

BEFORE THE
OHIO POWER SITING BOARD

In The Matter Of:)	
The Application of American Transmission)	
Systems, Incorporated for a Certificate of)	
Environmental Compatibility and Public Need)	Case No. 13-0191-EL-BLN
for the Highland-Shenango 345 kV Transmission)	
Line Extension to Niles Substation)	

NOTICE OF ACCEPTANCE, WITH CLARIFICATION
PROPOSED STAFF CONDITIONS

Applicant, American Transmission Systems, Incorporated ("ATSI"), provides notice to the Board that it accepts the five conditions found in the Ohio Power Siting Board's Staff's Report of Investigation filed on November 22, 2013 in this docket, subject to one clarification.

ATSI notes that one of the proposed conditions, Condition Number 3, has what ATSI believes is a typographical error. In the Staff Report, Condition Number 3 provides:

3. The Applicant shall adhere to seasonal cutting dates of May 1 through July 1 for removal of suitable yellow-bellied sapsucker habitat. If it is not practical to for the Applicant to adhere to the seasonal cutting restrictions, then the Applicant shall coordinate with USFWS and ODNR for clearance.

ATSI is interpreting this condition as restricting the cutting of trees and other vegetation in suitable yellow-bellied sapsucker habitat to dates outside of the breeding period of May 1 through July 1. If this was not the intent of Staff, ATSI requests clarification of the condition.

Please consider this Notice as a Supplement to the Application filing in this matter, as per the request of Staff, and that Applicant will accept the conditions, subject to the clarification of Condition Number 3, on the approval of this Certificate.

Respectfully submitted,

s/ Robert J. Schmidt

Robert J. Schmidt, Jr. (0062261)
Porter, Wright, Morris & Arthur LLP
41 South High Street
Columbus, Ohio 43215
Phone: (614) 227-2097
Fax: (614) 227-2100

Anne M. Juterbock (0079637)
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
Email: ajuterbock@firstenergycorp.com

*Attorneys for Applicant American
Transmission Systems, Incorporated*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Notice of Acceptance of Proposed Staff Conditions " was served upon the following persons by electronic filing and mailing a copy, postage prepaid, on December 6, 2013, addressed to:

Christine Pirik, Esq.
Deputy Director, Legal
Public Utilities Commission of Ohio
180 E. Broad Street, 12th Floor
Columbus, Ohio 43215

Bill Wright, Esq.
Section Chief
Office of the Attorney General of Ohio
Public Utilities Section
180 East Broad Street
Columbus, Ohio 43215-3793

Klaus Lambeck, Chief
Facilities, Siting & Environmental Analysis Division
Ohio Power Siting Board
180 East Broad Street
Columbus, Ohio 43266-0573

s/ Robert J. Schmidt

Robert J. Schmidt

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/6/2013 3:25:15 PM

in

Case No(s). 13-0191-EL-BLN

Summary: Notice of Acceptance of Staff's Proposed Conditions electronically filed by Mr. Robert J Schmidt on behalf of American Transmission Systems Inc.