

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of Expedited Letter of Notification** )  
**Application of Timber Switch-Haviland 138 kV** )  
**Transmission Line Rebuild Project** ) **16-0074-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 Ohio Power Siting Board (Board) 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 recommended for automatic approval on May 31, 2016, unless suspended by the Board's chairperson 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 May 31, 2016, which is the automatic approval date.

Sincerely,



Patrick Donlon  
Director, Rates and Analysis  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215  
(614) 644-8932

## OPSB STAFF REPORT OF INVESTIGATION

**Case Number:** 16-0074-EL-BLN  
**Project Name:** Timber Switch-Haviland 138 kV Transmission Line Rebuild  
**Project Location:** Paulding County  
**Applicant:** AEP Ohio Transmission Company  
**Application Filing Date:** March 1, 2016  
**Filing Type:** Letter of Notification  
**Inspection Date:** May 11, 2016  
**Report Date:** May 25, 2016  
**Recommended Automatic Approval Date:** May 31, 2016  
**Applicant's Waiver Requests:** none  
**Staff Assigned:** D. Collins, J. Cross

### Summary of Staff Recommendations (see discussion below):

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

### Project Description

AEP Ohio Transmission Company (Applicant) proposes to rebuild an existing 138 kilovolt (kV) double circuit transmission line approximately 11 miles in length in Paulding County. The Timber Switch-Haviland 138 kV Transmission Line Rebuild Project involves removing 51 double-circuit lattice towers and replacing them with 52 double circuit monopole structures. Other minor alignment adjustments would occur as required to avoid existing structures along the existing right-of-way. The purpose of the project is to rebuild older infrastructure that dates as far back as the 1920's and improve service reliability.

The Applicant proposes to begin construction in the fall of 2017 and to place the line in-service by the fall of 2018. The Applicant estimates the total cost of the project at \$12 million.

### Site Description

The Applicant proposes to rebuild a section of transmission line that begins at the Haviland Substation on County Road 107 just south of the intersection with State Route 114 and runs 10.9 miles west to the Indiana State Line. The Timber Switch-Haviland 138 kV Transmission Line crosses Blue Creek and Benton townships. There is one electric substation, the Timber Switch Substation, along the project right-of-way, approximately 8.5 miles west of the Haviland Substation.

The surrounding land use is mostly agricultural and includes wind power generation facilities. Residential structures in the project area consist of single family homes on large acreage lots. The entire length of the rebuilt transmission line would be located within the existing easement owned by the Applicant.

### **Basis of Need**

The Applicant states that the rebuild of the Timber Switch-Haviland 138 kV transmission line is needed to meet system reliability issues on the 1920's vintage and address the upgrade issues related to generation queue projects S-073 and T-131.

Without the proposed transmission line rebuild, the Applicant may be unable to comply with the required North American Electric Reliability Corporation and PJM Interconnection planning criteria, making the system unstable and unreliable, resulting in possible penalties from the Federal Energy Regulatory Commission. The proposed transmission line rebuild would allow the transmission system to provide safe, reliable electric service, while meeting all applicable planning criteria.

This proposed project was identified as a baseline upgrade in the 2012 PJM Regional Transmission Expansion Plan and approved by the PJM Board of Directors. The Applicant's project was assigned ID No. b2161. The status of the project can be tracked on PJM's website.<sup>1</sup>

### **Nature of Impacts**

#### *Socioeconomic Impacts*

Paulding County consists largely of rural development, with land used predominantly for farming. Urban development currently represents less than two percent of the county, and continues to grow at a slow pace. The main business enterprises are dairy farming and cash-grain farming.

The Applicant sent notifications regarding the project to area public officials and affected property owners. The Applicant has taken actions to comply with the notification requirements of Ohio Administrative Code (Ohio Adm.Code) 4906-6-08(A)(1-6). The Applicant retains right-of-way land agents who will discuss project timelines, proposed construction activities, and restoration practices with affected land owners and tenants.

#### *Agricultural Land*

The project would cross 10.9 miles of agricultural land. Approximately 131.7 acres of agricultural land is affected, although no known agricultural district land is crossed. Most of the agricultural land is used for pasture land and crop cultivation. The Applicant indicates that while agricultural operations at pole locations will not be possible, crop production and pasture can continue uninterrupted within the right-of-way. The change to the monopole structures that have a single foundation will reduce the impacts to farm land within the right-of-way.

#### *Cultural Resources*

Weller & Associates, a cultural resources subcontractor retained by the Applicant, conducted a literature review and a Phase I archeological study for the project. Field investigations involved visual inspection, surface collection, and subsurface testing. The study identified no deposits older

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<sup>1</sup> "Transmission Construction Status," PJM Interconnection, accessed May 24, 2016, <http://pjm.com/planning/rtep-upgrades-status/construct-status.aspx>.

than 50 years within the project area. As a result of the study, the Applicant determined that construction of the project would not impact significant archaeological deposits. The study recommended that no further cultural resource investigation is needed for the project.

### *Surface Waters*

SCI Engineering, a subcontractor retained by the Applicant, completed a biological survey report of the project right-of-way. The report included several field investigations conducted in July and November 2015. The survey results indicated that there are wetlands and waterbodies within the proposed project area. However, no direct temporary or permanent surface water impacts would occur as a result of this project. The Applicant will place structures outside of wetland boundaries and will not fill or alter the configuration of the wetlands. Where wetland crossings cannot be avoided, the Applicant will place temporary timber matting to avoid disturbing delineated wetlands.

The right-of-way crosses 16 waterbodies. Where stream crossings are required and avoidance is not possible, the Applicant will use existing culverts, temporary bridges, or temporary culverts for stream crossings during construction. All temporary impacts associated with construction will be reclaimed after construction is complete.

The Applicant has submitted a Notice of Intent for coverage under the Ohio Environmental Protection Agency General National Pollutant Discharge Elimination System General Permit OHC000003. Wetland and stream impacts would be covered under the Permit #3 from the U.S. Army Corps of Engineers without the need to submit a pre-construction notification. The Applicant states there are no other known local, state, or federal permits that must be met prior to the construction of the project.

### *Threatened and Endangered Species*

State and federally-listed species and/or suitable habitat that may be found in the project area include the federally endangered Indiana bat and state threatened pondhorn mussel.

The Applicant's survey of the project area did not locate suitable habitat for the Indiana bat. The Applicant does not propose to clear trees as part of this project. In the event the Applicant does come across a situation where an incidental tree clearing is needed, the Applicant will comply to time of year restrictions associated with the Indiana bat.

Additionally, the Ohio Department of Natural Resources (ODNR) Division of Wildlife recommends that the Applicant consult the Ohio Mussel Survey Protocol (2014) and follow any applicable recommendations when performing in-water work.

The Applicant is currently coordinating with the ODNR for any additional state-listed species and/or suitable habitat that may be found in the project area. The Applicant would provide Staff with any comments from the ODNR review of the project and continue coordination with the ODNR and Staff based on the ODNR comments.

### **Conclusion**

Staff's review of the application included consideration of the requirements listed in Ohio Adm.Code 4906-6-05, regarding accelerated application requirements. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff recommends automatic approval of this case on May 31, 2016, provided that the following conditions are satisfied.

## **Conditions**

- (1) Prior to commencement of construction, the Applicant shall develop a public information program that informs affected property owners of the nature of the project, specific contact information of Applicant personnel who are familiar with the project, the proposed timeframe for project construction, and a schedule for restoration activities. Notification to property owners shall be given at least 30 days prior to work on the affected property.
- (2) The Applicant shall avoid, where possible, or minimize to the maximum extent practicable, any damage to field tile drainage systems and soils resulting from construction, operation, and/or maintenance of the facility in agricultural areas. Damaged field tile systems shall be promptly repaired to at least original conditions at the Applicant's expense. If applicable, excavated topsoil shall be segregated and restored in accordance with the Applicant's lease agreement with the landowner. Severely compacted soils shall be plowed or otherwise de-compacted, if necessary, to restore them to original conditions unless otherwise agreed to by the landowner.
- (3) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of suitable Indiana bat habitat trees, unless coordination efforts with the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service allow a different course of action.
- (4) Prior to the commencement of construction activities that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations.
- (5) The Applicant shall consult and follow the recommendations of the Ohio Mussel Survey Protocol (2014) in the event in-water work is to be performed.

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

**Commission of Ohio Docketing Information System on**

**5/25/2016 3:31:43 PM**

**in**

**Case No(s). 16-0074-EL-BLN**

Summary: Staff Report of Investigation electronically filed by Mrs. Yvonne W Cooper on behalf of Staff of OPSB