

BEFORE

THE OHIO POWER SITING BOARD

**IN THE MATTER OF THE APPLICATION OF
AEP OHIO TRANSMISSION COMPANY, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR THE
CONSTRUCTION OF THE WEST BELLAIRE-
GLENCOE 138 kV TRANSMISSION LINE
TRANSMISSION LINE REBUILD PROJECT.**

CASE NO. 16-1557-EL-BTX

ENTRY

Entered in the Journal on June 21, 2017

{¶ 1} Pursuant to R.C. 4906.04, no person shall construct a major utility facility without having obtained a certificate from the Ohio Power Siting Board (Board). In seeking a certificate, applicants must comply with the filing requirements outlined in R.C. 4906.06, as well as Ohio Adm.Code Chapters 4906-5 and 4906-2.

{¶ 2} On January 27, 2017, AEP Ohio Transmission Company, Inc. (AEP Ohio Transco or Company) filed with the Board an application for a Certificate of Environmental Compatibility and Public Need for the West Bellaire-Glencoe 138 kilovolt (kV) Transmission Line Rebuild Project (Project). The Project, as proposed, involves upgrading about 6 miles of existing 69 kV transmission line to 69/138 kV in Pultney, Richland, and Smith Townships in Belmont County, Ohio.

{¶ 3} By Entry issued May 12, 2017, the administrative law judge (ALJ) set the following procedural schedule for this matter:

- (a) June 23, 2017 – Deadline for the filing of the Staff report of investigation.
- (b) June 30, 2017 – Deadline for each party’s filing of a list of issue(s) citing specific concerns about which they

may be interested in pursuing cross-examination of witnesses at the adjudicatory hearing.

- (c) July 7, 2017 - Deadline for the filing of expert and factual testimony to be offered by AEP Ohio Transco.
- (d) July 13, 2017 - Deadline for the filing of expert and factual testimony to be offered by intervenors, if any, and Staff.
- (e) July 10, 2017 - The local public hearing, to be held at 6:00 p.m., at Bellaire High School, 349 35th Street, Bellaire, Ohio 43906.
- (f) July 20, 2017 - Commencement of the adjudicatory hearing to held at 10:00 a.m., 11th Floor, Hearing 11-C, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.

{¶ 4} On June 19, 2017, AEP Ohio Transco filed, pursuant to Ohio Am.Code 4906-2-07, a motion to extend, for the purpose of allowing a reset of, the procedural schedule that was established by the May 12, 2017 ALJ Entry. In support of its motion, AEP Ohio Transco explains that its requested time extension is necessary in order to allow sufficient and needed additional time for the Company to file, and Staff to consider, certain new information it soon intends to file in order to supplement its application. The supplemental information relates to certain engineering adjustments being made with regard to how, specifically, the proposed transmission line will be configured and constructed. Further, AEP Ohio Transco requests that the effective date of the supplemented application be certified as complete at a later date in order to restart the Board's review period under R.C. 4906.07. AEP Ohio Transco notes that upon approval of its request, it will accomplish public notice of the cancellation of the July 10, 2017 public hearing and the July 20, 2017 adjudicatory hearing.

{¶ 5} Upon consideration of AEP Ohio Transco's motion, and in order to permit AEP Ohio Transco to promptly publish public notice canceling the July 10, 2017 public hearing and the July 20, 2017 adjudicatory hearing, the ALJ finds it necessary to issue an expedited ruling pursuant to Ohio Am.Code 4906-2-27(F). Thus, in light of the Company's need to submit, and Staff's need to consider, supplemental information relating to engineering adjustments being made as regards the proposed transmission line's configuration and construction, the ALJ finds: (a) that an expedited ruling on AEP Ohio Transco's motion will not adversely affect a substantial right of any party; and (b) that AEP Ohio Transco's motion is reasonable and should be granted. Consequently, a new procedural schedule and the supplemented application's effective date shall be set by subsequent Entry, to be issued after AEP Ohio Transco files its supplemental information.

{¶ 6} Accordingly, AEP Ohio Transco is directed to publish, by no later than July 3, 2017, notice canceling the July 10, 2017 public hearing and the July 20, 2017 adjudicatory hearing. Further, AEP Ohio Transco shall also post a similar notice, on July 10, 2017, at the local public hearing location that had been established by the May 12, 2017 Entry. Both the published and the posted notice must state that: the local public hearing in this case scheduled for July 10, 2017 and the adjudicatory hearing in this case scheduled for July 20, 2017 have been cancelled; the local public hearing and the adjudicatory hearing will be rescheduled to future dates and times; and notice of the new dates and time will be published. In addition, in the event a constituent does not see the published notice that the local hearing has been cancelled and he/she shows up at the local hearing location, the posted notice must provide a toll-free telephone number for the constituent to call for more information.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That AEP Ohio Transco's motion to extend, for the purpose of allowing a reset, of the procedural schedule that was established by the May 12, 2017 ALJ Entry, is granted in accordance with paragraph (5). It is, further,

{¶ 9} ORDERED, That in accordance with the directives of paragraph (6), AEP Ohio Transco shall publish and post notice concerning the cancellation and rescheduling of the hearings. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon AEP Ohio Transco and all other interested persons of record.

THE OHIO POWER SITING BOARD

/s/ Daniel E. Fullin

By: Daniel E. Fullin
Administrative Law Judge

JRJ/dah

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Case No(s). 16-1557-EL-BTX

Summary: Administrative Law Judge Entry granting a motion to extend the procedural schedule established earlier in this case. Entry

electronically filed by Debra Hight on behalf of Daniel E. Fullin, Administrative Law Judge.