

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Letter of Notification )  
for the 5680- 138 kilovolt Todhunter to ) Case No. 16-1759-EL-BLN  
Nickel Rebuild Project. )

ENTRY

The administrative law judge finds:

- (1) Duke Energy Ohio, Inc. (Duke) is a person as defined in R.C. 4906.01.
- (2) R.C. 4906.04 provides that no person shall construct a major utility facility in the state without obtaining a certificate for the facility from the Ohio Power Siting Board (Board).
- (3) On August 22, 2016, Duke filed a request for expedited treatment of an accelerated letter of notification application for the 5680- 138 kilovolt Todhunter to Nickel rebuild project. The requested approval date of September 5, 2016, is shorter than the 28-day approval date set forth in Ohio Adm.Code 4906-6-03 for an accelerated letter of notification filing. Duke submits that it is seeking expedited treatment of this accelerated letter of notification due to timing requirements of impacted properties and the expected outage.
- (4) For good cause shown, an applicant may request a shorter automatic approval date than the 28-day approval set forth in Ohio Adm.Code 4906-6-03. Pursuant to Ohio Adm.Code 4906-6-04(B), unless otherwise notified by the Board, its executive director, or the administrative law judge (ALJ), a request for expedited processing is considered to be accepted.
- (5) The ALJ finds that Duke has failed to establish good cause to expedite treatment of this letter of notification application for a September 5, 2016 approval date. The Board will proceed with its review of this application under the standard accelerated letter of notification timeframe outlined in Ohio Adm.Code 4906-6-03.

It is, therefore,

ORDERED, That Duke's request for expedited treatment of its accelerated letter of notification application be denied in accordance with finding (5). It is, further,

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

THE OHIO POWER SITING BOARD

/s/ Jeffrey R. Jones

By: Jeffrey R. Jones  
Administrative Law Judge

sjp/vrm

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**in**

**Case No(s). 16-1759-EL-BLN**

Summary: Administrative Law Judge Entry denying Duke's request for expedited treatment of its accelerated letter of notification application; electronically filed by Vesta R Miller on behalf of Jeffrey R. Jones, Administrative Law Judge, Ohio Power Siting Board