

BEFORE

THE OHIO POWER SITING BOARD

**In the Matter of The Application of Duke)
Energy Ohio, Inc. for a Certificate of)
Environmental Compatibility and)
Public Need for the C314V Central)
Corridor Pipeline Extension Project)**

Case No. 16-0253-GA-BTX

NOTICE OF INTERVENTION

**BY CITY MANAGER DAVID WALTZ ON BEHALF OF
THE CITY OF BLUE ASH, OHIO**

Now comes David Waltz (“Mr. Waltz”), City Manager for the City of Blue Ash, Ohio (“Blue Ash”), and files this Notice of Intervention under Ohio Administrative Code (O.A.C.) Rule 4906-2-12(A)(1). O.A.C. 4906-2-12(A)(1) provides:

The chief executive officer of each municipal corporation and county and the head of each public agency charged with the duty of protecting the environment or of planning land use in the area in which any portion of such facility is to be located may intervene by preparing and filing with the board, within thirty days after the date he or she was served with a copy of the application under division (B) of section 4906.06 of the Revised Code, a notice of intervention containing the following information:

- (a) A certification or affirmation as to the legal title and authority of such official.
- (b) A statement demonstrating the fact that all or part of the proposed facility is to be located within the area under the jurisdiction of such official.
- (c) A statement indicating that such official intends to intervene in the proceedings, together with the grounds for which intervention is sought.

As set forth in the attached Exhibit A, Mr. Waltz holds the legal title and authority of Blue Ash City Manager. As City Manager, Mr. Waltz is the chief executive and administrative officer of Blue Ash under its Charter. (See Affidavit of David Waltz, attached hereto as Exhibit A, at ¶ 1).

Under O.A.C. 4906-2-12(A)(1)(b), parts of the proposed Central Corridor Pipeline Extension Project (“Project”) are to be situated within Blue Ash, as identified in the January 20, 2017 Amended Application of Duke Energy Ohio, Inc. The Amended Application was served on Blue Ash on March 27, 2017.

Moreover, the proposed pipeline routes conflict with future sidewalk and roadway improvements in Blue Ash, including improvements to Pfeiffer Road between Kenwood Road and the I-71 Interchange, a Malsbary Road Extension construction project, and roadway improvements to Glendale-Milford Road between Plainfield Road and Reed Hartman Highway. Additionally, one of the proposed pipeline routes would require removal of improvements in downtown Blue Ash that were recently installed at a substantial cost to the City.

Blue Ash anticipates that through its intervention it may act with other jurisdictions to represent regional interests common to Blue Ash and other political subdivisions including an evaluation of Project need and safety issues. Blue Ash has a direct and substantial interest in this proceeding.

Finally, Mr. Waltz, on behalf of Blue Ash, intends to intervene in this proceeding. The basis for the intervention is that the Project has proved to be a matter of public importance to Blue Ash citizens. Indeed, the Project raises various environmental, logistical, and operational issues in which Blue Ash wants to participate. And the Project will impact Blue Ash’s residents, businesses, and infrastructure, as described

above. Blue Ash has a paramount interest in protecting the health and welfare of its citizens.

Respectfully submitted,

s/ Bryan E. Pacheco

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**Attorneys for City Manager David Waltz
and the City of Blue Ash, Ohio**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice Of Intervention was served on all parties who have electronically subscribed to this case through the Docketing Information System of the Public Utilities Commission of Ohio and the OPSB on this 31st day of March, 2017. The docketing division's e-filing system will electronically serve notice of the filing of this document on the following parties:

Matt Butler
Public Utilities Commission of Ohio
180 E. Broad St.
Columbus OH 43215

Kristen Ryan
Duke Energy
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Cincinnati OH 45202

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Attorneys for City of Cincinnati

The following parties have not been served via the email notice and have been served by regular U.S. Mail on the same date indicated above:

Anthony and Joan Boiano
9528 Bluewing Terrace
Blue Ash, OH 45241

Thomas A. and Patricia H. Kreitingner
6150 St. Regis Dr.
Cincinnati, OH 45236

s/ Bryan E. Pacheco


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Further Affiant sayeth naught.



David Waltz, City Manager

Sworn and subscribed personally before me this 31 day of March, 2017.



NOTARY PUBLIC



Judith A. Ward
Notary Public
State of Ohio
My Commission Expires
May 01, 2021

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/31/2017 2:33:11 PM

in

Case No(s). 16-0253-GA-BTX

Summary: Notice Notice of Intervention By City Manager David Waltz on Behalf of The City of Blue Ash, Ohio electronically filed by Mr. Bryan E. Pacheco on behalf of City of Blue Ash, Ohio