

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 a Certificate )  
of Environmental Compatibility and Public Need for ) Case No. 17-2505-EL-BLN  
the Summerfield-Berne 138 kV Transmission Line )  
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.

Staff recommends the application for automatic approval March 6, 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 March 6, 2018, which is the recommended automatic approval date.

Sincerely,



Raymond W. Strom  
Chief of Siting, Efficiency and Renewables Division  
Rates and Analysis Department  
Public Utilities Commission of Ohio  
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## OPSB STAFF REPORT OF INVESTIGATION

**Case Number:** 17-2505-EL-BLN  
**Project Name:** Summerfield-Berne 138 kV Transmission Line Project  
**Project Location:** Monroe and Noble counties  
**Applicant:** AEP Ohio Transmission Company  
**Application Filing Date:** January 5, 2018  
**Filing Type:** Expedited Letter of Notification  
**Inspection Date:** February 14, 2018  
**Report Date:** February 27, 2018  
**Recommended Automatic Approval Date:** March 6, 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 rebuild the existing Summerfield-Berne 138 kilovolt (kV) Transmission Line. The project would begin at the existing AEP Summerfield Substation and terminate at the existing AEP Berne Substation. The rebuild project would replace wood H-frame structures with steel pole and H-frame structures, and provide for new conductor, for a total length of 3.2 miles. The Summerfield substation is located in Noble County, and the Berne substation is located in Monroe County. The 100-foot right-of-way for the existing transmission line corridor will be utilized for the proposed rebuild project. The Applicant states that no other property acquisition or easements are required to construct and operate the rebuild project.

The Applicant anticipates that construction of this project would begin during March 2018, and the facilities would be placed in service by December 2018. The estimated total cost of the project is \$3 million.

The Applicant has requested expedited treatment for Staff review of this project. However, on December 20, 2017, the Applicant clarified that the 28 day minimum expedited review request for this application as defined under Rule 4906-6-03(B) was being excused by the Applicant, and instead the Applicant requested that 60 days was a sufficient expedited review period for the timing of this project.

## **Basis of Need**

The existing Summerfield-Berne 138 kV transmission line was constructed as a radial line in 1951. The radial line configuration makes it difficult to take the line out-of-service without significant service interruption. The proposed line rebuild along with Board approved Case Nos. 16-1856-EL-BLN and 16-1858-EL-BTX would allow this line to be taken out-of-service without impacting service.<sup>1, 2</sup>

The planned project was included in the Applicant's most recent Long-Term Forecast Report filing, Case No. 17-1501-EL-FOR. This project was submitted to PJM Interconnection, LLC (PJM) as a supplemental project. PJM assigned the project upgrade ID No. S1062.1. The construction status of transmission project can be tracked on PJM's website.<sup>3, 4</sup>

## **Nature of Impacts**

### *Socioeconomic*

The surrounding land use is a mix of pasture, forested land, and rural residential properties. The project is not located within any agricultural district lands. Underground gas pipelines are prevalent throughout the area, and the Applicant states that no impacts to these existing gas lines are anticipated. Due to the fact that the project would occur within an existing maintained easement, potential socioeconomic impacts would be limited. Very limited tree clearing would be necessary, there are no active row crops in the right-of-way, and no residence is located within 100 feet of the right-of-way. No residential structures would need to be removed to construct this project.

### *Cultural Resources*

The Applicant's cultural resources consultant performed a literature review in July 2016, and Phase I cultural resource management investigation (archaeology and history/architecture) for the project in November 2016. 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 was considered to be necessary.

### *Surface Waters*

The survey corridor contains 15 streams including four perennial streams, two intermittent streams, and nine ephemeral stream. No poles would be located in streams. No in-water work is planned, and no permanent impacts are anticipated.

The survey corridor contains six wetlands including three category 1 wetlands, and three category 2 wetlands. No wetland fill would occur as a result of the project.

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1. *In the matter of the Letter of Notification for the Herlan 138 kV Switching Substation Project*, Case No. 16-1856-EL-BLN, (Staff Report of Investigation)(February 13, 2017)

2. *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)

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

4. PJM Interconnection, "Transmission Construction Status," accessed February 20, 2018, <http://pjm.com/planning/rtep-upgrades-status/construct-status.aspx>.

Specifics about how surface waters would be further protected from indirect construction stormwater impacts using erosion and sedimentation controls would be outlined in the Applicant's Stormwater Pollution Prevention Plan (SWPPP). The project would not cross a 100-year floodplain.

### *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.

The project is within the range of the northern harrier (*Circus cyaneus*), a state endangered bird. Nesting habitat includes large marshes and grasslands. The project area includes a large pasture near the northern end of the project area. Construction should be avoided in this habitat during the species' nesting period of May 15 to August 1.

Due to no in-water work and a lack of suitable habitat, impacts to other state and federal 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 March 6, 2018, provided that the following conditions are satisfied.

### **Conditions:**

- (1) Prior to the commencement of construction activities in areas that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations. The Applicant shall provide copies of permits and authorizations, including all supporting documentation, to Staff within seven days of issuance or receipt by the Applicant.
- (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.
- (3) Construction in northern harrier preferred nesting habitat types shall be avoided during the species' nesting period of May 15 to August 1, unless coordination with ODNR 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). 17-2505-EL-BLN**

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