

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. 16-253-GA-BTX

ENTRY

Entered in the Journal on August 24, 2017

{¶ 1} Duke Energy Ohio, Inc. (Duke or Company) 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 January 20, 2017, as amended and supplemented on February 13, 2017, February 24, 2017, March 3, 2017, and May 11, 2017, Duke filed with the Board an application for a certificate of environmental compatibility and public need for a certificate to construct an approximately 14-mile, 20-inch natural gas pipeline extension from the Company's WW Feed Station to an existing gas pipeline in the village of Fairfax or the city of Norwood area. The gas pipeline project would be located entirely in Hamilton County, Ohio.

{¶ 4} By Entry dated April 13, 2017, a procedural schedule was established in this case, including a local public hearing to occur on June 15, 2017, and an adjudicatory hearing to commence on July 12, 2017.

{¶ 5} On June 21, 2017, at the request of some of the intervenors in this case, the administrative law judge (ALJ) granted a continuance of the adjudicatory hearing. In the

June 21, 2017 Entry, the adjudicatory hearing was rescheduled to commence on September 11, 2017. The procedural schedule was also amended to require that testimony to be offered by Duke be filed by August 25, 2017, with testimony on behalf of intervenors and Staff due no later than September 1, 2017.

{¶ 6} On August 23, 2017, Duke filed a motion to suspend the procedural schedule in this case, along with a request for expedited treatment. Specifically, Duke requests that the filing of testimony by any party, as well as the commencement of the adjudicatory hearing, be delayed until further notice. In support of its motion, Duke states that, in the course of meeting with affected property owners and municipalities, the Company has become aware of additional information concerning site-specific matters. Duke further states that it has been informed of potential concerns with engaging in construction activities in the vicinity of property on which environmental remediation has occurred. According to Duke, some of this information warrants additional examination and, potentially, contribution from entities that are not otherwise participating in this proceeding. In light of the fact that the additional investigation may take some time, Duke proposes to delay the procedural schedule, while the Company works through these issues, performs any inquiry that may be needed, and solicits input from affected communities and property owners. With respect to its request for an expedited ruling on the motion, Duke states that it contacted all of the parties to this proceeding and that, with the exception of one party that was not reachable, all other parties indicated that they do not object to the requested suspension.

{¶ 7} The ALJ finds that Duke's motion to suspend the procedural schedule is reasonable and should be granted pursuant to Ohio Adm.Code 4906-2-27(F). Accordingly, the procedural schedule should be suspended until otherwise ordered by the Board.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Duke's motion to suspend the procedural schedule be granted. It is, further,

{¶ 10} ORDERED, That the procedural schedule be suspended until otherwise ordered by the Board. It is, further,

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

THE OHIO POWER SITING BOARD

s/Sarah Parrot

By: Sarah J. Parrot
Administrative Law Judge

JRJ/sc

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in

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

Summary: Administrative Law Judge Entry granting Duke's motion to suspend the procedural schedule until otherwise ordered by the Board. - electronically filed by Sandra Coffey on behalf of Sarah Parrot, Attorney Examiner, Public Utilities Commission of Ohio