

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of AEP )  
Transmission Company, Incorporated for a )  
Certificate of Environmental Compatibility ) Case No. 13-733-EL-BSB  
and Public Need for the Construction of the )  
Ebersole Substation. )

ENTRY

The administrative law judge finds:

- (1) On August 12, 2013, AEP Ohio Transmission Company, Incorporated (AEP Transco) filed an application seeking approval for the construction of a new 138 kilovolt (kV) Ebersole electric substation with 138 kV to 34.5 kV transformation and associated electric transmission line interconnection in Cass Township, Hancock County, near Findlay, Ohio. AEP Transco represents that the new substation is part of the Findlay Area Improvement Plan which is a major reinforcement effort designed to help AEP Transco maintain an adequate level of transmission reliability in northwest Ohio. In addition to the construction of the Ebersole substation, the Findlay Area Improvement Plan includes improvements at several existing substations, and the upgrade and rerouting of existing 138 kV transmission lines on existing rights-of-way.
- (2) Pursuant to Rule 4906-5-05(A), Ohio Administrative Code (O.A.C.), within 60 days after receipt of an application for a major utility facility, the chairman of the Board shall notify the applicant of the acceptance or rejection of the application as complete. Accordingly, on October 9, 2013, the Board notified AEP Transco that its application was sufficiently complete to permit Staff to commence its review and investigation of the application. Further, the October 9, 2013, letter directed AEP Transco to serve appropriate government officials and public agencies with copies of the complete, certified application.
- (3) On October 21, 2013, AEP Transco filed a certificate of service of its accepted and complete application, in accordance with the requirements of Rule 4906-5-07, O.A.C. The effective date of the filing of the application shall be October 17, 2013.

- (4) At this time, the administrative law judge (ALJ) finds that a local public hearing in this matter shall be held on December 16, 2013, at 6:00 p.m., at the Owens State Community College, Education Center, 111 Conference Center, 3200 Bright Road, Findlay, Ohio 45840. The adjudicatory hearing shall commence on January 6, 2014, at 10:00 a.m., in Hearing Room 11-D, at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (5) Additionally, the ALJ finds that petitions to intervene in this proceeding will be accepted by the Board up to 30 days following publication of the notice required by Rule 4906-5-08(C)(1), O.A.C., or by December 2, 2013, whichever is later.
- (6) AEP Transco 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., AEP Transco shall include a statement that the public hearing in this case shall consist of two parts:
  - (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 December 16, 2013, at 6:00 p.m., at the Owens State Community College, Education Center, 111 Conference Center, 3200 Bright Road, Findlay, Ohio 45840.
  - (b) An evidentiary hearing commencing on January 6, 2013, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Hearing Room 11-D, Columbus, Ohio 43215-3793.
- (7) Further, regarding the initial public notice required under Rule 4906-5-08(C)(1), O.A.C., AEP Transco shall include the following statement as part of the public notice:

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(C)(1), O.A.C., or by December 2, 2013, whichever is later. 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 Ohio Power Siting Board, Docketing Division, 180 East Broad Street, Columbus, Ohio 43215-3793, and cite the above-listed case number.

- (8) Rule 4906-7-01, O.A.C., provides that the ALJ shall regulate the course of the hearing including requiring that testimony to be offered in the Board proceedings be reduced to writing and filed with the Board, according to a schedule established by the ALJ. Accordingly, the ALJ finds that the following process shall be implemented:
- (a) Pursuant to Rule 4906-5-05(D), O.A.C., Staff shall file its report of investigation (Staff Report) on or before December 1, 2013.
  - (b) On or before December 5, 2013, each party shall file a list of issue(s) citing specific concern(s) about which they may be interested in pursuing cross-examination of witnesses at the evidentiary hearing.
  - (c) All testimony to be offered by the applicant in this matter shall be filed by December 26, 2013.
  - (d) All testimony to be offered by the intervenor(s) and Ohio Power Siting Board Staff shall be filed by December 30, 2013.
  - (d) The parties are encouraged to arrange for electronic service of testimony and other pleadings among themselves. If electronic service is agreed to, the parties are also directed to provide electronic copies to the ALJ.

It is, therefore,

ORDERED, That the hearings in this matter be scheduled at the times and places designated in Finding (4). It is, further,

ORDERED, That notices of the application and hearings be published in accordance with Findings (6) and (7). It is, further,

ORDERED, That Staff file its Staff Report in accordance with Finding (8). It is, further,

ORDERED, That the parties file their issue lists and testimony in accordance with Finding (8). It is, further,

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

THE OHIO POWER SITING BOARD

s/ Jay S. Agranoff

By: Jay S. Agranoff  
Administrative Law Judge

cmt/p/vrm

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 13-0733-EL-BSB**

Summary: Administrative Law Judge Entry scheduling public hearing and adjudicatory hearing; electronically filed by Vesta R Miller on behalf of Jay S. Agranoff, Administrative Law Judge, Ohio Power Siting Board