

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of )  
American Transmission Systems )  
Incorporated for a Certificate Relative to ) Case No. 12-1726-EL-BLN  
the Bruce Mansfield-Glenwillow 345 kV )  
Transmission Line Project. )

ENTRY

The administrative law judge finds:

- (1) On November 9, 2012, American Transmission Systems, Incorporated (ATSI or applicant) filed its letter of notification application specific to the proposed construction of a new single circuit 345 kilovolt (kV) transmission line. ATSI submits that the preferred route can be constructed entirely within its existing transmission right-of-way through a combination of using open arm positions on existing transmission structures, reenergizing an existing but inactive 345 kV circuit, and rebuilding existing single circuit transmission structures to accommodate a second circuit.

In particular, ATSI submits that approximately 72 percent of the preferred route in the state of Ohio will involve using open arm positions on existing transmission line structures or reenergizing an inactive 345 kV circuit. The remaining 28 percent will involve rebuilding existing transmission structures to accommodate a second circuit. Further, the applicant notes that a few new structures will be installed along the route of the new construction, generally at locations where the route crosses existing transmission lines or at transitions from the proposed open arm to rebuild sections of construction. In one location, the applicant notes that the conductors installed in the new construction will be used as part of an existing circuit and the existing conductors of that circuit will be used as part of the newly proposed transmission line.

- (2) On November 20, 2012, the Environmental Law & Policy Center (ELPC) filed a motion to intervene in this proceeding. ELPC states that it is a nonprofit environmental advocacy organization with members in the state of Ohio. According to ELPC, its mission is to improve the Midwest's environmental

quality and economic development. In support of its motion, the ELPC submits that it has a real and substantial interest that is not adequately represented by any other party in this proceeding and that its members may be adversely affected by the outcome of this proceeding. Additionally, ELPC asserts that its participation will not unduly delay the proceeding or prejudice any other party. ELPC contends that its participation will contribute to a just and expeditious resolution of the issues in this proceeding due to its expertise as an environmental advocacy organization that also focuses on “green economic development, including new manufacturing and job creation . . . .” (Memorandum in Support at 2). Finally, ELPC states that its participation will assist in ensuring “that the implementation of Senate Bill (SB) 315 in cases such as this one results in thorough, fair, and efficient review of applications.”

- (3) On November 21, 2012, the Ohio Environmental Council (OEC) filed a motion to intervene. OEC identifies itself as a nonprofit, charitable organization comprised of over 100 affiliated member groups and approximately 3,000 individual members whose mission is to secure a healthier environment for all Ohioans. OEC contends that it is Ohio’s largest nonprofit environmental advocacy organization.

OEC states that it has two distinct interests in this proceeding. First, it seeks to protect the state of Ohio against any potential detrimental impacts to the environment that may arise as a result of this project. Additionally, it seeks to ensure that the application is properly scrutinized and that the public is assured an opportunity to participate in this proceeding. OEC submits that its interests are not represented by any existing party and that its participation will contribute to a just and expeditious resolution of the issues raised in this case. Finally, OEC asserts that its participation will not unduly delay the proceeding or unjustly prejudice any existing party.

- (4) On December 7, 2012, the Sierra Club (Sierra Club) filed a motion to intervene in this proceeding in order to protect the interests of its Ohio members. Sierra Club states that it is the world’s oldest and largest grassroots environmental organization and that it “has been actively concerned with electric utility issues since it first engaged in protection of America’s scenic resources from hydropower development”

(Motion at 3). Further, Sierra Club submits that it “has been involved in promotion of responsible energy policy almost since its first year” (*Id.* at 4).

Specific to its intervention request, Sierra Club avers that the expedited review process enacted pursuant to SB 315 “may present challenges in terms of advocacy regarding future transmission line projects. In particular, Sierra Club identifies the fact that it has an interest in the “direct and indirect impacts specific issue and process outcomes will have on the environment of the state of Ohio and surrounding areas and the electric bills of their members in First Energy’s service area” (*Id.*). Finally, Sierra Club asserts that it will significantly contribute to the just and expeditious resolution of this proceeding and that its intervention will not unduly prolong or delay this proceeding.

- (5) No one filed memorandum contra to the motions to intervene filed by ELPC, OEC, or Sierra Club.
- (6) Upon consideration of the motions filed by ELPC, OEC, and Sierra Club, the attorney examiner finds that the motions to intervene are reasonable and should be granted.

It is, therefore,

ORDERED, That the motions to intervene be granted in accordance with Finding (6). It is, further,

ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE OHIO POWER SITING BOARD

s/Jay Agranoff

By: Jay S. Agranoff  
Administrative Law Judge

sef/vrm

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**Case No(s). 12-1726-EL-BLN**

Summary: Administrative Law Judge Entry granting motions to intervene, electronically filed by Vesta R Miller on behalf of Jay S. Agranoff, Administrative Law Judge, Ohio Power Siting Board