

June 7, 2011

Mr. Jim O'Dell  
Ohio Power Siting Board  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215-3793

**Geauga County 138 kV Transmission Line Project**  
Condition 40  
Case Number 07-0171-EL-BTX

Dear Mr. O'Dell,

Enclosed for Ohio Power Siting Board ("Board") Staff review and approval are four (4) copies of the Geauga County 138 kV Transmission Line Project Right-of-Way Off Road Vehicle Use Minimization Plan, dated June 7, 2011. This information is being provided to the Board's Staff in compliance with Condition 40(a) of the Board's Opinion, Order and Certificate issued on November 24, 2009.

Condition 40 provides:

*40) That if the Preferred Route is selected by the Board, prior to the commencement of construction, the Applicant shall present a plan to Staff for review and approval that minimize potential off-road recreational use of the right-of-way to the extent practicable.*

If there are any questions concerning this information, please call me at (330) 761-4268.

Sincerely,



Ted Krauss

Manger Siting, Survey and Right-of-Way

attachments

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician Sam Date Processed JUN 09 2011

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# **GEAUGA COUNTY 138 KV TRANSMISSION LINE SUPPLY PROJECT**

## **APPENDIX C – RIGHT-OF-WAY OFF ROAD VEHICLE USE MINIMIZATION PLAN**

**OPSB CASE NO. 07-0171-EL-BTX**

Prepared for:

FirstEnergy Corporation  
76 South Main Street  
Akron, Ohio 44308



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Prepared by:

FirstEnergy Service Company  
76 South Main Street  
Akron, Ohio 44308

June 7, 2011

## **1.0 Introduction**

The following Right-of-Way Off Road Vehicle Use Minimization Plan ("Plan") addresses requirements for minimizing the potential off-road recreational vehicle use associated with American Transmission Systems, Incorporated ("ATSI") and The Cleveland Electric Illuminating Company's ("CEI") (collectively the "Companies") construction of the Geauga County 138 kV Transmission Line Supply Project ("Project.") This Plan has been developed in response to Condition 40 of the Ohio Power Siting Board's ("OPSB") Opinion, Order and Certificate ("Order") for the Project issued on November 24, 2008 in the Board's Case Number 07-0171-EL-BTX. Condition 40 of the OPSB's Order states:

*40) "That, if the Preferred Route is selected by the Board, prior to the commencement of construction, the Applicants shall present a plan to Staff for review and approval that mitigates potential off-road recreational use of the utility corridor to the extent practicable."*

### **Background Information**

ATSI's transmission lines provide power to thousands of customers in northern and central Ohio and western Pennsylvania. ATSI's transmission lines connect customers to generation sources and are a vital reliability link with other utilities. ATSI is charged by state and federal regulatory agencies with the responsibility for providing safe, reliable electric service to its customers.

During the OPSB's review of the Companies' application for the Project, property owners along the proposed routes of the transmission line expressed concerns about recreational off-road vehicles traversing electrical utility corridors (or right-of-way). The Companies have concluded that the issue of recreational off-road vehicles traversing electrical utility corridors may be more of a concern where the right-of-way of the Project is located in a wooded area adjacent to a paved road.

A right-of-way is a general term used to describe the strip of land over which electric lines or similar linear facilities, such as a railroad, are built. It is necessary to obtain specific legal property rights to construct, operate and maintain a transmission line. This may be accomplished

by purchasing the land or obtaining easements. In the case of the Project, the right-of-way will be approximately 60 feet wide (30 feet from the center line of the transmission line on both sides.)

The appropriate method to address the concern of recreational off-road vehicles traversing electrical utility corridors during construction of the Project is the installation of fencing, with an access gate, as barriers to off-road access where the transmission line right-of-way is located in a wooded area adjacent to a paved road. To implement this Plan, the Companies have sought the necessary property easements to install fencing and an access gate, or a comparable installation, across the 60 foot wide right-of-way at the first area of significant dense brush or forest commencing at and located within 1,000 feet of local paved roads crossed by the right-of-way of the OPSB Approved Route, where there are no existing man-made barriers, such as an existing fence, or natural barriers, such as an abrupt vertical change of grade, between these areas and the local road. Comparable barriers are envisioned as the installation of fencing across the entire right-of-way and installing the gate on a nearby access route located outside of the right-of-way. The fencing will only be installed at locations where a negotiated agreement has been reached for the installation of the fence with the property owner. The Companies are not planning to appropriate rights to install the fencing. The fencing will not be installed at locations where the transmission line closely parallels local roads, within avoidable wetlands, in close proximity to or across streams, or in existing residential yards, or agricultural fields.

Installation of fencing along the right-of-way of the OPSB Approved Route falling within the criteria described above are located at the following locations: North of Mayfield Road (Figure A), north and south of Huntley Road (Figure B), north and south of Chardon Windsor Road (Figure D), south of Plank Road (Figure D), north and south of GAR Highway (Figure J), north and south of Hart Road (Figure L), north of Leggett Road (Figure M), north and south of Burrows Road (Figure N), south of Rock Creek Road (Figure Q), south of Thompson Road (Figure V), south of Moseley Road (Figure W) and north of Stocking Road (Figure Y.) Thus under this Plan, assuming negotiated agreements can be reached for installing the fence with the

property owner, fences would be installed at 17 locations. The proposed location of each fence is shown on Construction Staging Figures A through Y as indicated above.

### **Barrier Installation Plan**

The anticipated fencing to be installed is a woven steel wire mesh fence Type 47, 47 RA or its equivalent, similar to the fencing used by the Ohio Department of Transportation ("ODOT") to provide a barrier along limited access highways. The typical fence is made of number 9 gauge steel wire with a height of approximately 46.5 inches, and includes 10 horizontal wires and a 6 inch spacing of stay wires. To support the fence, posts sized in accordance with the appropriate ODOT specifications will be installed. A gate will be installed to provide access for the Companies vehicles or the associated property owner vehicles. The gate will be installed outside of stream areas and outside of wetland areas to the extent possible, on level ground, and recessed from the road pavement by at least 40 feet, to provide safe access from the adjacent road and to prevent oncoming traffic from making contact with a gate that is open should it open towards the road. The gate to be used is a metal entrance gate, similar to a corral gate. The gate will measure a minimum of 16 feet in width and approximately 4 feet in height and will attach to fence posts. The gate will be secured by a chain and lock assembly that may be double locked with a Company and a property owner lock. The attached Exhibits 1 and 2 provide the conceptual general details of the fence and gate. Substantial variation from the conceptual installation details of the gate and fence will be conveyed to the Board's staff prior to its installation.

### **Coordination with Property Owner**

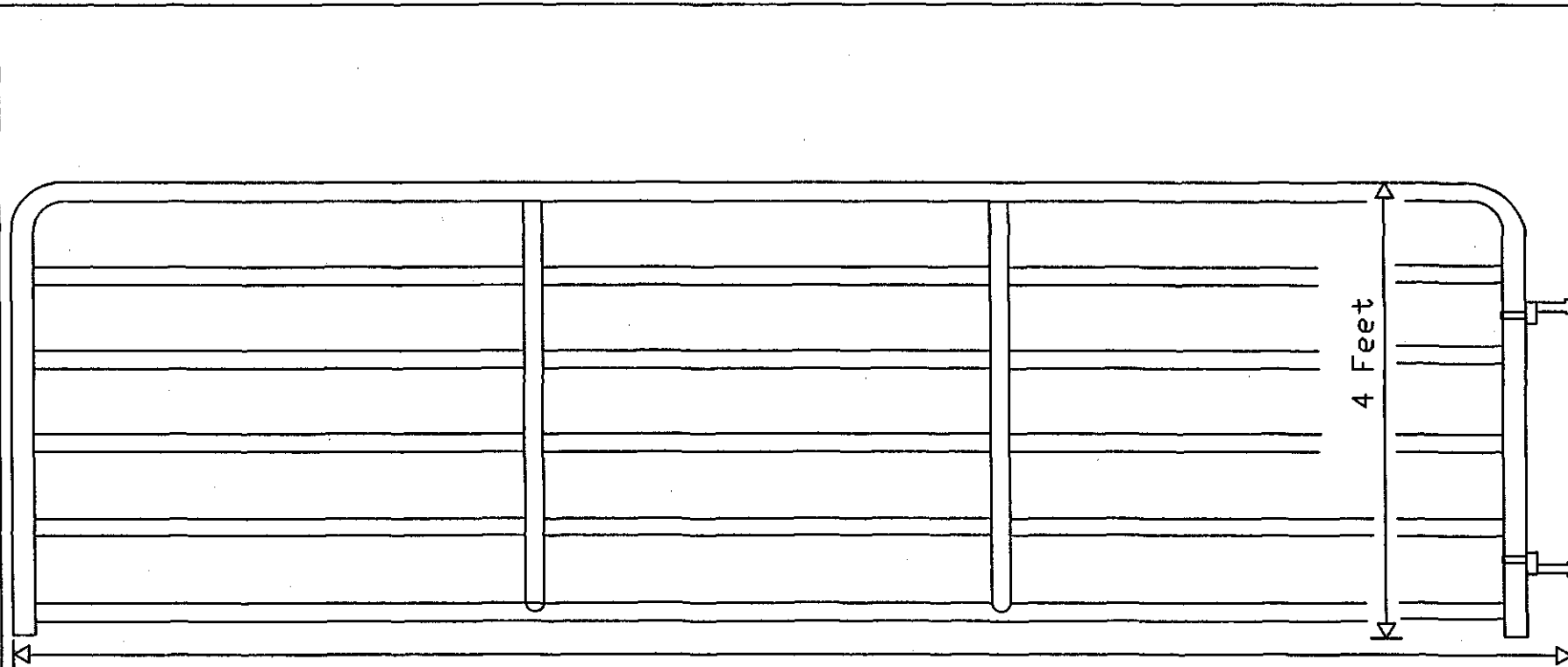
The fencing will only be installed at locations where the property owner grants permission for its installation under one of the following scenarios:

1. Fences located on right-of-way, Scenario 1: The Companies will install the gate and fence. The fencing and gate will be periodically inspected and repaired/maintained on the same cycle as the vegetative maintenance activity on the transmission line. This inspection is anticipated to be conducted on a five-year cycle.

2. Fences located on right-of-way, Scenario 2: The Companies will negotiate with the property owner for a one-time payment to the property owner for the installation and future maintenance of the fence and gate, and the property owner would own the installed fence and gate and be responsible for its maintenance. The property owner subsequently may choose to install the proposed fence and gate or another version of the fence and gate subject to the Companies' written consent and determination that it is compatible with the Project.
3. Fences located on right-of-way, Scenario 3: The Companies will install the gate and fence and negotiate with the property owner where the property owner would take ownership of the fence and gate and receive a one-time payment for their future maintenance of the fence and gate.
4. Fences located on Company owned property: Fencing and gates installed on property owned by the Companies will be installed as part of the initial construction of the Project. The fencing and gates will be periodically inspected and repaired/maintained on the same cycle as the vegetative maintenance activities on the transmission line. This inspection is anticipated to be conducted on a five-year cycle. Such fencing installations on company property will occur at three locations: north of Mayfield Road (Figure A) and north and south of Burrows Road (Figure N).

The specific location, the property owner's objection, or the specific installation scenario of each of 17 previously identified potential locations for installation of the gate and fence will be reviewed during the preconstruction meetings with the Board's staff.





16 Feet

4 Feet

**ATSI**

American Transmission Systems, Inc.  
a subsidiary of FirstEnergy Corp.

GEAUGA COUNTY

138 kV TRANSMISSION LINE PROJECT

Right-Of-Way Off-Road Vehicle  
Limitation Plan Metal Entrance Gate

EXHIBIT 2