:

Treasurer of the State of Ohio,
Ohio Power Siting Board, Fund 561

Please send the check to:

Public Utilities Commission of Ohio
Attn: Fiscal Officer
180 East Broad Street
Columbus, Ohio 43266-0573

If you have any questions regarding the above, you may contact Klaus Lambeck at 614-644-8244.

Sincerely,

Alan Schriber
Chairman
Ohio Power Siting Board

Cc: Ms. Gina Burke