

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Letter of Notification Application** )  
**of AEP Ohio Transmission Company for the Blue** )  
**Racer-Texas Eastern Berne 138 kV Transmission Line** ) **Case No. 17-1777-EL-BLN**  
**Relocation Project** )

Members of the Board:

Chairman, Public Utilities Commission	Ohio House of Representatives
Director, Development Services Agency	Ohio Senate
Director, Department of Health	
Director, Department of Agriculture	
Director, Environmental Protection Agency	
Director, Department of Natural Resources	
Public Member	

To the Honorable Power Siting Board:

Please review the attached Staff Report of Investigation, which has been filed in accordance with Ohio Power Siting Board (Board) rules. The accelerated certificate application in this case is subject to an automatic approval process as required by Ohio Revised Code (R.C.) 4906.03 and Ohio Administrative Code (Ohio Adm.Code) 4906-6-04.

Staff recommends the application for automatic approval on December 14, 2017, unless suspended by the Board, an administrative law judge, or the chairperson or executive director of the board for good cause shown. If suspended, the Board must render a decision on the application within 90 days from the date of suspension.

Please present any concerns you or your designee may have with this case to my office at least four business days prior to December 14, 2017, which is the recommended automatic approval date.

Sincerely,



Patrick Donlon  
Director, Rates and Analysis  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215  
(614) 644-8932

## OPSB STAFF REPORT OF INVESTIGATION

**Case Number:** 17-1777-EL-BLN  
**Project Name:** Blue Racer-Texas Eastern Berne 138 kV Transmission Line Relocation Project  
**Project Location:** Monroe County  
**Applicant:** AEP Ohio Transmission Company  
**Application Filing Date:** September 14, 2017  
**Filing Type:** Letter of Notification  
**Inspection Date:** November 9, 2017  
**Report Date:** December 7, 2017  
**Recommended Automatic Approval Date:** December 14, 2017  
**Applicant's Waiver Requests:** none  
**Staff Assigned:** J. Pawley, J. Cross, E. Morrison, G. Zeto

### Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions  
Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

### Project Description

AEP Ohio Transmission Company, Inc. (AEP Ohio Transco or Applicant) proposes to relocate 0.2 miles of the existing Blue Racer-Texas Eastern Berne 138 kilovolt (kV) transmission line. The project would be constructed on property currently owned by AEP Ohio Transco, Texas Eastern Transmission Company, and Blue Racer Midstream, LLC. The project is situated between the existing Texas Eastern Berne and Blue Racer substations, and would cross Swazey Road and Township Road 240 in Monroe County. The proposed relocation project is needed in order to accommodate the future construction of the Herlan-Blue Racer 138 kV transmission line, which was approved by the Ohio Power Siting Board in Case No. 16-1858-EL-BTX on August 17, 2017. The relocated transmission line would exit the Blue Racer substation to the south, allowing the Herlan-Blue Racer transmission line to enter the same substation from the north.

The Applicant anticipates that construction of this project would begin during the first quarter of 2018, and the facilities would be placed in service by March 2018. The estimated total cost of the project is \$500,000.

## **Basis of Need**

The Applicant states the proposed project is needed to accommodate the future construction of the Herlan-Blue Racer 138 kV transmission line.<sup>1</sup>

The proposed project was included in the Applicant's 2016 Long-Term Forecast Report filing to the Public Utilities Commission of Ohio. PJM Interconnection, LLC (PJM) approved this project as a baseline project. PJM assigned the project upgrade ID No. b2701. The status of the project can be tracked on PJM's website.<sup>2, 3</sup>

## **Socioeconomic Impacts**

The surrounding land use is a mix of old field and scrub-shrub habitat, and industrial gas and electric facilities. No residences, cemeteries, churches, schools, or other community facilities are located within 1,000 feet of the project. The project would consist of the installation of three structures, and 0.2 mile of 138 kV transmission line. The project would be located on AEP Transco property and approximately 400 feet of new right-of-way to be acquired from Texas Eastern Transmission Company, and approximately 550 feet of new right-of-way that will be acquired from Blue Racer Midstream. All new right-of-way would be 100 feet in width. The Applicant states that coordination with these two property owners is in progress. No other property easements, options, or land use agreements are necessary to construct and operate this relocated transmission line.

## **Cultural Resources**

The Applicant's cultural resources consultant performed a literature review and Phase I cultural resource management investigation for the project in August 2017. The consultant determined that the project would not involve or impact any significant cultural resources or landmarks, and that no further cultural resource management work is considered to be necessary. The findings were submitted to the Ohio Historic Preservation Office (OHPO) on August 25, 2017. The OHPO responded to Staff in concurrence with this project on September 11, 2017.

## **Ecological Impacts**

The survey corridor contains three streams including one perennial, and two ephemeral streams. No wetlands were delineated within the survey corridor. No poles would be located in streams. No in-water work is planned, and no permanent impacts are anticipated.

The Applicant would submit a Notice of Intent for coverage under the Ohio Environmental Protection Agency General National Pollutant Discharge Elimination System (NPDES) Permit OHC000004. Erosion control measures including silt fencing would be used where appropriate to minimize runoff impacts to stream channels and would be detailed as part of the project's Storm Water Pollution Prevention Plan (SWPPP). The SWPPP is a requirement of the NPDES Permit. No construction is proposed within a 100-year floodplain.

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1. *In the matter of the Application by AEP Ohio Transmission Company, Inc. for a Certificate of Environmental Compatibility and Public Need for the Herlan-Blue Racer 138 kV Transmission Line Project*, Case No. 16-1858-EL-BTX, (Opinion, Order, and Certificate)(August 17, 2017)

2. AEP Ohio Transmission Company, "Long-Term Forecast Report to the Public Utilities Commission of Ohio," Case No. 16-1501-EL-FOR, November 21, 2017.

3. PJM Interconnection, "Transmission Construction Status," accessed November 21, 2017, <http://pjm.com/planning/rtep-upgrades-status/construct-status.aspx>.

### *Threatened and Endangered Species*

The state and federal listed species and/or their suitable habitat that may be found in the project area include the state and federal endangered Indiana bat (*Myotis sodalis*) and the federal threatened northern long-eared bat (*Myotis septentrionalis*). Limited tree clearing would be necessary for construction access. The U.S. Fish and Wildlife Service (USFWS) stated that Indiana bat presence has been confirmed in the project vicinity. It is the recommendation of the USFWS and the Ohio Department of Natural Resources that removal of any trees greater than three inches in diameter only occur from October 1 through March 31. Further, the USFWS stated that if any caves or abandoned mines may be disturbed, further coordination with their office is requested to determine if fall or spring portal surveys are warranted. The Applicant stated that no hibernacula were observed in the project area.

### **Conclusion**

Staff's review of the application included consideration of the requirements listed in R.C. 4906.10. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff recommends automatic approval of this case on December 14, 2017, provided that the following conditions are satisfied.

### **Conditions:**

- (1) Prior to construction, the Applicant shall obtain and comply with all applicable permits and authorizations as required by federal and state entities for any activities where such permit or authorization is required, including any permits necessary for aviation clearance. Copies of such permits and authorizations, including all supporting documentation, shall be provided to Staff to ensure compliance with this condition.
- (2) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than three inches in diameter, unless coordination with the Ohio Department of Natural Resources and U.S. Fish and Wildlife Service allows a different course of action.

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

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 17-1777-EL-BLN**

Summary: Staff Report of Investigation electronically filed by Mr. Matt Butler on behalf of Staff of OPSB