

**In the Matter of the Letter of Notification Application)
by AEP Ohio Transmission Company for a Certificate)
of Environmental Compatibility and Public Need for) Case No. 17-2439-EL-BLN
the Lemaster-Lick 138 kV Transmission Line Extension)
Project Update)**

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	

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 4906-6.

Staff recommends the application for automatic approval on January 18, 2018, 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 January 18, 2018, which is the automatic approval date.

Jamara S Turkenton

Tamara S. Turkenton
Director, Rates and Analysis
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215
(614) 466-1825
ContactOPSB@puc.state.oh.us

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 17-2439-EL-BLN
Project Name: Lemaster-Lick 138 kV Transmission Line Extension Project Update
Project Location: Athens County
Applicant: AEP Ohio Transmission Company
Application Filing Date: December 20, 2017
Filing Type: Expedited Letter of Notification
Inspection Date: January 3, 2018
Report Date: January 11, 2018
Recommended Automatic Approval Date: January 18, 2018
Applicant's Waiver Requests: none
Staff Assigned: J. Pawley, J. Cross, 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 remove approximately 1.47 miles of existing Poston-Lick 138 kilovolt (kV) Transmission Line and reroute 0.32 miles of new Lemaster-Lick 138 kV Transmission Line. This reroute is required because the existing Poston Substation is being removed and the transmission line needs to be relocated to the replacement Lemaster Substation, which is under construction. The Lemaster Substation was approved in Case No. 16-2314-EL-BLN and the layout was updated in Case No. 17-2281-EL-BLN. A realignment of the Lemaster-Lick 138 kV Transmission Line was originally approved in July 2017 in Case No. 17-0633-EL-BLN. This project updates and supersedes the original project to align with the updated Lemaster Substation layout.

The proposed transmission line removal would consist of removing five H-frame pole structures, five guyed three-pole structures and two lattice tower structures. All of the proposed transmission line would occur on land owned by the Applicant, and would include the installation of four new steel pole structures. The Applicant anticipates that construction of the project would begin in January 2018, and the facility would be placed in service by September 2018. The estimated total cost of the project is \$1 million.

Basis of Need

The Applicant states the project is needed due to the retirement and removal of the Poston Substation and its replacement with the new Lemaster Substation, which is currently under construction.¹ The planned project was included in the Applicant's most recent Long-Term Forecast Report filing, Case No. 17-1501-EL-FOR. Additionally, PJM Interconnection, LLC (PJM) approved this project as a baseline project. PJM assigned the project upgrade ID No. b2888. The status of the project can be tracked on PJM's website.^{2, 3}

Nature of Impacts

Socioeconomic

The surrounding land use is a mix of old field, deciduous forest, and utility right-of way. There are no agricultural district parcels located in the project area. No residences, churches, schools or parks are located within 1,000 feet of the project. The majority of this project is located on the Applicant's property, which through an agreement with the Ohio Department of Natural Resources Division of Wildlife, is designated as the Poston Plant Lands Public Hunting Area. This recreational land use allows for hunting by the public with an appropriate permit. The Applicant states that no property acquisition or easements are required to construct and operate the proposed transmission line extension.

A public comment regarding a watermain was filed in the case docket on December 12, 2017. This letter was from an engineer with the Le-Ax Water District and expressed concern over potential damage to an underground watermain located to the south of the Lemaster Substation. In order to assure damage to the watermain is avoided, Staff recommends the Applicant use timber matting in the event that construction equipment or facility component deliveries would cross the watermain where a paved road does not already exist.

Cultural Resources

The Applicant's cultural resources consultant performed and filed a literature review and Phase I cultural resource management investigation for the original project (Case No. 17-0633-EL-BLN) in February and March 2017. Additional studies were performed and filed for the new substation layout and transmission line corridors. A 100-foot survey corridor was studied, and it was determined that the majority of this project area was steeply sloped and wooded. Original field studies did reveal one archaeological site on the western portion of the substation site. Because the transmission line would enter the Lemaster Substation from the south, there would be no impact to this site (Site 33AT1057 is located over 1,200 feet west of the updated substation fence layout). The consultant has 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.

1. In the matter of the Letter of Notification Application of AEP Ohio Transmission Company, Inc. for the Lemaster 138 kV Station Update Project, Case No. 17-2281-EL-BLN, (Staff Report) (December 5, 2017).

2. AEP Ohio Transmission Company, "Long-Term Forecast Report to the Public Utilities Commission of Ohio," Case No. 17-1501-EL-FOR, April 17, 2017.

3. "Transmission Construction Status," accessed June 13, 2017, <http://pjm.com/planning/rtep-upgrades-status/construct-status.aspx>.

Surface Waters

The survey corridor, which includes the entire project area, contains six stream segments. These include two perennial, three intermittent, and one ephemeral stream segments. No in-water work is planned in any streams, and no impacts are anticipated. Due to steep terrain surrounding streams within the proposed relocation corridor, Staff recommends that no mechanized clearing occur within 25 feet of streams.

The survey corridor contains four wetlands totaling 0.36 acre. These include two Category 1 wetlands and two Category 2 wetlands. None of the replacement structures would be located within wetlands, and no wetland fill is proposed for the project. Any equipment crossing required during construction would be accomplished using timber mats.

The Applicant plans to submit a Notice of Intent for coverage under the Ohio Environmental Protection Agency General National Pollutant Discharge Elimination System Permit.

The project crosses a 100-year floodplain. The Applicant stated that it will coordinate with the Athens County Floodplain Administrator to obtain any applicable floodplain permit.

Threatened and Endangered Species

The project lies within the range of the federal and state endangered Indiana bat (*Myotis sodalis*) and the federal threatened northern long-eared bat (*Myotis septentrionalis*). Indiana bat presence in the vicinity of the project has been confirmed. As tree roosting species, these species may be impacted by tree clearing during the summer months. However, the Applicant has committed to clearing only from October 1 through March 31 for any tree clearing for this project.

Given a lack of suitable habitat and the fact that no in-water work would occur, impacts to other federal and state listed species are not anticipated.

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 January 18, 2018, provided that the following conditions are satisfied.

Conditions:

- (1) Prior to construction in areas that require permits, the Applicant shall obtain and comply with all applicable permits and authorizations as required by federal and state entities. 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 three inches or greater in diameter, unless coordination efforts with the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service allows a different course of action.
- (3) The Applicant shall not conduct mechanized clearing within 25 feet of any stream channel.
- (4) The Applicant shall use timber matting in the event that construction equipment or facility component deliveries cross the watermain, which was identified in the December 12, 2017 public comment, where a paved road does not already exist.

- (5) The Applicant shall provide a copy of any floodplain permit required for construction of this project, or a copy of correspondence with the floodplain administrator showing that no permit is required, to Staff within seven days of issuance or receipt by the Applicant.

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). 17-2439-EL-BLN

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