

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Letter of Notification Application by)
Duke Energy Ohio, Inc. for a Certificate of)
Environmental Compatibility and Public Need for the) Case Number
138 kV Transmission Line Tap to Enyart Substation.) 15-0324-EL-BLN

Members of the Board:

Chairman, Public Utilities Commission	Ohio House of Representatives
Director, Development Services Agency	Ohio Senate
Director, Department of Health	
Director, Department of Agriculture	
Director, Environmental Protection Agency	
Director, Department of Natural Resources	
Public Member	

To the Honorable Power Siting Board:

Please review the attached Staff Report of Investigation, which has been filed in accordance with the Board's rules. The accelerated certificate application in this case is subject to an automatic approval process as required by Section 4906.03 of the Ohio Revised Code.

The application will be automatically approved on **March 23, 2015**, unless suspended by the Board's chairperson, the Executive Director, or an administrative law judge. If suspended, the Board must render a decision on the application within 90 days from the date of suspension.

The staff report includes recommended conditions of the certificate. Prior to the automatic approval date, the applicant must file a supplement to its application that adopts these conditions. Absent such supplement, Staff will recommend that the case be suspended.

Please present any concerns you or your designee may have with this case to my office at least four business days prior to **March 23, 2015**, which is the automatic approval date.

Sincerely,



Patrick Donlon
Executive Director
Ohio Power Siting Board
(614) 466-6692
ContactOPSB@puc.state.oh.us

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 15-0324-EL-BLN
Project Name: 138 kV Transmission Line Tap to Enyart Substation
Project Location: Hamilton County
Applicant: Duke Energy Ohio
Application Filing Date: February 23, 2015
Filing Type: Letter of Notification
Inspection Date: March 3, 2015
Report Date: March 11, 2015
Automatic Approval Date: March 23, 2015
Waiver Requests: None
Staff Assigned: J. Whitis, R. Huckleberry, G. Zeto

Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions
Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

Project Description

Duke Energy proposes to construct 0.22 miles of 138 kilovolt (kV) transmission line loop between the existing Montgomery-Foster 138 kV transmission line and the planned Enyart distribution substation. The proposed transmission lines would connect to the north and south sides of the planned Enyart substation. Construction of the project would begin in March 2015 and be completed and placed in-service by December 31, 2015.

Site Description

The project is located on Montgomery Road just south of Union Cemetery Road and is situated on a 6.5-acre parcel owned by Duke Energy. The transmission line would be constructed entirely on Duke Energy property and existing or planned easement within the Montgomery Road right-of-way.

Capital Costs

The capital cost for this project is estimated at \$325,000.

Surface Waters

The proposed electric transmission line right-of-way contains one perennial stream. A permanent arched bridge is being installed across the stream for access to the distribution substation and would be used during construction of the transmission line. This bridge would be installed above the ordinary high water mark, and no in-water work would occur. The right-of-way does not contain any wetlands.

The Applicant also anticipates submitting a Notice of Intent for coverage under the Ohio Environmental Protection Agency National Pollutant Discharge Elimination System General Permit. The Applicant would utilize best management practices (BMP) to minimize impacts to surface waters. The proposed BMPs would be outlined in the Stormwater Pollution Prevention Plan, and a copy would be provided to the Board's Staff.

Threatened and Endangered Species

With the exception of the federal and state endangered Indiana bat (*Myotis sodalis*), no federal or state listed species and/or their suitable habitat would be impacted by this project. In order to avoid impacts to the Indiana bat, the Applicant would adhere to seasonal cutting dates of October 1 through March 31 for removal of suitable Indiana bat habitat trees, if avoidance measures cannot be achieved.

Conclusion

The proposed transmission line loop poses only minimal negative impacts.

Conditions

- (1) Prior to the commencement of construction, the Applicant shall obtain all applicable permits and authorizations as required by federal and state entities for any activities where such permit or authorization is required;
- (2) The Applicant shall adhere to seasonal cutting dates from October 1 through March 31 for removal of suitable Indiana bat habitat trees, if avoidance measures can not be achieved;
- (3) The Applicant shall utilize best management practices when working in the vicinity of environmentally sensitive areas. This includes, but is not limited to, the installation of silt fencing (or similarly effective tool) prior to initiating construction near streams and wetlands. The installation of erosion control measures shall be done in accordance with generally accepted construction methods and shall be inspected regularly.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

Case No(s). 15-0324-EL-BLN

Summary: Staff Report of Investigation electronically filed by Mr. Matt Butler on behalf of Staff of OPSB