

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Duke Energy	)	
Ohio, Inc., for a Certificate of Environmental	)	Case No. 16-0253-GA-BTX
Compatibility and Public Need for the C314V	)	
Central Corridor Pipeline Extension Project	)	

---

**LIST OF ISSUES FOR CROSS-EXAMINATION BY NOPE - NEIGHBORS  
OPPOSED TO PIPELINE EXTENSION, LLC**

---

Pursuant to the Administrative Law Judge's Entry of June 21, 2017, setting forth a procedural schedule, Neighbors Opposed to Pipeline Extension ("NOPE"), by and through its undersigned counsel, submits the following list of issues for cross-examination at the adjudicatory hearing scheduled to commence on September 11, 2017. The Entry set a deadline of August 21, 2017 for each party to file a list of issues citing specific concerns about which they may be interested in pursuing cross-examination of witness at the evidentiary hearing. Accordingly, NOPE submits the following list of issues about which it may be interested in pursuing during cross examination of witnesses at the evidentiary hearing:

**1. Whether the Proposed C314V Pipeline Serves the Public Interest, Convenience, and Necessity, Including the Following Specific Issues:**

- The claimed benefit to affected communities.
- The public opposition and public interest in the proposed pipeline.
- The public interest in the need to retire the propane-air plants.
- Whether there are currently or whether there are projected to be any significant outage or supply issues with current infrastructure.

- The necessity of retiring the propane-air plants and balancing system supply.
- The demand and projected demand for natural gas.
- The costs of the proposed pipeline project on ratepayers.
- The costs of the proposed pipeline project compared to alternatives.
- Safety concerns stemming from the proposed pipeline project.
- Decreased property values and restrictions on property uses from the proposed pipeline project.

**2. Whether Duke Energy Ohio has Demonstrated the Basis of Need for the C314V Pipeline, Including:**

- The claimed need to balance system supply.
- Any claimed Foster Station inadequacies.
- The potential failure of the Eastern Avenue and Erlanger Plants.
- Repairing or replacing the Eastern Avenue and Erlanger Plant.
- The need for the proposed pipeline in order to upgrade or perform maintenance on existing pipelines.
- Propane intolerant customers.
- Claimed outdated technology of the propane-air plants.
- Alternatives considered to retiring the propane-air plants and alternatives to balancing system supply.
- Assumptions used in predicting and modeling the need for the proposed pipeline.
- Whether maintenance can be performed on existing lines without the proposed pipeline project.

**3. Whether Duke Energy Ohio and the Staff Report Adequately Considered**

**Potential Impacts on Densely Populated Areas, Including:**

- Safety issues, including leaks and/or accident issues considered from the proposed high-pressure natural gas pipeline in high consequence areas.
- Whether the pipeline is properly labeled as a distribution line and the safety consequences of not labeling the pipeline as a transmission line.
- Continued maintenance of the proposed pipeline.
- Impacts and potential impacts to residences and businesses along the proposed routes.
- Response to public grievances.
- Response Plan for leaks, explosions, and fires.
- Impacts on public services, such as fire and emergency response.

**4. Whether the Proposed C314V Pipeline Represents the Minimum Adverse Environmental Impact, Considering the State of Available technology, and the Nature and Economics of the Various Alternatives, and Other Pertinent Considerations, Including:**

- Water contamination of perennial streams from pipeline construction and operation.
- Open cut installation and drilling in and around wetlands and streams.
- Endangered species and other wildlife in the area.
- The minimum adverse environmental impact of all of the alternatives, including:

- Alternatives to a pipeline to meet alleged needs such as replacing propane-air facilities or considering an LNG peaking plant.
- The Alternate Route vs. the Proposed Route.
- Routes that were not adequately considered.
- Whether existing infrastructure or improving existing infrastructure can meet Duke Energy Ohio's alleged needs.

Because discovery is ongoing, Intervenor reserves the right to add more issues to this list as they are identified. Moreover, Intervenor reserves the right to cross examine any Staff witness or any Applicant witness on any issue raised in that witness' direct testimony and cross examination or rebuttal testimony.

Respectfully submitted,

/s/ James Yskamp  
James Yskamp, Esq. (Counsel of Record)  
Ohio Bar No. 0093095  
Email: jyskamp@fairshake-els.org  
Emily A. Collins, Esq.  
Ohio Bar No. 0093202  
Email: ecollins@fairshake-els.org  
Fair Shake Environmental Legal Services  
159 S. Main Street, Suite 1030  
Akron, OH 44308  
Telephone: (234) 571-1970  
Fax: (412) 291-1197

*Attorneys for Intervenor, NOPE*

## CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2017 that the foregoing was filed through the Docketing Information System, and a copy of the foregoing was served on the following parties of record via electronic mail and the Board's docketing system on August 21, 2017.

Amy B. Spiller  
Deputy General Counsel  
Jeanne W. Kingery  
Associate General Counsel  
DUKE ENERGY OHIO, INC.  
139 East Fourth Street ML 1303 Main  
P.O. Box 960  
Cincinnati, Ohio 45202  
Amy.spiller@duke-energy.com  
Jeanne.kingery@duke-energy.com  
*Counsel for Duke Energy Ohio, Inc.*

William Wright  
Section Chief  
Robert Eubanks  
Assistant Attorney General  
Steven Beeler  
Assistant Attorney General  
Public Utilities Section  
30 East Broad St., 6th Floor  
Columbus, Ohio 43215  
William.wright@ohioattorneygeneral.gov  
Robert.eubanks@ohioattorneygeneral.gov  
steven.beeler@ohioattorneygeneral.gov  
*Counsel for Staff of the Commission*

Gregory G. Laux  
Attorney at Law  
3134 Schubert Avenue  
Cincinnati, Ohio 45213  
glaux2001@gmail.com  
*Counsel for Pleasant Ridge Community Council*

James F. Lang  
Steven D. Lesser  
Mark T. Keaney  
Calfee, Halter & Griswold LLP The  
Calfee Building  
1405 East Sixth Street  
Cleveland, OH 44114  
jlang@calfee.com  
slesser@calfee.com  
mkeaney@calfee.com  
*Counsel for the City of Cincinnati and for  
the Board of County Commissioners of  
Hamilton County, Ohio*

Brian W. Fox  
Graydon Head & Ritchey LLP  
312 Walnut St. Suite 1800  
Cincinnati, OH 45202  
bfox@graydon.law  
*Counsel for Mayor Melisa Adrien, City of  
Madeira*

Timothy M. Burke  
Micah E. Kamrass  
Manley Burke, LPA  
225 W. Court Street  
Cincinnati, OH 45202  
tburke@manleyburke.com  
mkamrass@manleyburke.com  
*Counsel for the Village of Evendale*

Bryan E. Pacheco  
Mark G. Arnzen, Jr.  
Dinsmore & Shohl LLP  
255 East Fifth Street, Suite 1900  
Cincinnati, OH 45202  
Bryan.pacheco@dinsmore.com  
Mark.arnzen@dinsmore.com  
*Counsel for City Manager David Waltz and  
the City of Blue Ash, Ohio and for  
Columbia Township and David Kubicki,  
President of the Board of Trustees of  
Columbia Township*

R. Douglas Miller  
Robert T. Butler  
Donnellon, Donnellon & Miller LPA  
9079 Montgomery Road  
Cincinnati, OH 45242  
miller@donnellonlaw.com  
*Counsel for Thomas J. Weidman,  
President, Board of Township Trustees of  
Sycamore Township, Ohio and Sycamore  
Township*

Kevin K. Frank  
Wood & Lamping LLP  
600 Vine Street, Suite 2500  
Cincinnati, OH 45202-2491  
kkfrank@woodlamping.com  
*Counsel for Amberley Village and Scot  
Lahrmer, Village Manager*

Roger E. Friedmann  
Michael J. Friedmann  
Jay R. Wampler  
Assistant Prosecuting Attorneys  
Suite 4000  
230 E. Ninth Street  
Cincinnati, OH 45202  
Roger.friedmann@hcpros.org  
Michael.friedmann@hcpros.org  
Jay.wampler@hcpros.org  
*Counsel for the Board of County  
Commissioners of Hamilton County, Ohio*

Terrence M. Donnellon  
Solicitor, The Village of Golf Manor,  
Ohio  
Robert T. Butler  
Donnellon, Donnellon & Miller LPA  
9079 Montgomery Road  
Cincinnati, OH 45242  
tmd@donnellonlaw.com  
*Counsel for the Village of Golf Manor,  
Ohio and Mayor Ron Hirth*

David T. Stevenson  
Law Director  
City of Reading  
1000 Market St.  
Reading, OH 45215  
dstevenson@cinci.rr.com  
*Counsel for the City of Reading*

Andrew J. Helmes  
Law Director  
City of Deer Park  
7777 Blue Ash Road  
Deer Park, OH 45236  
ahelmes@deerpark-oh.gov  
*Counsel for Mayor John Donnellon and  
the City of Deer Park, Ohio*

Dylan F. Borchers  
Devin D. Parram  
Bricker & Eckler LLP  
100 South Third Street  
Columbus, OH 43215-4291  
dborchers@bricker.com  
dparram@bricker.com  
*Counsel for The Jewish Hospital-Mercy Health*

Richard B. Tranter  
Kevin M. Detroy  
Dinsmore & Shohl LLP  
255 East Fifth Street, Suite 1900  
Cincinnati, OH 45202  
Richard.tranter@dinsmore.com  
Kevin.detroy@dinsmore.com  
*Counsel for BRE DDR Crocodile Sycamore Square LLC, and Counsel for Kenwood Mall, LLC*

Joseph Olikier Counsel of Record  
6100 Emerald Parkway  
Dublin, OH 43016  
joliker@igsenergy.com  
*Counsel for IGS Energy*

Kent Bucciere  
The Bucciere Firm  
10149 Kenwood Rd  
Blue Ash, OH 45242  
Kent.bucciere@gmail.com  
*Counsel for 10149 LLC, Counsel for RLB Inc. and Counsel for Croprop Inc.*

By: /s/ James Yskamp  
James Yskamp (0093095)

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

**Commission of Ohio Docketing Information System on**

**8/21/2017 12:36:30 PM**

**in**

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

Summary: Notification List of Issues for Cross-Examination by NOPE-Neighbors Opposed to Pipeline Extension, LLC electronically filed by James Yskamp on behalf of NOPE - Neighbors Opposed to Pipeline Extension, LLC