

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 DAVID KUBICKI, PRESIDENT OF THE BOARD OF TRUSTEES
ON BEHALF OF COLUMBIA TOWNSHIP**

Now comes David Kubicki ("Mr. Kubicki"), President of the Board of Trustees of Columbia Township, 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. Kubicki is the Chief Executive Officer of Columbia Township, and he holds the legal title and authority of President of the Board of Trustees of Columbia Township. Mr. Kubicki is charged with the duty of protecting the environment and planning land use in Columbia Township. (See Affidavit of David Kubicki, 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 Columbia Township, as identified in the January 20, 2017 and March 3, 2017 Amended Applications of Duke Energy Ohio, Inc. (“Duke”). Duke’s March 3 Amended Application states that “[t]he Preferred Route and Alternate [Pipeline] Route are located within two townships (Sycamore and Columbia Townships) . . .” (See Duke’s March 3, 2017 Amended Application at 110). Duke lists Columbia Township as a “Stakeholder,” and the Application includes Columbia Township on its “List of Public Officials to be Served a Copy of the Accepted Application.” (See *id.* at 139, 142). Duke’s Amended Application was served on Columbia Township on March 24, 2017.

Moreover, the proposed pipeline routes conflict with future sidewalk and roadway improvements in Columbia Township. And the routes increase safety risks due to the blast-zone proximity to Seven Hills School and the Seven Hills subdivision. Additionally, the proposed pipeline routes would increase the safety risk to vehicles on the I-71 Red Bank Road access ramp in the event of a safety incident.

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

Finally, Mr. Kubicki, on behalf of Columbia Township, intends to intervene in this proceeding. The basis for the intervention is that the Project is a matter of public importance to Columbia Township citizens. Indeed, the Project raises various environmental, logistical, and operational issues in which Columbia Township wants to participate. And the Project will impact Columbia Township's residents, businesses, and infrastructure, as described above. Columbia Township has a paramount interest in protecting the health and welfare of its citizens.

Respectfully submitted,

s/ Mark G. Arnzen, Jr.

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**Attorneys for Columbia Township and
David Kubicki, President of the Board of
Trustees of Columbia Township**

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 12th day of April 2017. The docketing division's e-filing system will electronically serve notice of the filing of this document on the following parties:

Adele M. Frisch
Duke Energy
139 East Fourth Street
Cincinnati, Ohio 45202

Felecia D. Burdett
PUCO
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Columbus, Ohio 43215

Matt Butler
PUCO
180 E. Broad Street
Columbus, Ohio 43215

Vesta R. Miller
PUCO
180 E. Broad Street
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Ms. Donielle M. Hunter
PUCO
180 E. Broad Street, 11th Floor
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Carys Cochern
Duke Energy
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Columbus, Ohio 43215

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Cincinnati, Ohio 45202
Attorney for Mayor Melisa Adrien, City of Madeira

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Steven D. Lesser, Esq.
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The Calfee Building
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Cleveland, Ohio 44114
Attorneys for City of Cincinnati

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Law Director, Sycamore Township
Robert T. Butler, Esq.
Donnellon, Donnellon & Miller LPA
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*Attorneys for Thomas J. Weidman,
President Board of Township Trustees of
Sycamore Township, Ohio and Sycamore
Township*

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Attorneys for Village of Evendale

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*Attorney for Amberley Village and Scot
Lahrmer, Village Manager*

Andrew J. Helmes, Law Director
City of Deer Park
7777 Blue Ash Road
Deer Park, Ohio 45236
*Attorney for Mayor John Donnellon and
the City of Deer Park, Ohio*

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Michael J. Friedmann, Esq.
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Assistant Prosecuting Attorneys,
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And
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Mark T. Keaney, Esq.
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*Attorneys for Board of County
Commissioners of Hamilton County, Ohio*

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9079 Montgomery Road
Cincinnati, Ohio 45242
*Attorneys for The Village of Golf Manor,
Ohio and Mayor Ron Hirth*

Patrick Ross, Safety Service Director
David T. Stevenson, Law Director
City of Reading
1000 Market Street
Reading, Ohio 45215
Attorneys for City of Reading, Ohio

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. Kreitinger
6150 St. Regis Dr.
Cincinnati, OH 45236

s/ Mark G. Arnzen, Jr.

EXHIBIT A

BEFORE

THE OHIO POWER SITING BOARD

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AFFIDAVIT OF DAVID KUBICKI

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

I, David Kubicki, having been duly cautioned and sworn, state as follows:

1. I hold the legal title and authority of President of the Board of Trustees of Columbia Township. As President of the Board, I am charged with the duty of protecting the environment and planning land use in Columbia Township.
2. Columbia Township wishes to intervene in the above-captioned proceedings before the Ohio Power Siting Board.
3. As set forth in the January 20, 2017 Amended Application of Duke Energy Ohio, Inc., parts of the proposed Central Corridor Pipeline Extension Project ("Project") are to be situated in Columbia Township. Duke served its application on Columbia Township on March 24, 2017.
4. The Project will impact Columbia Township's residents, businesses, and infrastructure.

Further Affiant sayeth naught.



David Kubicki, President

Sworn and subscribed personally before me this 11 day of April, 2017.


NOTARY PUBLIC

Kimberly Gray
Notary Public, State of Ohio
My Commission Expires 12-13-2020

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/12/2017 9:45:37 AM

in

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

Summary: Notice of Intervention by David Kubicki, President of the Board of Trustees on Behalf of Columbia Township electronically filed by Mr. Mark G Arnzen on behalf of Columbia Township