

FILE

RECEIVED-DOCKETING DIV

2013 SEP 16 PM 3:28

PUCO

Robert J. Schmidt, Jr.
rschmidt@porterwright.com

Porter Wright
Morris & Arthur LLP
41 South High Street
Suites 2800-3200
Columbus, Ohio 43215-6194

Direct: 614-227-2028
Fax: 614-227-2100
Toll free: 800-533-2794

www.porterwright.com

porterwright

CINCINNATI
CLEVELAND
COLUMBUS
DAYTON
NAPLES
WASHINGTON, DC

September 16, 2013

Ms. Barcy F. McNeal, Secretary
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

RE: **In the Matter of the Letter of Notification of
American Transmission Systems, Inc. for
The Sammis-Wylie Ridge 345 kV, East
Akron-Sammis 138 kV, and Sammis-
Lowellville 138 kV Transmission Line
Extensions to, and Installation of, the
Toronto Transmission Substation Project
Case No. 12-1637-EL-BLN**

Dear Ms. McNeal:

Enclosed for filing are the original and 10 copies of the proof of publication in the above-captioned case. The public notice appeared in the September 4, 2013, *The Herald Star*.

If you have any questions regarding this filing, please feel free to contact me at your convenience.

Sincerely,

Robert J. Schmidt, Jr. /sle

Robert J. Schmidt, Jr.
Attorney for Applicant American Transmission Systems, Inc.

Enclosures

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 TN Date Processed SEP 16 2013

STATE OF OHIO
STEUBENVILLE,
JEFFERSON COUNTY, SS.

LISA L. BOYER

being sworn, says she is

BOOKKEEPER

of THE HERALD-STAR, a newspaper
published, and of general circulation
in said County and City, and that the
Notice, of which the annexed is a true
copy, was published in said newspaper

once on 9-4, 2013
Sworn to and subscribed before me

this 4th day of September, 2013

Lisa L. Boyer

AMOUNT: \$2,471.04
ACCT. # S14386

NOTARY:



NANCY KAUFMANN
NOTARY PUBLIC
STATE OF OHIO
MY COMMISSION EXPIRES
JUNE 9, 2017

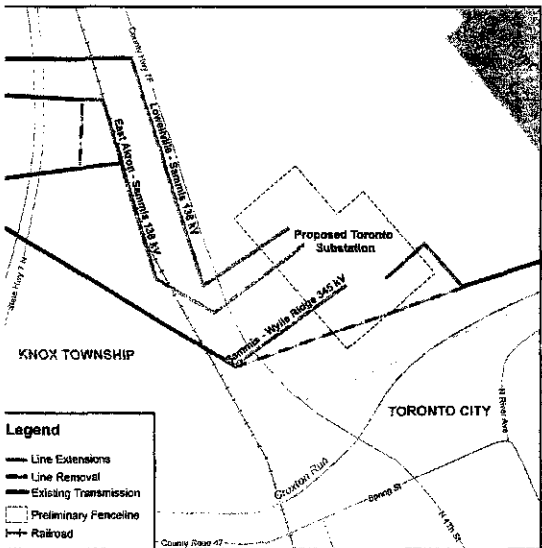
Nancy Kaufmann

NOTICE OF PROPOSED MAJOR UTILITY FACILITY

American Transmission Systems, Incorporated (ATSI), a FirstEnergy Company, is proposing to construct The Sammis – Wylie Ridge 345 kV, East Akron – Sammis 138 kV, and Sammis – Lowellville 138 kV Transmission Line Extensions to, and installation of, the Toronto Transmission Substation Project. ATSI owns FirstEnergy's Ohio transmission lines. The proposed project is a major utility facility and has been proposed and submitted to the Ohio Power Siting Board through a Letter of Notification application for a Certificate of Environmental Compatibility and Public Need.

The Project is needed to reinforce the transmission system to address potential transmission reliability issues as generation plants are retired in the ATSI region. PJM Interconnection (PJM), the regional transmission organization that coordinates the movement of electricity in this region, has identified the need for this Project to ensure continued system reliability. It is anticipated the new equipment will help prevent the overloading of critical transmission facilities that are necessary to serve customers and maintain acceptable voltage levels in the region.

The Project consists of constructing a new 345/138 kV transmission substation at the site of the former Toronto Generating Plant located in Knox Township in Jefferson County, Ohio, owned by Ohio Edison Company (Ohio Edison), a FirstEnergy Company, and extending and terminating the existing East Akron – Sammis 138 kV, the Sammis – Lowellville 138 kV, and the Sammis – Wylie Ridge 345 kV transmission lines at the new substation. The Transmission Line Extensions will occur on property owned by Ohio Edison and one private property. The Project location is shown on the attached map.



The following public officials and agencies have been served with copies of the Letter of Notification as required by the Ohio Power Siting Board regulations:

Mr. Thomas Graham, Jefferson County Commissioner
Mr. Adam Scurti, Jefferson County Commissioner
Mr. John A. Corrigan, Jefferson County Clerk of Court
Mr. Dave Maple, Jefferson County Commissioner
Mr. Jim Branagan, Jefferson County Engineer
Mr. Domenick Mucci Jr., Director, Jefferson County Regional Planning Commission
Mr. Donald R. Elder, Knox Township Trustee
Mr. John M. Danko, Knox Township Trustee
Mr. Donald L. Miller, Knox Township Trustee
Ms. Angie Renee Allison, Knox Township Fiscal Officer

Copies of the Letter of Notification are available for public inspection at the offices of the Ohio Power Siting Board, c/o Public Utilities Commission of Ohio, Utilities Department, 12th Floor, Borden Building, 180 East Broad Street, Columbus, Ohio 43215-3793, www.opsb.ohio.gov. A copy of the application was also sent to the following library:

Toronto Public Library, 607 Daniels Street Toronto, Ohio 43964

A letter of notification application to the Ohio Power Siting Board for a certificate to construct, operate, and maintain the above Project is now pending before the Board. The application has been assigned Docket No. 12-1637-EL-BLN, and the docket number should be referenced in all communications about these proceedings.

In accordance with the Ohio Power Siting Board regulations (Admin. Code rule 4906.5-08), the following sections of the Ohio Revised Code plus additional information are provided.

Section 4906.10(A)

(A) The power siting board shall render a decision upon the record after granting or denying the application as filed, or granting it upon such terms, conditions, or modifications of the construction, operation, or maintenance of the major utility facility as the board considers appropriate. The certificate shall be conditioned upon the facility being in compliance with standards and rules adopted under sections 1501.33, 1501.34, and 4561.32 and Chapters 3704., 3734., and 6111. of the Revised Code. The period of initial operation under a certificate shall

expire two years after the date on which electric power is first generated by the facility. During the period of initial operation, the facility shall be subject to the enforcement and monitoring powers of the director of environmental protection under Chapters 3704., 3734., and 6111. of the Revised Code and to the emergency provisions under those chapters. If a major utility facility constructed in accordance with the terms and conditions of its certificate is unable to operate in compliance with all applicable requirements of state laws, rules, and standards pertaining to air pollution, the facility may apply to the director of environmental protection for a conditional operating permit under division (G) of section 3704.03 of the Revised Code and the rules adopted thereunder. The operation of a major utility facility in compliance with a conditional operating permit is not in violation of its certificate. After the expiration of the period of initial operation of a major utility facility, the facility shall be under the jurisdiction of the environmental protection agency and shall comply with all laws, rules, and standards pertaining to air pollution, water pollution, and solid and hazardous waste disposal.

The board shall not grant a certificate for the construction, operation, and maintenance of a major utility facility, either as proposed or as modified by the board, unless it finds and determines all of the following:

- (1) The basis of the need for the facility if the facility is an electric transmission line or gas or natural gas transmission line;
- (2) The nature of the probable environmental impact;
- (3) That the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations;
- (4) In the case of an electric transmission line or generating facility, that the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability;
- (5) That the facility will comply with Chapters 3704., 3734., and 6111. of the Revised Code and all rules and standards adopted under those chapters and under sections 1501.33, 1501.34, and 4561.32 of the Revised Code. In determining whether the facility will comply with all rules and standards adopted under section 4561.32 of the Revised Code, the board shall consult with the office of aviation of the division of multi-modal planning and programs of the department of transportation under section 4561.341 of the Revised Code.
- (6) That the facility will serve the public interest, convenience, and necessity;
- (7) In addition to the provisions contained in divisions (A)(1) to (6) of this section and rules adopted under those divisions, what its impact will be on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929. of the Revised Code that is located within the site and alternative site of the proposed major utility facility. Rules adopted to evaluate impact under division (A)(7) of this section shall not require the compilation, creation, submission, or production of any information, document, or other data pertaining to land not located within the site and alternative site.
- (8) That the facility incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives.

Section 4906.07. Public hearing on application

(A) Upon the receipt of an application complying with section 4906.06 of the Revised Code, the power siting board shall promptly fix a date for a public hearing thereon, not less than sixty nor more than ninety days after such receipt, and shall conclude the proceeding as expeditiously as practicable.

(B) On an application for an amendment of a certificate, the board shall hold a hearing in the same manner as a hearing is held on an application for a certificate if the proposed change in the facility would result in any material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of such facility other than as provided in the alternates set forth in the application.

(C) The chairman of the power siting board shall cause each application filed with the board to be investigated and shall, not less than fifteen days prior to the date any application is set for hearing submit a written report to the board and to the applicant. A copy of such report shall be made available to any person upon request. Such report shall set forth the nature of the investigation, and shall contain recommended findings with regard to division (A) of section 4906.10 of the Revised Code and shall become part of the record and served upon all parties to the proceeding.

At this time, no public hearing has been scheduled.

4906.08(C). Parties – testimony

(C) The board shall accept written or oral testimony from any person at the public hearing, but the right to call and examine witnesses shall be reserved for parties. However, the board may adopt rules to exclude repetitive, immaterial, or irrelevant testimony.

Intervention.

Petitions to intervene in the proceeding will be accepted by the Board up to 10 days following publication of this notice as required by the Entry of the Board in Docket No. 12-1981-GE-BRO, or later if good cause is shown. However, the Board strongly encourages interested persons who wish to intervene to file their petitions as early as possible. Petition should be addressed to the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215-3793 and cite the above-listed case number. (Docket No.12-1637-EL-BLN)