



**Public Utilities  
Commission**

## **LARGE FILING SEPARATOR SHEET**

**CASE NUMBER: 17-2085-EL-BTX**

**FILE DATE: 7/19/2018**

**SECTION: 5 OF 5**

**FILED BY: Michael Spencer**

**FILED ON BEHALF OF: AEP OHIO TRANSMISSION**

**NUMBER OF PAGES: 155**

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## PHOTOGRAPHIC RECORD PONDS

**Client Name:**

AEP

**Site Location:**

Fostoria-Fremont 138 kV Transmission Line Rebuild  
Project

**Project No.**

60546514

**Photo No. 1**

**Date:**

November 14, 2017

**Description:**

Pond 01

Facing north



**Photo No. 2**

**Date:**

November 14, 2017

**Description:**

Pond 02

Facing north







## PHOTOGRAPHIC RECORD PONDS

**Client Name:**

AEP

**Site Location:**

Fostoria-Fremont 138 kV Transmission Line Rebuild  
Project

**Project No.**

60546514

**Photo No. 3**

**Date:**

November 15, 2017

**Description:**

Pond 03

Facing Northwest



**Photo No. 4**

**Date:**

November 14, 2017

**Description:**

Pond 04

Facing East





## PHOTOGRAPHIC RECORD PONDS

**Client Name:**

AEP

**Site Location:**

Fostoria-Fremont 138 kV Transmission Line Rebuild  
Project

**Project No.**

60546514

**Photo No. 5**

**Date:**

November 15, 2017

**Description:**

Pond 05

Facing East



**Photo No. 6**

**Date:**

November 15, 2017

**Description:**

Pond 06

Facing East





**PHOTOGRAPHIC RECORD  
PONDS**

**Client Name:**

AEP

**Site Location:**

Fostoria-Fremont 138 kV Transmission Line Rebuild  
Project

**Project No.**

60546514

**Photo No. 7**

**Date:**

November 14, 2017

**Description:**

Pond 07

Facing South



**APPENDIX E**

**CORRESPONDENCE LETTERS FROM USFWS AND ODNR**

Geckle, Aaron

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**From:** susan\_zimmermann@fws.gov on behalf of Ohio, FW3 <ohio@fws.gov>  
**Sent:** Wednesday, July 12, 2017 2:25 PM  
**To:** Geckle, Aaron  
**Cc:** nathan.reardon@dnr.state.oh.us; kate.parsons@dnr.state.oh.us  
**Subject:** Buckley Road-Fremont Center 138kV Transmission Line, Seneca & Sandusky Co.



UNITED STATES DEPARTMENT OF THE INTERIOR  
U.S. Fish and Wildlife Service  
Ecological Services Office  
4625 Morse Road, Suite 104  
Columbus, Ohio 43230  
(614) 416-8993 / Fax (614) 416-8994



TAILS# 03E15000-2017-TA-1504

Dear Mr. Geckle,

We have received your recent correspondence requesting information about the subject proposal. There are no federal wilderness areas, wildlife refuges or designated critical habitat within the vicinity of the project area. The following comments and recommendations will assist you in fulfilling the requirements for consultation under section 7 of the Endangered Species Act of 1973, as amended (ESA).

The U.S. Fish and Wildlife Service (Service) recommends that proposed developments avoid and minimize water quality impacts and impacts to high quality fish and wildlife habitat (e.g., forests, streams, wetlands). Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. If streams or wetlands will be impacted, the Corps of Engineers should be contacted to determine whether a Clean Water Act section 404 permit is required. Best management practices should be used to minimize erosion, especially on slopes. All disturbed areas should be mulched and revegetated with native plant species. Prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats.

**FEDERALLY LISTED SPECIES COMMENTS:** All projects in the State of Ohio lie within the range of the federally endangered **Indiana bat** (*Myotis sodalis*) and the federally threatened **northern long-eared bat** (*Myotis septentrionalis*). In Ohio, presence of the Indiana bat and northern long-eared bat is assumed wherever suitable habitat occurs unless a presence/absence survey has been performed to document absence. Suitable summer habitat for Indiana bats and northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags  $\geq 3$  inches diameter at breast height (dbh) that have any exfoliating bark, cracks, crevices, hollows and/or cavities), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of other forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat. In the winter, Indiana bats and northern long-eared bats hibernate in caves and abandoned mines.

Should the proposed site contain trees  $\geq 3$  inches dbh, we recommend that trees be saved wherever possible. If any caves or abandoned mines may be disturbed, further coordination with this office is requested to determine if fall or spring portal surveys are warranted. If no caves or abandoned mines are present and trees  $\geq 3$  inches dbh cannot be avoided, we recommend that

removal of any trees  $\geq 3$  inches dbh only occur between October 1 and March 31. Seasonal clearing is being recommended to avoid adverse effects to Indiana bats and northern long-eared bats. While incidental take of northern long-eared bats from most tree clearing is exempted by a 4(d) rule (see <http://www.fws.gov/midwest/endangered/mammals/nleeb/index.html>), incidental take of Indiana bats is still prohibited without a project-specific exemption. Thus, seasonal clearing is recommended where Indiana bats are assumed present.

If implementation of this seasonal tree cutting recommendation is not possible, summer surveys may be conducted to document the presence or probable absence of Indiana bats within the project area during the summer. If a summer survey documents probable absence of Indiana bats, the 4(d) rule for the northern long-eared bat could be applied. Surveys must be conducted by an approved surveyor and be designed and conducted in coordination with the Endangered Species Coordinator for this office. Surveyors must have a valid federal permit. Please note that summer surveys may only be conducted between June 1 and August 15.

The proposed project lies within the range of the **Kirtland's warbler** (*Setophaga kirtlandii*), a federally listed endangered species. The Kirtland's warbler is a small blue-gray songbird with a bright yellow breast. This species migrates through Ohio in the spring and fall, traveling between its breeding grounds in Michigan, Wisconsin, and Ontario and its wintering grounds in the Bahamas. While migration occurs in a broad front across the entire state, approximately half of all observations in Ohio have occurred within 3 miles of the shoreline of Lake Erie. During migration, individual birds usually forage in shrub/scrub or forested habitat and may stay in one area for a few days. If clearing of suitable habitat cannot be avoided, to preclude adverse effects to migrating Kirtland's warblers, clearing within 3 miles of the shoreline of Lake Erie should not occur from April 22<sup>nd</sup> – June 1<sup>st</sup>, or from August 15<sup>th</sup> – October 15<sup>th</sup>.

If there is a federal nexus for the project (e.g., federal funding provided, federal permits required to construct), no tree clearing should occur on any portion of the project area until consultation under section 7 of the ESA, between the Service and the federal action agency, is completed. We recommend that the federal action agency submit a determination of effects to this office, relative to the Indiana bat and northern long-eared bat, for our review and concurrence.

Due to the project type, size, and location, we do not anticipate adverse effects to any other federally endangered, threatened, proposed, or candidate species. Should the project design change, or during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the Service should be initiated to assess any potential impacts.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the ESA, and are consistent with the intent of the National Environmental Policy Act of 1969 and the Service's Mitigation Policy. This letter provides technical assistance only and does not serve as a completed section 7 consultation document. We recommend that the project be coordinated with the Ohio Department of Natural Resources due to the potential for the project to affect state listed species and/or state lands. Contact John Kessler, Environmental Services Administrator, at (614) 265-6621 or at [john.kessler@dnr.state.oh.us](mailto:john.kessler@dnr.state.oh.us).

If you have questions, or if we can be of further assistance in this matter, please contact our office at (614) 416-8993 or [ohio@fws.gov](mailto:ohio@fws.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Everson".

Dan Everson

Field Supervisor

cc: Nathan Reardon, ODNR-DOW

Kate Parsons, ODNR-DOW





# Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRLINGER, DIRECTOR

## Office of Real Estate

Paul R. Baldrige, Chief  
2045 Morse Road – Bldg. E-2  
Columbus, OH 43229  
Phone: (614) 265-6649  
Fax: (614) 267-4764

October 11, 2017

Aaron Geckle  
AECOM  
525 Vine Street, Suite 1800  
Cincinnati, Ohio 45202

**Re:** 17-503; Buckley Road - Fremont Center 138 kV Transmission Line Project

**Project:** The proposed project involves rebuilding approximately 17.5 miles of existing 69 kV transmission line predominantly along the existing centerline and within existing right-of-way for potential operation.

**Location:** The proposed project is located in Seneca and Sandusky Counties, Ohio.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

**Natural Heritage Database:** The Natural Heritage Database has the following records at or within a one-mile radius of the project area.

Loggerhead shrike (*Lanius ludovicianus*), E, FSC  
Sandusky State Scenic River

Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area. Although all types of plant communities have been surveyed, we only maintain records on the highest quality areas.

The review was performed on the project area you specified in your request as well as an additional one-mile radius. Records searched date from 1980. This information is provided to inform you of features present within your project area and vicinity. Additional comments on some of the features may be found in pertinent sections below.

Statuses are defined as: E = state endangered; T = state threatened; P = state potentially threatened; SC = state species of concern; SI = state special interest; A = species recently added



to state inventory, status not yet determined; X = presumed extirpated in Ohio; FE = federal endangered, FT = federal threatened, FSC = federal species of concern, FC = federal candidate species.

**Fish and Wildlife:** The Division of Wildlife (DOW) has the following comments.

The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that best management practices be utilized to minimize erosion and sedimentation.

The project is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species. The following species of trees have relatively high value as potential Indiana bat roost trees: shagbark hickory (*Carya ovata*), shellbark hickory (*Carya laciniosa*), bitternut hickory (*Carya cordiformis*), black ash (*Fraxinus nigra*), green ash (*Fraxinus pennsylvanica*), white ash (*Fraxinus americana*), shingle oak (*Quercus imbricaria*), northern red oak (*Quercus rubra*), slippery elm (*Ulmus rubra*), American elm (*Ulmus americana*), eastern cottonwood (*Populus deltoides*), silver maple (*Acer saccharinum*), sassafras (*Sassafras albidum*), post oak (*Quercus stellata*), and white oak (*Quercus alba*). Indiana bat roost trees consists of trees that include dead and dying trees with exfoliating bark, crevices, or cavities in upland areas or riparian corridors and living trees with exfoliating bark, cavities, or hollow areas formed from broken branches or tops. However, Indiana bats are also dependent on the forest structure surrounding roost trees. If suitable habitat occurs within the project area, the DOW recommends trees be conserved. If suitable habitat occurs within the project area and trees must be cut, the DOW recommends cutting occur between October 1 and March 31. If suitable trees must be cut during the summer months, the DOW recommends a net survey be conducted between June 1 and August 15, prior to any cutting. Net surveys should incorporate either nine net nights per square 0.5 kilometer of project area, or four net nights per kilometer for linear projects. If no tree removal is proposed, this project is not likely to impact this species.

The project is within the range of the threehorn wartyback (*Obliquaria reflexa*), a state threatened mussel, the pondhorn (*Uniomerus tetralasmus*), a state threatened mussel, and the black sandshell (*Ligumia recta*), a state threatened mussel. Due to the location, and that there is no in-water work proposed in a perennial stream of sufficient size, this project is not likely to impact these species.

The project is within the range of the lake sturgeon (*Acipenser fulvescens*), a state endangered fish, the western banded killifish (*Fundulus diaphanous menona*), a state endangered species, the American eel (*Anguilla rostrata*), a state threatened fish, and the greater redhorse (*Moxostoma valenciennesi*), a state threatened fish. The DOW recommends no in-water work in perennial streams from April 15 to June 30 to reduce impacts to indigenous aquatic species and their habitat. If no in-water work is proposed in a perennial stream, this project is not likely to impact these species.

The project is within the range of the Blanding's turtle (*Emydoidea blandingii*), a state threatened species. This species inhabits marshes, ponds, lakes, streams, wet meadows, and swampy forests. Although essentially aquatic, the Blanding's turtle will travel over land as it moves from one wetland to the next. Due to the location, the type of work proposed, and the type of habitat along the project route and within the vicinity of the project area, this project is not likely to impact this species.

The project is within the range of the spotted turtle (*Clemmys guttata*), a state threatened species. This species prefers fens, bogs and marshes, but also is known to inhabit wet prairies, meadows,

pond edges, wet woods, and the shallow sluggish waters of small streams and ditches. Due to the location, the type of work proposed, and the type of habitat along the project route and within the vicinity of the project area, this project is not likely to impact this species.

The project is within the range of the eastern massasauga (*Sistrurus catenatus*), a state endangered and a federally threatened snake species. The eastern massasauga uses a range of habitats including wet prairies, fens, and other wetlands, as well as adjacent drier upland habitat. Due to the location, the type of work proposed, and the type of habitat along the project route and within the vicinity of the project area, this project is not likely to impact this species.

The project is within the range of the blue-spotted salamander (*Ambystoma laterale*), a state endangered species. Due to the location, the type of work proposed, and the type of habitat along the project route and within the vicinity of the project area, this project is not likely to impact this species.

The project is within the range of the piping plover (*Charadrius melodus*), a state endangered, and federally endangered bird, and the Kirtland's warbler (*Setophaga kirtlandii*), a state endangered and federally endangered bird. These species do not nest in the state but only utilize stopover habitat as they migrate through the region. Therefore, this project is not likely to have an impact on these species.

The project is within the range of the American bittern (*Botaurus lentiginosus*), a state endangered bird. Nesting bitterns prefer large undisturbed wetlands that have scattered small pools amongst dense vegetation. They occasionally occupy bogs, large wet meadows, and dense shrubby swamps. Due to the location, the type of work proposed, and the type of habitat along the project route, this project is not likely to impact this species.

The project is within the range of the black tern (*Chlidonias niger*), a state endangered bird. The black tern prefers large, undisturbed inland marshes with fairly dense vegetation and pockets of open water. They nest in various kinds of marsh vegetation but cattail marshes are generally favored. Nests are built on top of muskrat houses or on top of floating vegetation. Due to the location, the type of work proposed, and the type of habitat along the project route, this project is not likely to impact this species.

The project is within the range of the king rail (*Rallus elegans*), a state endangered bird. Nests for this species are deep bowls constructed out of grass and usually hidden very well in marsh vegetation. Due to the location, the type of work proposed, and the type of habitat along the project route, this project is not likely to impact this species.

The project is within the range of the cattle egret (*Bubulcus ibis*), a state endangered bird. Cattle egrets are not strictly wetland birds. They often forage in dry pastures and fields. Egrets nest in colonies and will build a nest out of sticks and other materials wherever it can be supported. Due to the location, the type of work proposed, and the type of habitat along the project route, this project is not likely to impact this species.

The project is within the range of the upland sandpiper (*Bartramia longicauda*), a state endangered bird. Nesting upland sandpipers utilize dry grasslands including native grasslands, seeded grasslands, grazed and ungrazed pasture, hayfields, and grasslands established through the Conservation Reserve Program (CRP). Due to the location, the type of work proposed, and the type of habitat along the project route, this project is not likely to impact this species.

The project is within the range of the northern harrier (*Circus cyaneus*), a state endangered bird. This is a common migrant and winter species. Nesters are much rarer, although they occasionally breed in large marshes and grasslands. Harriers often nest in loose colonies. The female builds a nest out of sticks on the ground, often on top of a mound. Harriers hunt over grasslands. Due to the location, the type of work proposed, and the type of habitat along the project route, this project is not likely to impact this species.

The project is within the range of the loggerhead shrike (*Lanius ludovicianus*), a state endangered bird. The loggerhead shrike nests in hedgerows, thickets and fencerows. They hunt over hayfields, pastures, and other grasslands. If thickets or other types of dense shrubbery habitat will be impacted, construction should be avoided in this habitat during the species' nesting period of April 1 to August 1. If this habitat will not be impacted, this project is not likely to impact this species.

Due to the potential of impacts to federally listed species, as well as to state listed species, we recommend that this project be coordinated with the U.S. Fish & Wildlife Service.

**Water Resources:** The Division of Water Resources has the following comment.

The local floodplain administrator should be contacted concerning the possible need for any floodplain permits or approvals for this project. Your local floodplain administrator contact information can be found at the website below.

[http://water.ohiodnr.gov/portals/soilwater/pdf/floodplain/Floodplain%20Manager%20Community%20Contact%20List\\_8\\_16.pdf](http://water.ohiodnr.gov/portals/soilwater/pdf/floodplain/Floodplain%20Manager%20Community%20Contact%20List_8_16.pdf)

ODNR appreciates the opportunity to provide these comments. Please contact John Kessler at (614) 265-6621 if you have questions about these comments or need additional information.

John Kessler  
ODNR Office of Real Estate  
2045 Morse Road, Building E-2  
Columbus, Ohio 43229-6693  
John.Kessler@dnr.state.oh.us





Legal Department

American Electric Power  
1 Riverside Plaza  
Columbus, OH 43215-2373  
AEP.com

April 4, 2018

Chairman Asim Z. Haque  
Ohio Power Siting Board  
180 East Broad Street  
Columbus, Ohio 43215

**Hector Garcia**  
**Christen M. Blend**  
Senior Counsel --  
Regulatory Services  
(614) 716-3410 (P)  
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[hgarcia1@aep.com](mailto:hgarcia1@aep.com)  
[cmblend@aep.com](mailto:cmblend@aep.com)

**Re: PUCO Case Number 17-2085 EL-BTX**  
**Buckley Road-Fremont Center 138kV Transmission Line Project**  
**Compliance with 4906-3-07 Ohio Administrative Code**

Dear Chairman Haque,

Pursuant to Rule 4906-3-07(C) of the Ohio Administrative Code, AEP Ohio Transmission Company, Inc. hereby files this proof of compliance with the service and public distribution requirements set forth in O.A.C. 4906-3-07 for the above-referenced project application, which the Ohio Power Siting Board accepted as complete on April 2, 2018:

1. In accordance with O.A.C. 4906-3-07(A)(1) and (A)(4), AEP Ohio Transmission Company, Inc. served a copy of the accepted, complete application to each required chief executive officer or public agency head by FedEx on April 4, 2018, as the enclosed tracking information demonstrates.
2. In accordance with O.A.C. 4906-3-07(A)(2), AEP Ohio Transmission Company, Inc., served a copy of the accepted, complete application to the main public library on April 4, 2018.
3. In accordance with O.A.C. 4906-3-07(A)(3), AEP Ohio Transmission Company, Inc. agrees to supply the Board with such additional copies of the accepted, complete application as the Board shall require.
4. In accordance with O.A.C. 4906-3-07(A)(5), AEP Ohio Transmission Company, Inc. submitted its application fee to the State of Ohio Treasurer on April 3, 2018, and encloses Attachment A pursuant to the Board Staff's April 2, 2018 direction to do so.

5. In accordance with O.A.C. 4906-3-08(B), AEP Ohio Transmission Company, Inc. maintains information on the website for this project as to how to request a copy of the accepted, complete application.

Respectfully submitted,

/s/ Christen M. Blend

Christen M. Blend (0086881), Counsel of Record  
Hector Garcia (0084517)

Counsel for AEP Ohio Transmission Company, Inc.

cc: Jon Pawley

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2014. 2015. 2016. 2017. 2018. 2019. 2020. 2021. 2022. 2023. 2024. 2025. 2026. 2027. 2028. 2029. 2030. 2031. 2032. 2033. 2034. 2035. 2036. 2037. 2038. 2039. 2040. 2041. 2042. 2043. 2044. 2045. 2046. 2047. 2048. 2049. 2050. 2051. 2052. 2053. 2054. 2055. 2056. 2057. 2058. 2059. 2060. 2061. 2062. 2063. 2064. 2065. 2066. 2067. 2068. 2069. 2070. 2071. 2072. 2073. 2074. 2075. 2076. 2077. 2078. 2079. 2080. 2081. 2082. 2083. 2084. 2085. 2086. 2087. 2088. 2089. 2090. 2091. 2092. 2093. 2094. 2095. 2096. 2097. 2098. 2099. 2100. 2101. 2102. 2103. 2104. 2105. 2106. 2107. 2108. 2109. 2110. 2111. 2112. 2113. 2114. 2115. 2116. 2117. 2118. 2119. 2120. 2121. 2122. 2123. 2124. 2125. 2126. 2127. 2128. 2129. 2130. 2131. 2132. 2133. 2134. 2135. 2136. 2137. 2138. 2139. 2140. 21



PAGE 1 OF 1

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| ORIGIN ID: LUKA<br>AARON GECKLE<br>ASCOM<br>525 VINE S<br>STE 1500<br>CINCINNATI, OH 45202<br>UNITED STATES US | (513) 651-3440 | SHIP DATE: 03APR18<br>ACTWGT: 0.50 LB<br>CAD: 107981493/NET3980<br>BILL SENDER |
|--|----------------|--|

TO **TIMOTHY R. LYNCH**  
**LIBERTY TOWNSHIP TRUSTEE**  
**7461 N TR 70**

**TIFFIN OH 44883**

(513) 419-3423 REF: 04100367.1  
 INV: PC: 60546514 DEPT:

44883

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 PRIORITY OVERNIGHT

TRACK# 7718 9931 0410

**XH MFDA**

OH-US CLE

44883

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|  |                |  |
|--|----------------|--|
| ORIGIN ID: LUKA<br>AARON GECKLE<br>AECOM<br>525 VINE S<br>STE 1800<br>CINCINNATI, OH 45202<br>UNITED STATES US | (513) 651-3440 | SHIP DATE: 03APR18<br>ACTWGT: 0.50 LB<br>CAD: 107961483/NET3980<br>BILL SENDER |
| TO JOSEPH KIMMET<br>LIBERTY TOWNSHIP TRUSTEE<br>BOX 126<br>BETTSVILLE OH 44815                                 |                |  |
| (513) 419-3423 REF: 04103987.1<br>INV 4<br>PO: 60546514 DEPT:  |                |  |
|                              |                |  |
|                              |                |  |
| WED - 04 APR 4:30P<br>PRIORITY OVERNIGHT   |                |  |
| TRK# 7718 9936 6891<br>0201  |                |  |
| XH TOLA<br>OH-US DTW<br>    |                |  |

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|   |                |  |
|---|----------------|--|
| ORIGIN DLUKA<br>AARON BECKLE<br>AECOM<br>525 VINE S<br>STE 1830<br>CINCINNATI, OH 45202<br>UNITED STATES US | (513) 651-3440 | SHIP DATE: 03APR18<br>ACTWGT: 0.50 LB<br>CAD: 1079614837NET3080<br>BILL SENDER |
|---|----------------|--|

TO **DARL D. HARRISON**  
**LIBERTY TOWNSHIP TRUSTEE**  
**1750 W CR 42**

**TIFFIN OH 44883**

(513) 419-3423 REF: 04103387.1  
 INV: 4  
 PO: 60546514 DEPT:



**FedEx**  
 Express

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 PRIORITY OVERNIGHT

7718 9945 3380

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ORIGIN ID: LUKA (513) 651-3440  
 AARON GECKLE  
 ACCOM  
 525 VINE S  
 STE 1800  
 CINCINNATI, OH 45202  
 UNITED STATES US

SHIP DATE: 03APR18  
 ACTWGT: 0.50 LB  
 CAD: 107967483/NET3880

BILL SENDER

TO RICK FINDLEY  
 JACKSON TOWNSHIP TREUSTEES  
 10014 WEST COUNTY ROAD 28

FOSTORIA OH 44830

(513) 419-3423 REF: 04103387.1  
 INV-1  
 PO: 80546514 DEPT:



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TRK# 7718 9951 4146  
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ORIGIN ID: LUKA (513) 851-3440  
 AARON GECKLE  
 AECOM  
 525 VINE S  
 STE (800)  
 CINCINNATI, OH 45202  
 UNITED STATES US

SHIP DATE: 03APR18  
 ACTWGT: 0.50 LB  
 CAD: 1079814837 NET3080

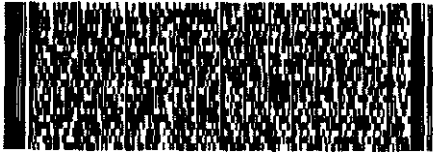
BILL SENDER

TO JOE STEYER  
 SENECA CO. SOIL AND WATER  
 3140 SOUTH SR 100  
 STE D  
 TIFFIN OH 44883

(513) 419-3423  
 INV: 4  
 PO: 60545514

REF: 04103387.1

DEPT:



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 PRIORITY OVERNIGHT

TRK# 7718 9958 6330  
 0201

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44883  
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|  |                |  |
|--|----------------|--|
| ORIGIN ID: LUKE<br>AARON GECKLE<br>AECOM<br>525 VINE S<br>STE 1800<br>CINCINNATI, OH 45202<br>UNITED STATES US | (513) 651-3440 | SHIP DATE: 03APR18<br>ACTWGT: 0.50 LB<br>CAD: 1070614837NET3080<br>BILL SENDER |
|--|----------------|--|

TO **MARK R. ZIMMERMAN**  
**SENECA COUNTY ENGINEER**  
**3300 SOUTH TR 151**  
  
**TIFFIN OH 44883**  
 (513) 419-3423 REF: 04103387.1  
 INV: 4  
 PO: 60546514 DEPT:




WED - 04 APR 4:30P  
 PRIORITY OVERNIGHT  
 TRK# 7718 9965 0022  
 0201

**XH MFDA**  
 OH-US CLE  


**After printing this label:**

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
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[illegible]

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ORIGIN ID: LUKA (513) 851-3440  
 AARON GECKLE  
 RECOM  
 825 VINE S  
 STE 1300  
 CINCINNATI, OH 45202  
 UNITED STATES US

SHIP DATE: 03APR18  
 ACTWGT: 0.50 LB  
 CND: 1075014839/NET3980

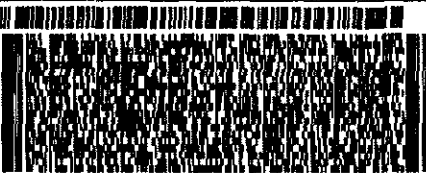
BILL SENDER

TO MAYOR DANIEL SANCHEZ  
 CITY OF FREMONT  
 323 SOUTH FRONT STREET

FREMONT OH 43420

(513) 419-3423 REF: 04103387.1  
 NY 4  
 PO 60546514 DEPT:

5521161320045



WED - 04 APR 10:30A  
 PRIORITY OVERNIGHT

TRK# 7719 0010 8022  
 0201

**XH TOLA**

43420  
 OH-US DTW



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Page 1 of 1

|  |                    |   |
|--|--------------------|---|
| ORIGIN ID: LUKA<br>AARON GECKLE<br>RECOM<br>825 VINE S<br>STE 1800<br>CINCINNATI, OH 45202<br>UNITED STATES US | (513) 651-3440     | SHIP DATE: 03APR18<br>ACTWGT: 0.50 LB<br>CND: 107961483/NET3000 |
| TO MAYOR ERICK KECKLER<br>CITY OF FOSTORIA<br>213 SOUTH MAIN ST<br><br>FOSTORIA OH 44830                       |                    | BILL SENDER   |
| (513) 419-3423<br>INV 4<br>PO: 60546514  | REF: 04103387.1    | DEPT:   |
|                              |                    |   |
|                              |                    |   |
| WED - 04 APR 4:30P<br>PRIORITY OVERNIGHT   |                    |   |
| TRK# 7719 0014 7707<br>0201  | 44830<br>OH-US DTW |   |
|                             |                    |   |

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4/3/2018

PAGE 1 OF 1

ORIGIN ID: LUKA (513) 651-3440  
 AARON GECKLE  
 AECOM  
 525 VINE S  
 STE 1800  
 CINCINNATI, OH 45202  
 UNITED STATES US

SHIP DATE: 03APR18  
 ACTWGT: 0.50 LB  
 CAD: 107861463/NET3900

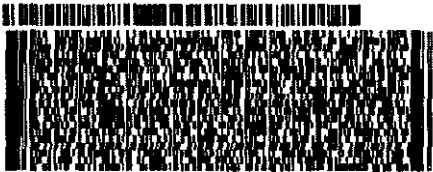
BILL SENDER

TO JOHN HAVENS  
 JACKSON TOWNSHIP TREUSTEES  
 4215 COUNTY ROAD 23

BURGOON OH 43407

(513) 419-3423 REF: 04103367.1  
 INV: 4  
 PO: 60546514 DEPT:

552J16132D045



WED - 04 APR 12:00P  
 PRIORITY OVERNIGHT

TRK# 7719 0020 0333  
 0201

XH TOLA

43407  
 OH-US DTW

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4/3/2018

<https://www.fedex.com/shipping/html/en/PrintFrame.html>

ORIGIN ID: LUKA (513) 651-3440  
 AARON GECKLE  
 AECOM  
 325 VINE S  
 STE 1800  
 CINCINNATI, OH 45202  
 UNITED STATES US

SHIP DATE: 03APR18  
 ACTWGT: 0.50 LB  
 CAD: 10/961483/INET3980

BILL SENDER

TO **DAVID STOTZ**  
**BALLVILLE TOWNSHIP TRUSTEES**  
**2220 TIFFIN ROAD**

**FREMONT OH 43420**

(513) 419-3423

REF: 04103387.1

INV: 4

PO: 60546514

DEPT:



4811981284

552/161320045

TRK# 7719 0029 5138  
 0201

WED - 04 APR 10:30A  
 PRIORITY OVERNIGHT

**XH TOLA**

OH-US **43420**  
**DTW**



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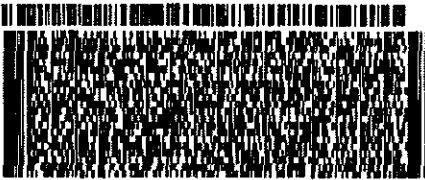
ORIGIN ID: LUKA (513) 651-3440  
 AARON GECKLE  
 AECOM  
 525 VINE S  
 STE 1800  
 CINCINNATI, OH 45202  
 UNITED STATES US

SHIP DATE: 03APR18  
 ACTWGT: 0.50 LB  
 CAD: 1078614631NET3990

BILL SENDER

TO **PETER MILLER**  
**SANDUSKY CO SOIL AND WATER**  
**2000 COUNTRYSIDE DRIVE**  
**SUITE A**  
**FREMONT OH 43420**

(513) 419-3423 REF: 04103397.1  
 NV 4  
 PO 60545514 DEPT:



WED - 04 APR 10:30A  
 PRIORITY OVERNIGHT

TRK# 7719 0033 3901  
 0201

**XH TOLA**

43420  
 OH-US DTW



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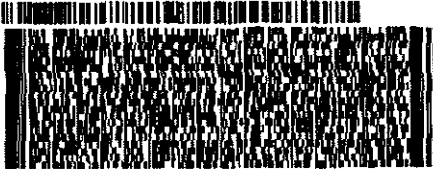


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|   |                 |   |
|---|-----------------|---|
| ORIGIN ID: LUKA<br>AARON GECKLE<br>ASCOM<br>825 VINE S<br>STE 1800<br>CINCINNATI, OH 45202<br>UNITED STATES US  | (513) 651-3440  | SHIP DATE: 03APR18<br>ACTWGT: 0.5018<br>CAD: 1070814837NET3980<br>BILL SENDER |
| TO <b>JAMES R. MOYER</b><br><b>SANDUSKY CO ENGINEER</b><br><b>2500 WEST STATE STREET</b><br><br><b>FREMONT OH 43420</b>   |                 |   |
| (513) 419-3423<br>NW: 4<br>PO: 60546514   | REF: 04100307.1 | DEPT:   |
|   |                 |   |
| WED - 04 APR 10:30A<br>PRIORITY OVERNIGHT   |                 |   |
| TRKA<br>0201  | 7719 0037 6282  | 43420<br>OH-US DTW  |
|    |                 |   |

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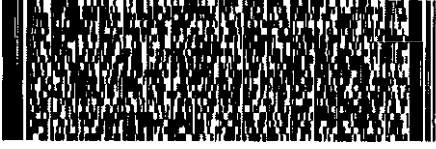


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|   |                 |                        |  |
|---|-----------------|------------------------|--|
| ORIGIN ID: LUKA (513) 651-3440  |                 | SHIP DATE: 03APR18     |  |
| ABRON GECKLE  |                 | ACTWGT: 0.50 LB        |  |
| AECOM   |                 | CAD: 107661463/NET3980 |  |
| 525 VINE S  |                 | BILL SENDER            |  |
| STE 1800  |                 |                        |  |
| CINCINNATI, OH 45202  |                 |                        |  |
| UNITED STATES US  |                 |                        |  |
| TO MATTHEW ROSS   |                 |                        |  |
| TIFFIN-SENECA PUBLIC LIBRARY  |                 |                        |  |
| 77 JEFFERSON STREET   |                 |                        |  |
| TIFFIN OH 44883   |                 |                        |  |
| (513) 419-3423  | REF: 04103387.1 |                        |  |
| INV: 1  | DEPT:           |                        |  |
| PO: 60545514  |                 |                        |  |
|   |                 |                        |  |
|   |                 |                        |  |
| WED - 04 APR 4:30P  |                 |                        |  |
| PRIORITY OVERNIGHT  |                 |                        |  |
| TRK#  | 7719 0041 5813  |                        |  |
| 0201  |                 |                        |  |
| XH MFDA   |                 | 44883                  |  |
|   |                 | OH-US CLE              |  |
|  |                 |                        |  |

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|   |  |   |
|---|--|---|
| ORIGIN ID: LUKA (513) 651-3440<br>AARON GECKLE<br>AECOM<br>525 VINE S<br>STE 1800<br>CINCINNATI, OH 45202<br>UNITED STATES US   |  | SHIP DATE: 03APR18<br>ACT WGT: 0.50 LB<br>CNO: 107967483/NET3980<br>BILL SENDER |
| TO <b>PAM HOESMAN</b><br><b>BIRCHARD PUBLIC LIBRARY</b><br><b>423 CROGHAN STREET</b><br><br><b>FREMONT OH 43420</b><br>(513) 419-3423 REF: 04103397.1<br>INV: 4<br>PO: 60546514 DEPT: |  |   |
|                   |  |   |
| WED - 04 APR 10:30A<br>PRIORITY OVERNIGHT   |  |   |
| TRK# 7719 0044 8193<br>0201   |  |   |
| <b>XH TOLA</b> 43420<br>OH-US DTW<br>  |  |   |

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## Power Siting Board

John R. Kasich, Governor  
Asim Z. Haque, Chairman

**Board Members**  
Director, Ohio Environmental Protection Agency  
Director, Ohio Development Services Agency  
Director, Ohio Department of Health  
Director, Ohio Department of Natural Resources  
Director, Ohio Department of Agriculture  
Public Member  
Ohio House of Representatives  
Ohio Senate

### ATTACHMENT A

#### Ohio Power Siting Board Application Filing Fee

#### Application for Certificate of Environmental Compatibility and Public Need

**Case Number: 17-2085-EL-BTX**

**Project Name: Buckley Road-Fremont Center 138kV Transmission Lin**

**Application Fee: \$65,000**

**PLEASE INCLUDE THIS ATTACHMENT WITH YOUR PAYMENT**

**Make Checks Payable To:**

Treasurer, State of Ohio  
Ohio Power Siting Board, Fund 5610  
(Designated by Case Number)

**Mailing Address:**

Treasurer, State of Ohio  
L-3603  
Columbus, OH 43260-3603

**Note:** UPS and FedEx deliveries are not accepted by the Treasurer. If you plan to use one of these services, please contact Jason Cross at (614) 466-7804.

\_\_\_\_For Treasurer, State of Ohio use\_\_\_\_

| Speed code | Deposit Unit | GL Unit | Fund | Deposit Unit | GL Unit |
|------------|--------------|---------|------|--------------|---------|
| PUCPSITING | PUC01        | STATE   | 5610 | PUC01        | STATE   |

| Fund | Account Code | ALI | Department | Program | Agency Use | ISTV Xref |
|------|--------------|-----|------------|---------|------------|-----------|
| 5610 | 425049       | N/A | PUC701310  | N/A     | N/A        | N/A       |







Legal Department

American Electric Power  
1 Riverside Plaza  
Columbus, OH 43215-2373  
AEP.com

May 29, 2018

**Hector Garcia**  
**Christen M. Blend**  
Senior Counsel –  
Regulatory Services  
(614) 716-3410 (P)  
(614) 716-1915 (P)  
[hgarcia1@aep.com](mailto:hgarcia1@aep.com)  
[cmblend@aep.com](mailto:cmblend@aep.com)

Chairman Asim Z. Haque  
Ohio Power Siting Board  
180 East Broad Street  
Columbus, Ohio 43215-3793

**RE: PUCO Case No. 17-2085-EL-BTX**  
**Buckley Road-Fremont Center 138kV Transmission Line Project**  
**Supplemental Proof of Compliance with Rule 4906-3-07 of the Ohio**  
**Administrative Code**

Dear Chairman Haque:

Enclosed, please find tracking information documenting proof of additional service of a copy of the accepted, complete application for the above-referenced project pursuant to O.A.C. 4906-3-07(A)(1).

Respectfully submitted,

/s/ Christen M. Blend

Christen M. Blend (0086881), Counsel of Record  
Hector Garcia (0084517)

Counsel for AEP Ohio Transmission Company, Inc.

cc: Jon Pawley, OPSB Staff

|   |                |  |
|---|----------------|--|
| ORIGIN ID: LUKA<br>AARON GECKLE<br>ASOOL<br>525 VINE STREET<br>SUITE 1800<br>CINCINNATI, OH 45202<br>UNITED STATES US | (513) 419-3423 | SHIP DATE: 29MAY18<br>ACTWGT: 1.00 LB<br>CMO: 101961483/NET3090<br>BILL SENDER |
| TO MAYOR DONALD MESSERSMITH<br>VILLAGE OF BURGOON<br>2595 NORTH RYAN STREET<br>BURGOON OH 43407                       |                |  |
| (000) 000-0000 REF: 04100387.1<br>INV: 0001<br>PO: 04105484 DEPT:   |                |  |
|                                      |                |  |
|                                     |                |  |
| WED - 30 MAY 4:30P<br>STANDARD OVERNIGHT  |                |  |
| TRK# 7723 3780 6324<br>0201   |                |  |
| XH TOLA 43407<br>OH-US DTW  |                |  |
|                                    |                |  |

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2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

**Warning:** Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number. Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on [fedex.com](http://fedex.com). FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value. Pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

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

**Commission of Ohio Docketing Information System on**

**5/29/2018 2:46:14 PM**

**in**

**Case No(s). 17-2085-EL-BTX**

Summary: Notice (Supplemental Proof of Compliance with Rule 4906-3-07 of the OAC) electronically filed by Ms. Christen M. Blend on behalf of AEP Ohio Transmission Power Company, Inc.





BOUNDLESS ENERGY™

Legal Department

American Electric Power  
1 Riverside Plaza  
Columbus, OH 43215-2373  
AEP.com

June 7, 2018

**Hector Garcia**  
**Christen M. Blend**  
Senior Counsel –  
Regulatory Services  
(614) 716-3410 (P)  
(614) 716-1915 (P)  
[hgarcia1@aep.com](mailto:hgarcia1@aep.com)  
[cblend@aep.com](mailto:cblend@aep.com)

Chairman Asim Z. Haque  
Ohio Power Siting Board  
180 East Broad Street  
Columbus, Ohio 43215-3793

**RE: PUCO Case No. 17-2085-EL-BTX**  
**Buckley Road-Fremont Center 138kV Transmission Line Project**  
**aka Fostoria-Fremont Transmission Line Rebuild Project**  
**Proof of Notification – Letters to Property Owners and Tenants**  
**Regarding the Public Information Open House**

Dear Chairman Haque:

AEP Ohio Transmission Company, Inc. ("AEP Ohio Transco") files this proof of notification in accordance with Rule 4906-3-10(A) of the Ohio Administrative Code. An initial notice was filed May 31, 2018. A corrected initial notice was filed on June 5, 2018 and complied with all the requirements of O.A.C. 4906-3-09(A)(1). Enclosed are samples of the initial notices. All letters were mailed via first class mail.

Respectfully submitted,

/s/ Christen M. Blend  
Christen M. Blend (0086881), Counsel of Record  
Hector Garcia (0084517)

Counsel for AEP Ohio Transmission Company, Inc.

cc: Jon Pawley, OPSB Staff



May 31, 2018

**AEP Ohio**  
700 Morrison Road  
Gahanna, OH 43230

**Attn: Important information about your property**

«OFFICE»  
«ATTENTION»  
«ADDRESS»()  
«CITY», «STATE» «ZIP»

**RE: Notice of Local Public Hearing for a Proposed Major Utility Facility  
AEP Ohio Transmission Company, Inc.  
Fostoria-Fremont 138 kV Transmission Line Rebuild Project  
Ohio Power Siting Board Case Number: 17-2085-EL-BTX**

Dear Landowner,

A public hearing for the proposed Fostoria-Fremont 138 kV Transmission Line Rebuild Project will be held in two parts – a local public hearing will be held on Monday, June 25, 2018, at 6 p.m., at Old Fort Elementary, Bettsville Campus, 118 Washington Street, Bettsville, Ohio 44815. The evidentiary hearing will be held on Tuesday, July 10, 2018, at 10 a.m. in Hearing Room 11-D at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215.

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This project involves upgrading about 15 miles of transmission line and runs through Jackson and Liberty townships in Seneca County and Jackson and Ballville townships in Sandusky County. This project will modernize the power grid to improve electric service reliability for area customers using steel single pole structures that will be about 85-feet tall. AEP Ohio anticipates completion of this project in winter 2020. Early estimates show this is an approximate \$22 million investment.

The accompanying reduced-scale map depicts the project area. Copies of the Application, including specific details about the location and construction of the project are available for public inspection at the Tiffin-Seneca Public Library, the Birchard Public Library, and the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio, 43215-3793, or by calling 1(866) 270-6772. You can also visit the OPSB's website at <http://opsb.ohio.gov>. Search under current cases for case number Case No. 17-2085-EL-BTX. Instructions for electronic or hard copy versions of the Applications can be found at [AEPOhio.com/Fostoria-Fremont](http://AEPOhio.com/Fostoria-Fremont).

The following local city and county government officials have been served with a copy of the Application as required by OPSB regulations:

Tiffin-Seneca Public Library  
Seneca County Commissioners  
Seneca County Engineer

Seneca County Soil & Water  
Jackson Township Trustees  
Jackson Township Fiscal Officer  
Liberty Township Trustees  
Liberty Township Fiscal Officer  
Sandusky County Commissioners  
Sandusky County Engineer  
Sandusky County Soil & Water  
Ballville Township Trustees  
Ballville Township Fiscal Officer  
Jackson Township Trustees  
Jackson Township Fiscal Officer  
Mayor Fostoria  
Mayor of Fremont  
Mayor of the Village of Burgoon

On behalf of AEP Ohio Transco and AEP Ohio, I look forward to seeing you at the public hearing.

Sincerely,

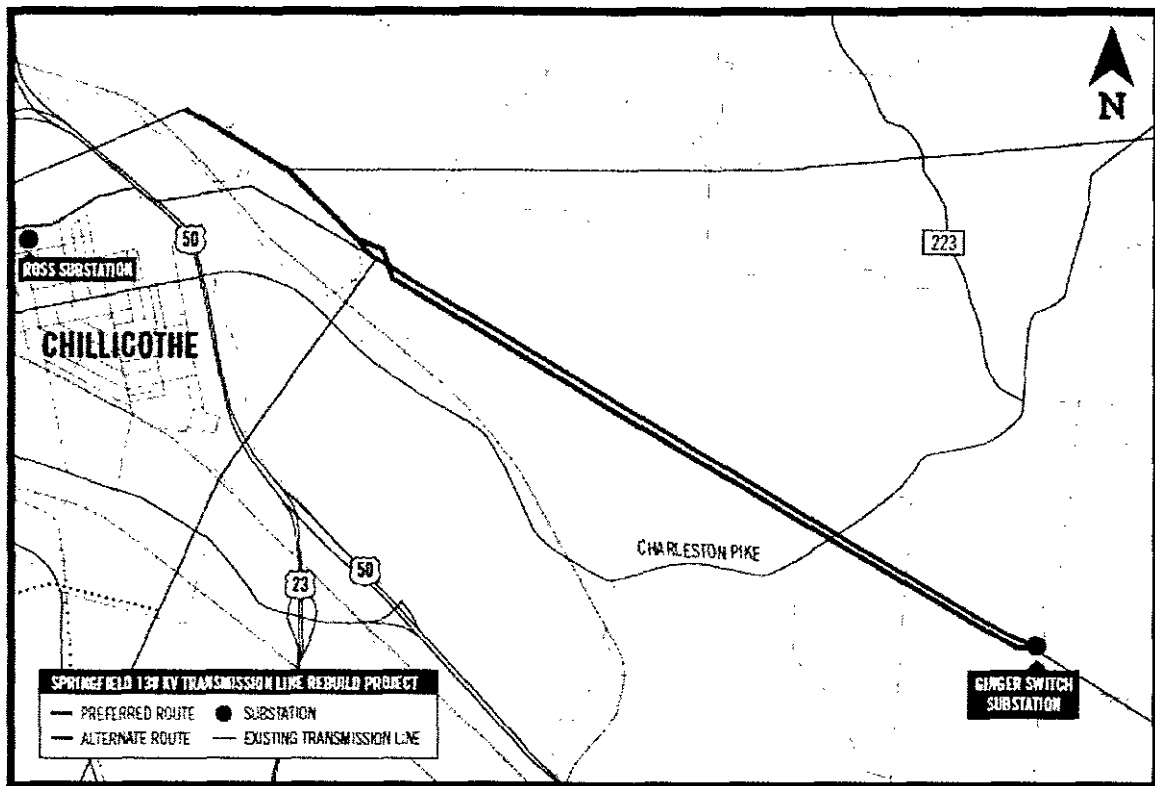
Erin Miller

A handwritten signature in black ink, appearing to read "Erin Miller". The signature is written in a cursive, flowing style.

Project Outreach Specialist

cc: AEP Legal Counsel  
John Garlitz, Project Manager







May 31, 2018

**AEP Ohio**  
700 Morrison Road  
Gahanna, OH 43230

**Attn: Important information about your property**  
«OFFICE»  
«ATTENTION»  
«ADDRESS»  
«CITY», «STATE» «ZIP»

**RE: Notice of Local Public Hearing for a Proposed Major Utility Facility**  
**AEP Ohio Transmission Company, Inc.**  
**Fostoria-Fremont 138 kV Transmission Line Rebuild Project**  
**Ohio Power Siting Board Case Number: 17-2085-EL-BTX**

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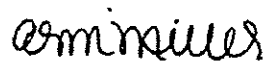
Tiffin-Seneca Public Library  
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Seneca County Soil & Water

Jackson Township Trustees  
Jackson Township Fiscal Officer  
Liberty Township Trustees  
Liberty Township Fiscal Officer  
Sandusky County Commissioners  
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Sandusky County Soil & Water  
Ballville Township Trustees  
Ballville Township Fiscal Officer  
Jackson Township Trustees  
Jackson Township Fiscal Officer  
Mayor Fostoria  
Mayor of Fremont  
Mayor of the Village of Burgoon

On behalf of AEP Ohio Transco and AEP Ohio, I look forward to seeing you at the public hearing.

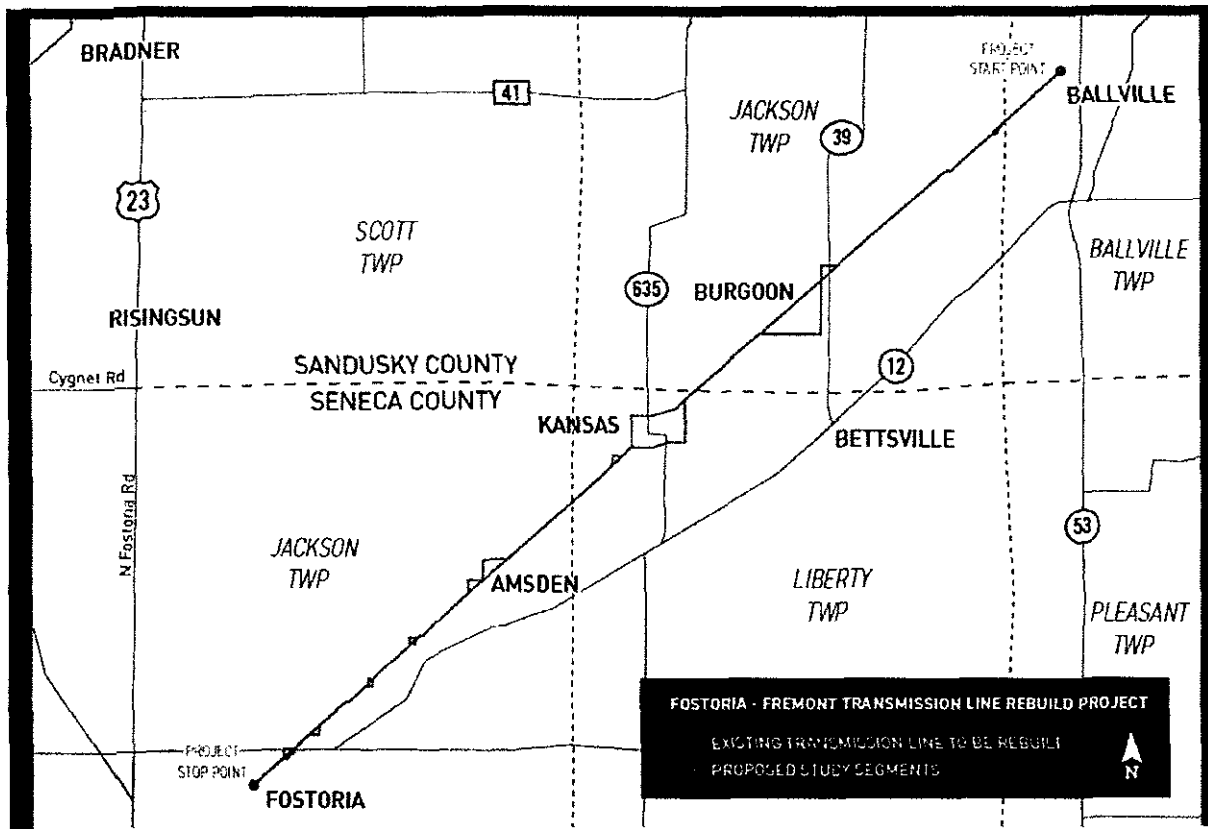
Sincerely,

Erin Miller

A handwritten signature in cursive script, appearing to read "Erin Miller".

Project Outreach Specialist

cc: AEP Legal Counsel  
John Garlitz, Project Manager





**AEP Ohio**  
700 Morrison Road  
Gahanna, OH 43230

June 5, 2018

**Attn: Important information about your property**

«OFFICE»

«ATTENTION»

«ADDRESS»()

«CITY», «STATE» «ZIP»

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Ohio Power Siting Board Case Number: 17-2085-EL-BTX**

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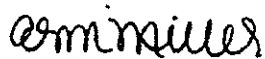
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Ballville Township Trustees  
Ballville Township Fiscal Officer  
Jackson Township Trustees  
Jackson Township Fiscal Officer  
Mayor Fostoria  
Mayor of Fremont  
Mayor of the Village of Burgoon

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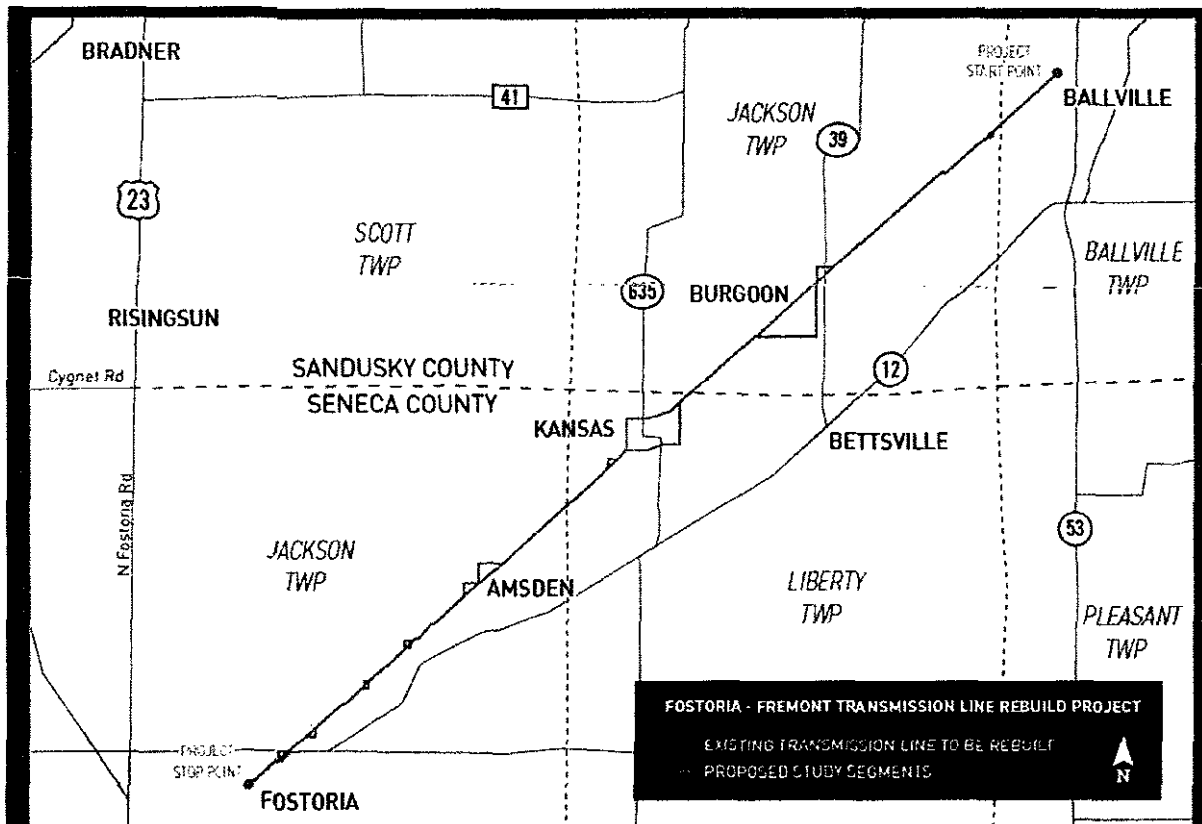
Sincerely,

Erin Miller

A handwritten signature in black ink, appearing to read "Erin Miller".

Project Outreach Specialist

cc: AEP Legal Counsel  
John Garlitz, Project Manager





June 5, 2018

**AEP Ohio**  
700 Morrison Road  
Gahanna, OH 43230

**Attn: Important information about your property**

«OFFICE»

«ATTENTION»

«ADDRESS»

«CITY», «STATE» «ZIP»

**RE: Notice of Local Public Hearing for a Proposed Major Utility Facility  
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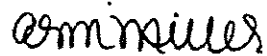


Jackson Township Trustees  
Jackson Township Fiscal Officer  
Liberty Township Trustees  
Liberty Township Fiscal Officer  
Sandusky County Commissioners  
Sandusky County Engineer  
Sandusky County Soil & Water  
Ballville Township Trustees  
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Mayor Fostoria  
Mayor of Fremont  
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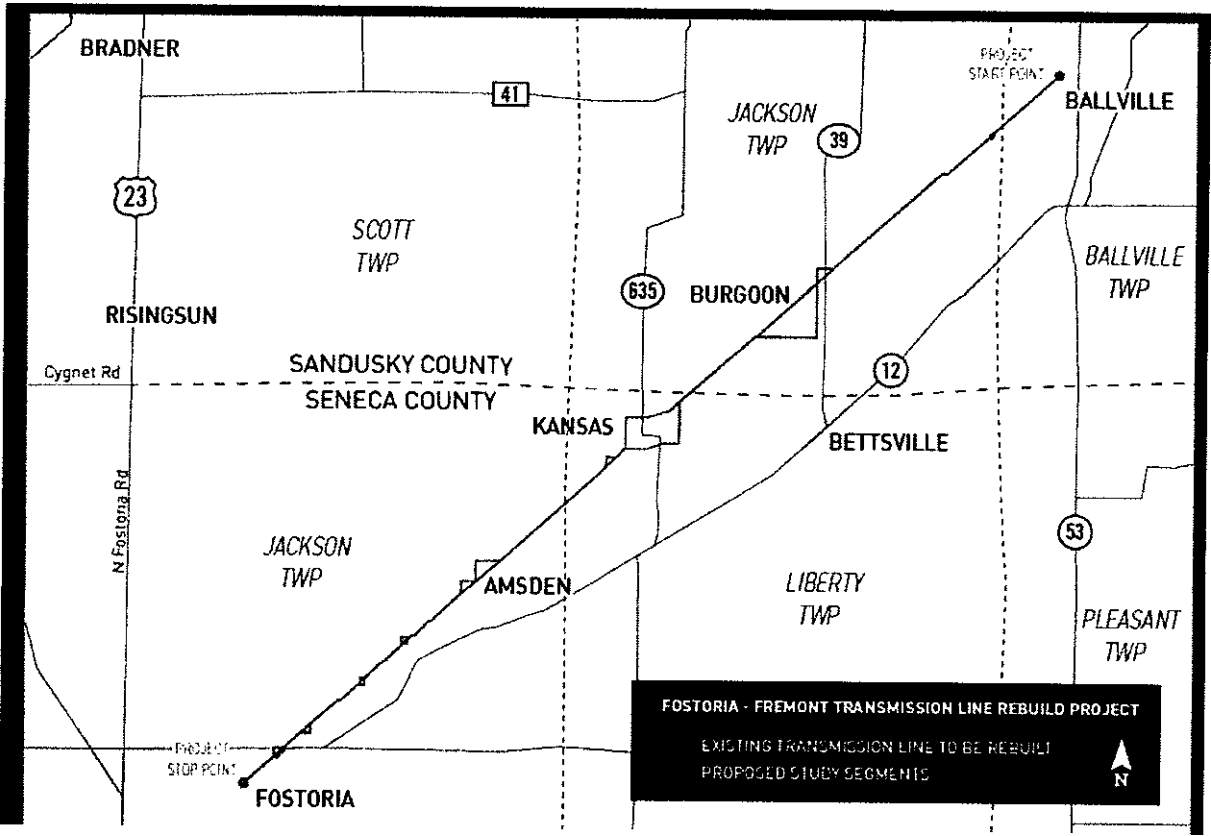
Sincerely,

Erin Miller

A handwritten signature in black ink, appearing to read "Erin Miller". The signature is written in a cursive, flowing style.

Project Outreach Specialist

cc: AEP Legal Counsel  
John Garlitz, Project Manager



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

**Commission of Ohio Docketing Information System on**

**6/7/2018 1:57:10 PM**

**in**

**Case No(s). 17-2085-EL-BTX**

**Summary: Notification (Proof of Initial Public Notice) electronically filed by Ms. Christen M. Blend on behalf of AEP Ohio Transmission Power Company, Inc.**

AEP OHTCo Exp. No. 8



Legal Department

American Electric Power  
1 Riverside Plaza  
Columbus, OH 43215-2373  
AEP.com

July 5, 2018

Ms. Barcy F. McNeal  
Docketing Division Chief  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215-3793

Christen M. Blend  
Senior Counsel  
(614) 716-1915 (P)  
cmblend@aep.com

RE: *In the Matter of the Application of AEP Ohio Transmission Company, Inc.  
for a Certificate of Environmental Compatibility and Public Need for the  
Buckley Road-Fremont Center 138 kV Transmission Line Project*  
Case No. 17-2085-EL-BTX

Dear Ms. McNeal:

Please accept the enclosed corrected Direct Testimony of Pattarin Jarupan on Behalf of AEP Ohio Transmission Company, Inc. in support of the Stipulation and Recommendation filed July 5, 2018 in the above-referenced docket.

This filing supersedes and replaces in its entirety the Direct Testimony that AEP Ohio Transmission Company, Inc. previously filed in this docket earlier today, which contained inadvertent errors.

Please contact me with any questions.

Respectfully submitted,

/s/ Christen M. Blend  
Christen M. Blend

**BEFORE THE OHIO POWER SITING BOARD**

|  |   |                                |
|--|---|--------------------------------|
| <b>In the Matter of the Application of</b>   | ) |                                |
| <b>AEP Ohio Transmission Company, Inc.</b>   | ) |                                |
| <b>For a Certificate of Environmental</b>    | ) | <b>Case No. 17-2085-EL-BTX</b> |
| <b>Compatibility and Public Need for the</b> | ) |                                |
| <b>Buckley Road-Fremont Center 138 kV</b>    | ) |                                |
| <b>Transmission Line Project</b>             | ) |                                |

**DIRECT TESTIMONY OF  
PATTARIN JARUPAN  
ON BEHALF OF  
AEP OHIO TRANSMISSION COMPANY, INC.  
IN SUPPORT OF THE  
STIPULATION AND RECOMMENDATION**

Filed July 5, 2018

1   **Q.   PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2   A.   My name is Pattarin Jarupan and my business address is 700 Morrison Road, Gahanna,  
3       Ohio 43230.

4   **Q.   BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5   A.   I am employed by American Electric Power Service Corporation ("AEPSC") and provide services  
6       to AEP Ohio Transmission Company, Inc. ("AEP Ohio Transco" or the "Company") as an Ohio  
7       Transmission Line Siting Specialist Assc.

8   **Q.   WOULD YOU PLEASE DESCRIBE YOUR EDUCATIONAL AND**  
9       **PROFESSIONAL BACKGROUND?**

10  A.   I received a Bachelor of Arts degree in Anthropology and a Masters of City and Regional  
11       Planning from The Ohio State University. I have worked with state and federal regulatory  
12       processes since 2014, and have been a Siting Specialist since 2016. I joined AEPSC in  
13       2018 as a Transmission Line Siting Specialist Assc. I am responsible for the siting of Ohio  
14       transmission projects for AEP Ohio Transco.

15  **Q.   WHAT ARE YOUR RESPONSIBILITIES AS A TRANSMISSION LINE SITING**  
16       **SPECIALIST?**

17  A.   I am responsible for the development of and adherence to the Ohio Power Siting Board  
18       siting process and work closely with a diverse siting team, including project management,  
19       engineering, environmental, permitting, right-of-way, and public outreach.

20  **Q.   WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

21  A.   The purpose of my testimony is to describe and support the Stipulation and Recommendation  
22       ("Stipulation") (incorporated by reference into this testimony and attached as Attachment A)  
23       entered into by AEP Ohio Transco and the Staff of the Ohio Power Siting Board (collectively,  
24       the "Signatory Parties") to resolve the issues in this case and filed on July 5, 2018. The

1 Signatory Parties recommend that the Ohio Power Siting Board ("Board") issue a Certificate  
2 of Environmental Compatibility and Public Need for construction and operation for the  
3 Project along the Alternate Route, as identified in the Company's January 30, 2018 Application  
4 ("Application") and subject to the conditions further described in the Stipulation. This  
5 testimony demonstrates that: (1) the Stipulation is a product of serious bargaining among  
6 capable, knowledgeable parties; (2) the Stipulation does not violate any important regulatory  
7 principle or practice; and (3) the Stipulation, as a whole, will benefit customers and the public  
8 interest.

9 **Q. DO YOU SPONSOR ANY EXHIBITS AS PART OF YOUR TESTIMONY?**

10 A. Yes. I am sponsoring and attaching Joint Exhibit No. 1, the Stipulation and  
11 Recommendation reached with the Board Staff in this case, as part of my testimony.

12 **Q. WHAT ARE THE MAJOR PROVISIONS OF THE STIPULATION?**

13 A. AEP Ohio Transco plans to rebuild approximately 15.4 miles of the existing 17.6-mile  
14 Allendale-Fremont Center 69 kilovolt (kV) transmission line in Seneca and Sandusky  
15 Counties, Ohio to 138 kV standards. The proposed Project will be built to 138 kV design  
16 capabilities and energized at 69 kV.

17 The purpose of the Project is to replace aged existing infrastructure, the majority of  
18 which was initially constructed in 1916. AEP Ohio Transco has identified that the  
19 deterioration of the existing line, comprised of the obsolescence of support structures and  
20 hardware components, insulators, conductors, and shield wires that have reached the end  
21 of their physical life, has created reliability and service concerns and increased risk of  
22 interruptions. The benefits of this Project include faster recovery of service after outages,  
23 reduced risk of service interruptions, and overall improved service to customers. By



1 constructing the line to 138 kV standards, AEP Ohio Transco will be able to energize the  
2 line at 138 kV in an expedited fashion when necessary in the future.

3 A combination of steel structures is proposed for the Project. Structure type will vary based  
4 on topography, and all proposed structures are anticipated to average 85 feet tall. Figure  
5 02-1 in the Application shows the Project vicinity, substation interconnection points, and  
6 the Preferred and Alternate Routes identified by AEP Ohio Transco. Additional details  
7 can be found in the Application's Review of Need and Schedule, in Section 4906-5-03.

8 **Q. WHAT CRITERIA HAS THE BOARD USED IN REVIEWING AND**  
9 **APPROVING STIPULATIONS AMONG SIGNATORY PARTIES TO A**  
10 **PROCEEDING?**

11 A. My understanding is that a stipulation must satisfy three criteria: (1) the stipulation must  
12 be a product of serious bargaining among capable, knowledgeable parties; (2) the  
13 stipulation must not violate any important regulatory principle or practice; and (3) the  
14 stipulation must, as a whole, benefit customers and the public interest.

15 **Q. DOES THE STIPULATION REPRESENT A PRODUCT OF SERIOUS**  
16 **BARGAINING AMONG CAPABLE, KNOWLEDGEABLE PARTIES?**

17 A. Yes, it does. All parties to the Stipulation (i.e., the Board Staff and the Company, who are  
18 the only parties to the case) were represented by experienced, competent counsel. Also, the  
19 parties to the Stipulation regularly participate in proceedings before the Board and are  
20 knowledgeable in regulatory matters. All parties were invited to participate in settlement  
21 discussions regarding the Stipulation. All parties were provided the draft Stipulation and  
22 given an opportunity to further engage in settlement discussions. Therefore, the Stipulation  
23 represents a product of serious bargaining among capable, knowledgeable parties.

1 **Q. DOES THE STIPULATION VIOLATE ANY IMPORTANT REGULATORY**  
2 **PRINCIPLES AND PRACTICES?**

3 A. No, it does not. Based on my experience with the regulatory process and review of the  
4 Stipulation, I believe that the Stipulation is consistent with, and does not violate, regulatory  
5 principles and practices in Ohio. On the contrary, the Stipulation is designed to comply  
6 with the requirements of Revised Code 4906.10, which provides the basis for decision  
7 granting or denying a certificate.

8 **Q. DOES THE STIPULATION BENEFIT CONSUMERS AND THE PUBLIC**  
9 **INTEREST?**

10 A. Yes, it does. The Stipulation, which provides for the construction of the Project on the  
11 Alternate Route, benefits consumers insofar as the Project will help ensure that  
12 increased demands for electricity are met in the future and that existing service  
13 reliability is strengthened and enhanced throughout the area. The Project will also  
14 produce tax revenues for the local community. The Stipulation also benefits the public  
15 by requiring AEP Ohio Transco to comply with numerous conditions to minimize  
16 environmental, sociological, cultural, and other impacts to the area.

17 **Q. DID AEP OHIO TRANSCO TAKE INTO ACCOUNT THE PUBLIC INPUT IN ITS**  
18 **DELIBERATIONS?**

19 A. Yes. AEP Ohio Transco has worked very closely with affected residents to ensure that  
20 their concerns were taken into consideration when determining the Alternate Route.  
21 Details regarding AEP Ohio Transco's public information program for this Project are set  
22 forth on pages 4-2 and 6-2 of the Application and incorporated herein.

1   **Q.    IS IT AEP OHIO TRANSCO'S POSITION THAT THE STIPULATION MEETS**  
2       **THE THREE-PART TEST REGARDING CONSIDERATION OF STIPULATIONS**  
3       **AND SHOULD BE ADOPTED BY THE BOARD?**

4   **A.    Yes, it is. The Stipulation is reasonable and should be adopted by the Board to resolve the**  
5       **present proceeding.**

6   **Q.    DOES THIS CONCLUDE YOUR TESTIMONY?**

7   **A.    Yes it does.**

8

**CERTIFICATE OF SERVICE**

In accordance with Rule 4901-1-05, Ohio Administrative Code, the OPSB's e-filing system will electronically serve notice of the filing of this document upon all parties of record and the administrative law judge on this 5th day of July, 2018.

/s/ Christen M. Blend

Christen M. Blend

john.jones@ohioattorneygeneral.gov,  
dan.fullin@puco.ohio.gov

**ATTACHMENT A**

## BEFORE THE OHIO POWER SITING BOARD

|  |                            |                                |
|--|----------------------------|--------------------------------|
| <b>In the Matter of the Application of</b><br><b>AEP Ohio Transmission Company, Inc.</b><br><b>For a Certificate of Environmental</b><br><b>Compatibility and Public Need for the</b><br><b>Buckley Road-Fremont Center 138 kV</b><br><b>Transmission Line Project</b> | )<br>)<br>)<br>)<br>)<br>) | <b>Case No. 17-2085-EL-BTX</b> |
|--|----------------------------|--------------------------------|

---

## STIPULATION AND RECOMMENDATION

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### I. INTRODUCTION

AEP Ohio Transmission Company, Inc. (“AEP Ohio Transco” or the “Applicant”), and the Staff of the Ohio Power Siting Board (“OPSB Staff”) (at times, collectively referred to as the “Parties”) submit and recommend this Stipulation and Recommendation (“Stipulation”) for adoption by the Ohio Power Siting Board (“Board”). This Stipulation is intended by the Parties to resolve all matters pertinent to Applicant’s proposed Buckley Road-Fremont Center 138 kV Transmission Line Project (“Project”).

AEP Ohio Transco plans to rebuild 15.4 miles of the existing 17.6-mile Allendale-Fremont Center 69 kilovolt (kV) transmission line in Seneca and Sandusky Counties, Ohio to 138 kV standards. The proposed Project will be built to 138 kV design capabilities and energized at 69 kV. The purpose of the Project is to replace aged existing infrastructure, the majority of which was initially constructed in 1916. AEP Ohio Transco has identified that the deterioration of the existing line, comprised of the obsolescence of support structures and hardware components, insulators, conductors, and shield wires that have reached the end of their physical life, has created reliability and service concerns and increased risk of interruptions. The benefits of this Project include faster recovery of service after outages, reduced risk of service interruptions, and overall improved service to customers. By

constructing the line to 138 kV standards, AEP Ohio Transco will be able to energize the line at 138 kV in an expedited fashion when necessary in the future.

A combination of steel structures is proposed for the Project. Structure type will vary based on topography, and all proposed structures are anticipated to average 85 feet tall. Figure 02-1 in the Application shows the Project vicinity, substation interconnection points, and the Preferred and Alternate Routes identified by AEP Ohio Transco. Additional details can be found in the January 30, 2018 Application's ("Application") Review of Need and Schedule, in Section 4906-5-03, which the Parties incorporate by reference herein.

This Stipulation is the product of serious bargaining among capable and knowledgeable parties. The Parties have each participated in negotiations. This Stipulation has been signed by the Applicant and OPSB Staff (collectively, "Signatory Parties"). Each of the Signatory Parties was represented by experienced counsel who regularly practice and participate in proceedings before the Board.

The Stipulation will benefit customers and the public interest. In the Stipulation, the Applicant has made commitments (as more fully described below) to comply with OPSB Staff conditions to minimize adverse impacts associated with the Project. The Stipulation does not violate any important regulatory principle or practice. The Project is more fully described in the Application. This Stipulation results from discussions between the Parties, who agree that it is supported by adequate data and information and is therefore entitled to careful consideration by the Board.

Accordingly, the Parties recommend that the Board issue a Certificate of Environmental Compatibility and Public Need ("Certificate") for construction and operation of the Buckley Road-Fremont Center 138 kV Transmission Line Project, as identified in the Application, and subject to the conditions set forth in this Stipulation.

## **II. STIPULATIONS**

### **A. Recommended Findings of Fact**

The Signatory Parties agree that the record in this case, which consists of the Application, any supplemental or related information, and the Staff Report of Investigation, contains sufficient probative evidence for the Board to find and determine, as findings of fact, that:

- (1) AEP Ohio Transco is an Ohio corporation and a wholly-owned subsidiary of AEP Transmission Company, LLC, which is a Delaware limited liability company.
- (2) The proposed Buckley Road-Fremont Center 138 kV Transmission Line Project is a “major utility facility,” as defined in Section 4906.01(B)(1) of the Ohio Revised Code.
- (3) On October 11, 2017, the Applicant filed a pre-application notification letter for a Certificate to build the proposed Project, pursuant to Ohio Adm.Code 4906-3-03(A).
- (4) On October 12, 2017, the Applicant filed proof of notification to property owners and affected tenants of the date of the public informational meeting held pursuant to Ohio Adm.Code 4906-3-03(B)(2).
- (5) On October 24, 2017, the Applicant filed its proof of publication of public notice to property owners and affected tenants of the date of the public informational meeting held pursuant to Ohio Adm.Code 4906-3-03(B)(2).



- (6) On November 1, 2017, the Applicant held a public informational meeting regarding the Project.
- (7) On January 30, 2018, the Applicant filed the Buckley Road-Fremont Center 138 kV Transmission Line Project Application.
- (8) On February 1, 2018, the Applicant filed a supplemental Application cover letter.
- (9) On April 2, 2018, the Director of Rates and Analysis for the Public Utilities Commission of Ohio issued a letter of compliance regarding the Application to the Applicant.
- (10) On April 3, 2018, the Applicant filed proof of service of the certified application on local officials pursuant to Ohio Adm.Code 4906-3-07.
- (11) On May 18, 2018, the Administrative Law Judge issued an Entry setting the effective date for the application to April 18, 2018, scheduling local public and adjudicatory hearings in this matter, ordering AEP Ohio Transco to notice the hearings, and establishing a procedural schedule for the filing of lists of issues and testimony.
- (12) On May 29, 2018, the Applicant filed supplemental proof of compliance with Ohio Adm.Code 4906-3-07.
- (13) On June 7, 2018, the Applicant filed proof of publication and notice regarding the date, time, and location of the public hearing and adjudicatory hearing, including proof of notice of the public hearing and adjudicatory hearing to affected property owners and elected officials, in compliance with Ohio Adm.Code 4906-3-09(A).
- (14) On June 8, 2018, OPSB Staff filed its Report of Investigation ("Staff Report").

- (15) On June 25, 2018, a local public hearing was held at Old Fort Elementary School in Bettsville, Ohio.
- (16) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine the basis of the need for the proposed facility, as required by Section 4906.10(A)(1) of the Ohio Revised Code.
- (17) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine the nature of the probable environmental impact of the proposed facility, as required by Section 4906.10(A)(2) of the Ohio Revised Code.
- (18) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine that the Preferred Route contained in the Application, as filed by the Applicant on January 30, 2018, represents the minimum adverse environmental impact, considering the available technology and nature and economics of the various alternatives, and other pertinent considerations, as required by Section 4906.10(A)(3) of the Ohio Revised Code.
- (19) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and its Staff to determine that construction of the Project located on Applicant's Preferred site is consistent with plans for expansion of the regional power grid and that it will serve the interests of electric system economy and reliability, as required by Section 4906.10(A)(4) of the Ohio Revised Code.

- (20) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine that the Project will comply with Chapters 3704, 3734, and 6111, of the Ohio Revised Code and all rules and standards adopted under Sections 1501.33, 1501.34 and 4561.32 of the Ohio Revised Code, as required by Section 4906.10(A)(5) of the Ohio Revised Code.
- (21) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine that the proposed facility will serve the public interest, convenience and necessity, as required by Section 4906.10(A)(6) of the Ohio Revised Code.
- (22) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine the proposed facility's impact on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Ohio Revised Code that is located within the Preferred Route and Alternate Route of the proposed Project, as required by Section 4906.10(A)(7) of the Ohio Revised Code.
- (23) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine that the facility incorporates maximum feasible water conservation practices, considering available technology and the nature and economics of the various alternatives, under Section 4906.10(A)(8) of the Ohio Revised Code. Due to the fact that the facility will not require the use of water for operation, Section 4906.10(A)(8) of the Ohio Revised Code is not applicable to

certification of the Project.

- (24) The information, data and evidence in the record of this proceeding provide substantial and adequate evidence and information to enable the Board to make an informed decision on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project.

**B. Recommended Conclusions of Law**

The Signatory Parties further agree that the record in this case contains sufficient probative evidence for the Board to find and determine, as conclusions of law, that:

- (1) Applicant, AEP Ohio Transco, is a “person” pursuant to Section 4906.01(A) of the Ohio Revised Code.
- (2) The proposed Buckley Road-Fremont Center 138 kV Transmission Line Project is a “major utility facility” as defined by Section 4906.01(B)(2) of the Ohio Revised Code. Applicant’s Application, filed on January 30, 2018, complies with the requirements of Ohio Adm.Code 4906-5-01, *et seq.*
- (3) The record establishes the need for the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project as required by Section 4906.10(A)(1) of the Ohio Revised Code.
- (4) The record establishes the nature of the probable environmental impact from construction, operation and maintenance of the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project as required by Section 4906.10(A)(2) of the Ohio Revised Code.

- (5) The record establishes that the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project, if conditioned in the Certificate as recommended by the Parties, 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, as required by Section 4906.10(A)(3) of the Ohio Revised Code.
- (6) The record establishes that the proposed Preferred Route for the Buckley Road-Fremont Center 138 kV Transmission Line Project is consistent with plans for expansion of the regional power system, and serves the interests of electric system economy and reliability, as required by Section 4906.10(A)(4) of the Ohio Revised Code.
- (7) The record establishes that the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project, if conditioned in the Certificate as recommended by the Parties, will comply with Chapters 3704, 3734 and 6111 of the Ohio Revised Code, and all rules and regulations adopted under those chapters, and under Sections 1501.33, 1501.34 and 4561.32 of the Revised Code, all as required by Section 4906.10(A)(5) of the Ohio Revised Code.
- (8) The record establishes that the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project, if conditioned in the Certificate as recommended by the Parties, will serve the public interest, convenience and necessity, as required by Section 4906.10(A)(6) of the Ohio Revised Code.

- (9) The record establishes the impact of the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Ohio Revised Code that is located within the Preferred Route and Alternate Route of the proposed Project as required by Section 4906.10(A)(7) of the Ohio Revised Code.
- (10) The record establishes that the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives required by Section 4906.10(A)(8) of the Ohio Revised Code.

**C. Recommended Conditions of the Certificate of Environmental Compatibility and Public Need**

- (1) The facility shall be installed on the Applicant's Alternate Route, utilizing the equipment, construction practices, and mitigation measures as presented in the Application filed on January 30, 2018, and further clarified by recommendations in the Staff Report.
- (2) The Applicant shall conduct a preconstruction conference prior to the start of any construction activities. Staff, the Applicant, and representatives of the prime contractor and/or subcontractors for the project shall attend the preconstruction conference. The conference shall include a presentation of the measures to be taken by the Applicant and contractors to ensure compliance with all conditions of the certificate, and discussion of the procedures for on-site investigations by Staff during construction. Prior to the conference, the

Applicant shall provide a proposed conference agenda for Staff review to ensure compliance with this condition. The Applicant may conduct separate preconstruction conferences for each stage of construction.

- (3) At least 30 days before the preconstruction conference, the Applicant shall submit to Staff one set of detailed engineering drawings of the final project design, including the facility, temporary and permanent access roads, construction staging areas, and any other associated facilities and access points, so that Staff can determine that the final project design is in compliance with the terms of the Certificate. The final project layout shall be provided in hard copy and as geographically referenced electronic data. The final design shall include all conditions of the Certificate and references at the locations where the Applicant and/or its contractors must adhere to a specific condition in order to comply with the Certificate.
- (4) Within 60 days after the commencement of commercial operation, the Applicant shall submit to Staff a copy of the as-built specifications for the entire facility. The Applicant shall provide as-built drawings in both hard copy and as geographically referenced electronic data.
- (5) The certificate shall become invalid if the Applicant has not commenced a continuous course of construction of the proposed facility within five years of the date of journalization of the certificate.
- (6) As the information becomes known, the Applicant shall provide to Staff the date on which construction will begin, the date on which construction was

completed, and the date on which the facility begins commercial operation.

- (7) At least 30 days prior to the preconstruction conference, the Applicant shall provide to Staff a complaint resolution procedure to address potential public grievances resulting from project construction and operation. The resolution procedure must provide that the Applicant will work to mitigate or resolve any issues with those who submit either a formal or informal complaint and that the Applicant will immediately forward all complaints to Staff.
- (8) At least 30 days prior to the preconstruction conference, the Applicant shall provide to Staff a copy of its public information program that informs affected property owners and tenants of the nature of the project, specific contact information of Applicant personnel who are familiar with the project, the proposed timeframe for project construction, and a schedule for restoration activities. The Applicant shall give notification to property owners and tenants at least 7 days prior to work on the affected property.
- (9) 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, including any permits necessary for aviation clearance. 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. The Applicant shall provide a schedule of construction activities and acquisition of corresponding permits for each activity at the preconstruction conference.



- (10) The Applicant shall Docket the PJM Interconnection supplemental upgrade ID.
- (11) If the Alternate Route is chosen, prior to commencement of any construction, the Applicant shall prepare a Phase I cultural resources survey program for archaeological work within the construction disturbance area, in consultation with Staff and the Ohio Historic Preservation Office. If the resulting survey work discloses a find of cultural or archaeological significance, or a site that could be eligible for inclusion in the National Register of Historic Places, then the Applicant shall submit an amendment, modification, or mitigation plan to the Board.
- (12) The Applicant shall replace agricultural field tiles damaged from this project, and excavated topsoil in agricultural fields shall be segregated and restored upon backfilling.
- (13) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than or equal to three inches in diameter, unless coordination with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service (USFWS) allows a different course of action.
- (14) The Applicant shall provide a final construction access plan for review prior to the preconstruction conference. The plan would consider the location of streams, wetlands, wooded areas, and sensitive plant species, as identified by the ODNR Division of Wildlife, and explain how impacts to all sensitive resources will be avoided or minimized during construction, operation, and

maintenance. The plan shall show surface water resource crossing methods. The plan would include the measures to be used for restoring the area around all temporary access points, and a description of any long-term stabilization required along permanent access routes.

- (15) The Applicant shall contact Staff, the ODNR, and the USFWS within 24 hours if state or federal threatened or endangered species are encountered during construction activities. Construction activities that could adversely impact such plants or animals shall be halted until an appropriate course of action has been agreed upon by the Applicant, Staff, and the ODNR, in coordination with the USFWS. Nothing in this condition shall preclude agencies having jurisdiction over the facility with respect to threatened or endangered species from exercising their legal authority over the facility consistent with law.
- (16) Prior to any in-water work, the Applicant shall provide information to Staff and the ODNR indicating that no mussel impacts would occur at stream crossings. If this is not possible, then the appropriate survey(s) shall be performed in coordination with the ODNR and Staff. If mussels found in the project area cannot be avoided, as a last resort, a professional malacologist shall collect and relocate the mussels to suitable and similar habitat. All surveys and assessments shall be done in accordance with the Ohio Mussel Survey Protocol and provided to Staff and the ODNR for review.

- (17) 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.
- (18) The Applicant shall have a qualified environmental specialist on site during construction activities that may affect sensitive areas, as mutually agreed upon between the Applicant and Staff, and as shown on the Applicant's final approved construction plan. Sensitive areas include but are not limited to areas of vegetation clearing, designated wetlands and streams, and locations of threatened or endangered species or their identified habitat. The environmental specialist shall be familiar with water quality protection issues and potential threatened or endangered species of plants and animals that may be encountered during project construction.
- (19) Prior to commencement of construction activities that require transportation permits, the Applicant shall obtain all such permits. The Applicant shall coordinate with the appropriate authority regarding any temporary or permanent road closures, lane closures, road access restrictions, and traffic control necessary for construction and operation of the proposed facility.
- (20) General construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., or until dusk when sunset occurs after 7:00 p.m. Impact pile driving and hoe ram operations, if required, shall be limited to the hours between 10:00 a.m. to 5:00 p.m., Monday through Friday. Construction activities that do not involve noise increases above ambient levels at sensitive receptors are

permitted outside of daylight hours when necessary. The Applicant shall notify property owners or affected tenants within the meaning of Ohio Adm.Code 4906-3-03(3)(B)(2) of upcoming construction activities including potential for nighttime construction activities.

- (21) The Applicant shall remove all construction staging area and access road materials after completion of construction activities, as weather permits, unless otherwise directed by the landowner. Impacted areas shall be restored to preconstruction conditions in compliance with the Ohio Environmental Protection Agency (Ohio EPA) General National Pollutant Discharge Elimination System (NPDES) permit(s) obtained for the project and the approved Stormwater Pollution Prevention Plan (SWPPP) created for this project.
- (22) The Applicant shall not dispose of access road material, or any other construction material, during or following construction of the facility by spreading such material on agricultural land. All construction debris and all contaminated soil shall be promptly removed and properly disposed of in accordance with Ohio EPA regulations.
- (23) At least seven days before the preconstruction conference, the Applicant shall submit to Staff, for review, a copy of all NPDES permits including its approved SWPPP, approved Spill Prevention, Control, and Countermeasure procedures, and its erosion and sediment control plan. The Applicant must address any soil issues through proper design and adherence to Ohio EPA best management practices related to erosion and sedimentation control.

### **III. EXHIBITS**

The Parties agree and stipulate that the following information has been filed in the docket and is to be marked and admitted into the record as exhibits of this proceeding and that cross-examination is waived thereon:

- AEP Ohio Transco Exhibit No. 1: Pre-Application Notification Letter filed on October 11, 2017
- AEP Ohio Transco Exhibit No. 2: Proof of Notification filed October 12, 2017
- AEP Ohio Transco Exhibit 3: Proof of Publication filed October 24, 2017
- AEP Ohio Transco Exhibit 4: Application filed January 30, 2018, and certified as completed by the Board on April 2, 2018
- AEP Ohio Transco Exhibit No. 5: Proof of Notification filed on April 3, 2018
- AEP Ohio Transco Exhibit No. 6: Proof of Notification filed on May 29, 2018
- AEP Ohio Transco Exhibit No. 8: Proof of Notification filed on June 7, 2018
- AEP Ohio Transco Exhibit No. 7: Direct Testimony of Pattarin Jarupan
- Staff Exhibit No. 1: Staff Report of Investigation filed on June 8, 2018
- Staff Exhibit No. 2: Prefiled Testimony of Robert Holderbaum
- Joint Exhibit No. 1: This Stipulation

In deliberating the merits of the Application and reasonableness of this Stipulation, the Signatory Parties encourage the Board to review and consider all evidence and exhibits submitted and admitted in this case.

#### **IV. OTHER STIPULATIONS**

- (1) This Stipulation is expressly conditioned upon its acceptance by the Board without material modification. In the event the Board rejects or materially modifies all or part of this Stipulation, or imposes additional conditions or requirements upon the Parties, each Party shall have the right, within thirty (30) days after the Board's order, to file an application for rehearing with the Board. Upon a grant of rehearing by the Board, each party shall have the right, within ten (10) days after the Board's order granting rehearing, to file a notice of termination and withdrawal of the Stipulation. Upon notice of termination and withdrawal of the Stipulation by any party, pursuant to the above provisions, the Stipulation shall immediately become null and void, and any party to the Stipulation shall be free to petition the Board or the Administrative Law Judge for such additional process as may be necessary to address any of the remaining issues in this case. In such an event, a hearing shall go forward, and the Parties shall be afforded the opportunity to present evidence through witnesses, to cross-examine all witnesses, to present rebuttal testimony, and to file briefs on all issues.
- (2) The Parties agree and recognize that this Stipulation has been entered into only for the purpose of this proceeding. Each of the Parties agrees not to assert against another party in any proceeding before the Board or any court, other than in a proceeding to enforce the terms of this Stipulation, that party's participation in this Stipulation as support for any particular position on any issue. Each of the Parties further agrees that it will not use this Stipulation as factual or legal precedent on any issue, except as may be necessary to support

enforcement of this Stipulation. The Parties request that the Board recognize that its use of this Stipulation in any proceeding other than this proceeding is contrary to the intentions of the Parties in entering into this Stipulation.

**WHEREFORE**, based upon the record and the information and data contained therein, the Signatory Parties recommend that the Board issue a Certificate of Environmental Compatibility and Public Need for construction, operation and maintenance of the proposed Buckley Road-Fremont Center 138kV Transmission Line Project as described in the Application filed with the Board on January 30, 2018.

Respectfully submitted on behalf of:

**STAFF OF THE OHIO POWER SITING BOARD**

By: /s/ John H. Jones  
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(willing to accept service by email)

**AEP OHIO TRANSMISSION COMPANY, INC.**

By: /s/ Christen M. Blend  
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(willing to accept service by e-mail)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing has been served upon the individuals listed via electronic mail, this 5th day of July, 2018.

/s/ Christen M. Blend

Christen M. Blend

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Staff Exh. No. 1

# Staff Report of Investigation

AEP Ohio Transmission Company  
Buckley Road-Fremont Center 138 kV Transmission Line Project

Case No. 17-2085-EL-BTX

June 8, 2018



John R. Kasich, Governor | Asim Z. Haque, Chairman

|  |   |                                |
|--|---|--------------------------------|
| <b>In the Matter of the Application of AEP Ohio</b>    | ) |                                |
| <b>Transmission Company, Inc. for a Certificate of</b> | ) |                                |
| <b>Environmental Compatibility and Public Need for</b> | ) | <b>Case No. 17-2085-EL-BTX</b> |
| <b>Construction of the Buckley Road-Fremont Center</b> | ) |                                |
| <b>138 kV Transmission Line Project.</b>               | ) |                                |

**Staff Report of Investigation**

Submitted to the  
OHIO POWER SITING BOARD

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Application of AEP Ohio** )  
**Transmission Company, Inc. for a Certificate of** )  
**Environmental Compatibility and Public Need for** ) **Case No. 17-2085-EL-BTX**  
**Construction of the Buckley Road-Fremont Center** )  
**138 kV Transmission Line Project.** )

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

To the Honorable Power Siting Board:

In accordance with the Ohio Revised Code (R.C.) 4906.07(C) and rules of the Ohio Power Siting Board (Board), the staff of the Public Utilities Commission of Ohio (Staff) has completed its investigation in the above matter and submits its findings and recommendations in this Staff Report for consideration by the Board.

The findings and recommendations contained in this report are the result of Staff coordination with the following agencies that are members of the Board: Ohio Environmental Protection Agency, the Ohio Department of Health, the Ohio Development Services Agency, the Ohio Department of Natural Resources, and the Ohio Department of Agriculture. In addition, Staff coordinated with the Ohio Department of Transportation, the Ohio Historic Preservation Office, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the Federal Aviation Administration.

In accordance with R.C. 4906.07(C) and 4906.12, copies of this Staff Report have been filed with the Docketing Division of the Public Utilities Commission of Ohio and served upon the Applicant or its authorized representative, the parties of record, and pursuant to Ohio Administrative Code 4906-3-06, the main public libraries of the political subdivisions in the project area.

The Staff Report presents the results of Staff's investigation conducted in accordance with R.C. Chapter 4906 and the rules of the Board, and does not purport to reflect the views of the Board nor should any party to the instant proceeding consider the Board in any manner constrained by the findings and recommendations set forth herein.

Respectfully submitted,



Tamara S. Turkenton  
 Director, Rates and Analysis  
 Public Utilities Commission of Ohio

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## **I. POWERS AND DUTIES**

### **OHIO POWER SITING BOARD**

The authority of the Ohio Power Siting Board (Board) is prescribed by Ohio Revised Code (R.C.) Chapter 4906. R.C. 4906.03 authorizes the Board to issue certificates of environmental compatibility and public need for the construction, operation, and maintenance of major utility facilities defined in R.C. 4906.01. Included within this definition of major utility facilities are: electric generating plants and associated facilities designed for, or capable of, operation at 50 megawatts (MW) or more; electric transmission lines and associated facilities of a design capacity of 100 kilovolts (kV) or more; and gas pipelines greater than 500 feet in length and more than nine inches in outside diameter, and associated facilities, designed for transporting gas at a maximum allowable operating pressure in excess of 125 pounds per square inch. In addition, pursuant to R.C. 4906.20, the Board authority applies to economically significant wind farms, defined in R.C. 4906.13(A) as wind turbines and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of 5 MW or greater but less than 50 MW.

Membership of the Board is specified in R.C. 4906.02(A). The voting members include: the Chairman of the Public Utilities Commission of Ohio (PUCO or Commission) who serves as Chairman of the Board; the directors of the Ohio Environmental Protection Agency (Ohio EPA), the Ohio Department of Health, the Ohio Development Services Agency (ODSA), the Ohio Department of Agriculture, and the Ohio Department of Natural Resources (ODNR); and a member of the public, specified as an engineer, appointed by the Governor from a list of three nominees provided by the Ohio Consumers' Counsel. Ex-officio Board members include two members (with alternates) from each house of the Ohio General Assembly.

### **NATURE OF INVESTIGATION**

The Board has promulgated rules and regulations, found in Ohio Administrative Code (Ohio Adm.Code) 4906:1-01 et seq., which establish application procedures for major utility facilities and economically significant wind farms.

#### **Application Procedures**

Any person that wishes to construct a major utility facility or economically significant wind farm in this state must first submit to the Board an application for a certificate of environmental compatibility and public need.<sup>1</sup> The application must include a description of the facility and its location, a summary of environmental studies, a statement explaining the need for the facility and how it fits into the Applicant's energy forecasts (for transmission projects), and any other information the Applicant or Board may consider relevant.<sup>2</sup>

Within 60 days of receiving an application, the Chairman must determine whether the application is sufficiently complete to begin an investigation.<sup>3</sup> If an application is considered complete, the Board or an administrative law judge will cause a public hearing to be held 60 to 90 days after the

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1. R.C. 4906.04 and 4906.20.

2. R.C. 4906.06(A) and 4906.20(B)(1).

3. Ohio Adm.Code 4906-3-06(A).

official filing date of the completed application.<sup>4</sup> At the public hearing, any person may provide written or oral testimony and may be examined by the parties.<sup>5</sup>

### **Staff Investigation and Report**

The Chairman will also cause each application to be investigated and a report published by the Board's Staff not less than 15 days prior to the public hearing.<sup>6</sup> The report sets forth the nature of the investigation and contains the findings and conditions recommended by Staff.<sup>7</sup> The Board's Staff, which consists of career professionals drawn from the staff of the PUCO and other member agencies of the Board, coordinates its investigation among the agencies represented on the Board and with other interested agencies such as the Ohio Department of Transportation (ODOT), the Ohio Historic Preservation Office (OHPO), and the U.S. Fish and Wildlife Service (USFWS).

The technical investigations and evaluations are conducted pursuant to Ohio Adm.Code 4906-1-01 et seq. The recommended findings resulting from Staff's investigation are described in the Staff Report pursuant to R.C. 4906.07(C). The report does not represent the views or opinions of the Board and is only one piece of evidence that the Board may consider when making its decision. Once published, the report becomes a part of the record, is served upon all parties to the proceeding and is made available to any person upon request.<sup>8</sup> A record of the public hearings and all evidence, including the Staff Report, may be examined by the public at anytime.<sup>9</sup>

### **Board Decision**

The Board may approve, modify and approve, or deny an application for a certificate of environmental compatibility and public need.<sup>10</sup> If the Board approves, or modifies and approves an application, it will issue a certificate subject to conditions. The certificate is also conditioned upon the facility being in compliance with applicable standards and rules adopted under the Ohio Revised Code.<sup>11</sup>

Upon rendering its decision, the Board must issue an opinion stating its reasons for approving, modifying and approving, or denying an application for a certificate of environmental compatibility and public need.<sup>12</sup> A copy of the Board's decision and its opinion is memorialized upon the record and must be served upon all parties to the proceeding.<sup>13</sup> Any party to the proceeding that believes its issues were not adequately addressed by the Board may submit within 30 days an application for rehearing.<sup>14</sup> An entry on rehearing will be issued by the Board within 30 days and may be appealed within 60 days to the Supreme Court of Ohio.<sup>15</sup>

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4. R.C. 4906.07(A) and Ohio Adm.Code 4906-3-08.

5. R.C. 4906.08(C).

6. R.C. 4906.07.

7. Ohio Adm.Code 4906-3-06(C).

8. R.C. 4906.07(C) and 4906.10.

9. R.C. 4906.09 and 4906.12.

10. R.C. 4906.10(A).

11. R.C. 4906.10.

12. R.C. 4906.11.

13. R.C. 4906.10(C).

14. R.C. 4903.10 and 4906.12.

15. R.C. 4903.11, 4903.12, and 4906.12.



## CRITERIA

Staff developed the recommendations and conditions in this *Staff Report of Investigation* pursuant to the criteria set forth in R.C. 4906.10(A), which reads, in part:

The board shall not grant a certificate for the construction, operation, and maintenance of a major utility facility, either as proposed or as modified by the board, unless it finds and determines all of the following:

- (1) The basis of the need for the facility if the facility is an electric transmission line or gas pipeline;
- (2) The nature of the probable environmental impact;
- (3) That the facility 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;
- (4) In the case of an electric transmission line or generating facility, that the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability;
- (5) That the facility will comply with Chapters 3704, 3734, and 6111 of the Revised Code and all rules and standards adopted under those chapters and under sections 1501.33, 1501.34, and 4561.32 of the Revised Code. In determining whether the facility will comply with all rules and standards adopted under section 4561.32 of the Revised Code, the board shall consult with the office of aviation of the division of multi-modal planning and programs of the department of transportation under section 4561.341 of the Revised Code;
- (6) That the facility will serve the public interest, convenience, and necessity;
- (7) In addition to the provisions contained in divisions (A)(1) to (6) of this section and rules adopted under those divisions, what its impact will be on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Revised Code that is located within the site and alternative site of the proposed major utility facility. Rules adopted to evaluate impact under division (A)(7) of this section shall not require the compilation, creation, submission, or production of any information, document, or other data pertaining to land not located within the site and alternative site; and
- (8) That the facility incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives.

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## **II. APPLICATION**

### **APPLICANT**

The Applicant, AEP Ohio Transmission Company, Inc. (AEP Ohio Transco or Applicant) is a transmission-only company approved as a public utility in Ohio in 2010 (Case No. 10-245-EL-UNC). AEP Ohio Transco is an affiliate of AEP Ohio/Ohio Power Company, based in Gahanna, Ohio, and is a unit of AEP.

### **HISTORY OF THE APPLICATION**

Prior to formally submitting its application, the Applicant consulted with the Staff and representatives of the Board regarding application procedures.

On November 1, 2017, the Applicant held a public informational meeting regarding the proposed electric transmission line project in Bettsville, Ohio.

On January 30, 2018, the Applicant filed the Buckley Road-Fremont Center 138 kV Transmission Line Project application.

On April 2, 2018, the Director of Rates and Analysis, PUCO, issued a letter of compliance regarding the application to the Applicant.

A local public hearing has been scheduled for June 25, 2018, at 6:00 p.m., at the Old Fort Elementary, located at 118 Washington St, Bettsville, OH 44815. The adjudicatory hearing will commence on July 10, 2018, at 10:00 a.m., in Hearing Room 11-C at the offices of the Public Utilities Commission of Ohio, 180 E. Broad St., Columbus, OH 43215-3793.

This summary of the history of the application does not include every filing in Case No. 17-2085-EL-BTX. The docketing record for this case, which lists all documents filed to date, can be found online at <http://dis.puc.state.oh.us>.

### **PROJECT DESCRIPTION**

The proposed Buckley Road-Fremont Center 138 kV Transmission Line would be located in Seneca and Sandusky counties. The project would provide additional transmission service to Seneca and Sandusky counties, with the intention of improving electric service reliability in the northwestern Ohio area. AEP Ohio Transco proposes to place the transmission line in service in the winter of 2020.

#### **Common Route Section**

Both the Applicant's Preferred Route and Alternate Route follow the existing 69 kV centerline for the majority of their distance. This existing centerline has a general northeast to southwest orientation. The segments of this centerline that are shared in common with both the Preferred Route and the Alternate Route are referred to in this report as the Common Route.

#### **Preferred Route**

The Preferred Route is approximately 15.4 miles long with 4.9 miles of the line requiring new right-of-way. The Preferred Route begins at the existing Allendale-Fremont Center line and runs southwest for approximately 15.4 miles through the village of Burgoon, through the town of

Kansas, and through the town of Amsden before terminating at the proposed Buckley Road Tap in the city of Fostoria.

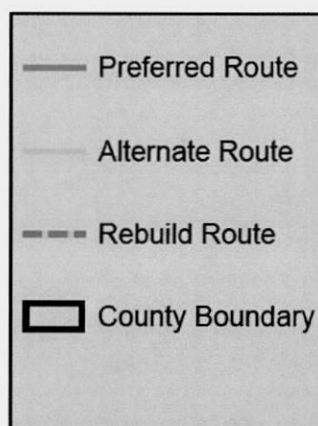
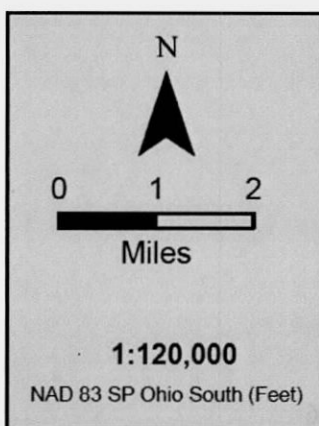
**Alternate Route**

The Alternate Route is approximately 16.7 miles long with 5.9 miles of the line requiring new right-of-way from the existing right-of-way. The Alternate Route begins at the existing Allendale-Fremont Center line and runs southwest for approximately 16.7 around the Village of Burgoon, around the town of Kansas, and around the town of Amsden before terminating at the proposed Buckley Road Tap in the city of Fostoria.

The Preferred and Alternate routes are shown on the maps in this report.

**Project Schedule**

AEP Ohio Transco plans to start construction in early 2019 and place the line in service in the winter of 2020.



## Overview Map

### 17-2085-EL-BTX

**Buckley Road-Fremont Center  
138kV Transmission Line**

Maps are presented solely for the purpose of providing a visual representation of the project in the staff report, and are not intended to modify the project as present by the Applicant in its certified application and supplemental materials.

















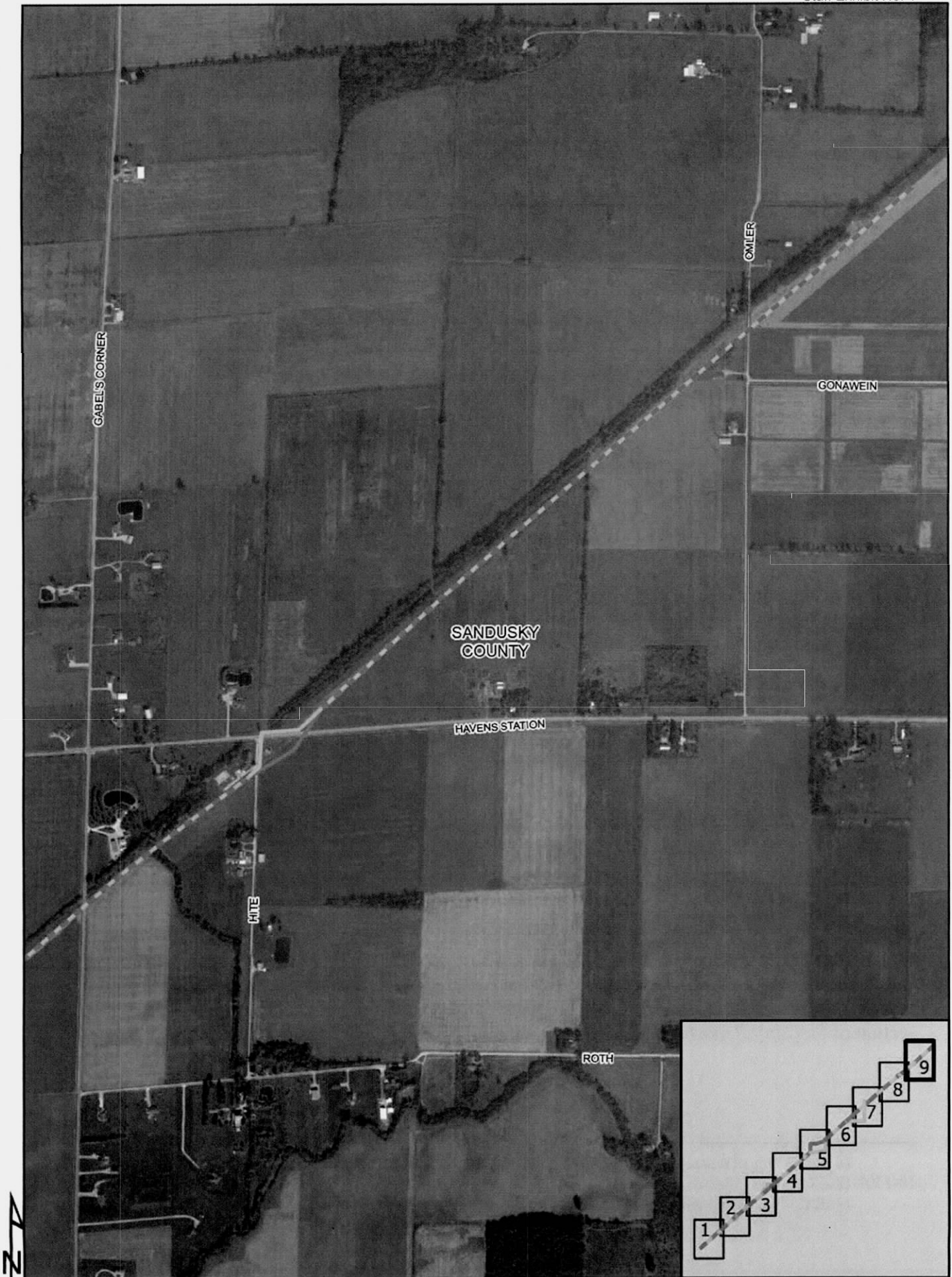
1 inch = 1,000 feet







1 inch = 1,000 feet





### **III. CONSIDERATIONS AND RECOMMENDED FINDINGS**

In the matter of the application of AEP Ohio Transco, Staff submits the following considerations and recommended findings pursuant to R.C. 4906.07(C) and 4906.10(A).

#### **Considerations for R.C. 4906.10(A)(1)**

##### **BASIS OF NEED**

##### **Purpose of Proposed Facility**

The Applicant proposes to rebuild approximately 15 miles of its existing 17.6-mile Allendale-Fremont Center 69 kilovolt (kV) infrastructure with 138 kV capable facilities in Seneca and Sandusky counties. The project would provide direct 138 kV connection between the Buckley Road and Fremont Center 138 kV substations, eliminating a radial feed and adding looped two-way service.

The existing 69 kV transmission line was placed in service more than one-hundred years ago. Many of the replacement support structures and hardware components are unavailable. The Amsden Road-Fremont Center 69 kV and Buckley Road-East End Fostoria 69 kV circuits have experienced 56 total outages lasting for approximately 37,840 minutes between the years 2007 and 2018.

The Applicant states that the project will improve reliability, allow for faster recovery of service when outages occur, and improve service to customers by upgrading to modern equipment, and adding looped two-way service.

##### **Long Term Forecast**

AEP Ohio Transco identified the need for the proposed transmission line project in the *2018 AEP Ohio Transmission Company Long-Term Forecast Report to the Public Utilities Commission of Ohio*.<sup>16, 17</sup>

##### **System Economy and Reliability**

The proposed facility is not expected to adversely impact the existing transmission grid. Reliability problems identified by the Applicant would be improved by adding the proposed facility.

##### **Recommended Findings**

Staff recommends that the Board find that the basis of need for the project has been demonstrated and therefore complies with the requirements specified in R.C. 4906.10(A)(1), provided that any certificate issued by the Board for the proposed facility include the conditions specified in the section of this *Staff Report of Investigation* entitled Recommended Conditions of Certificate.

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16. "AEP Ohio Transmission Company LTFR," Public Utilities Commission of Ohio Case No. 18-1501-EL-FOR, <http://dis.puc.state.oh.us>.

17. R.C. 4935.04(C) and Ohio Adm.Code. 4901:5-5.

**Considerations for R.C. 4906.10(A)(2)**

**NATURE OF PROBABLE ENVIRONMENTAL IMPACT**

Pursuant to R.C. 4906.10(A)(2), the Board must determine the nature of the probable environmental impact of the proposed facility.

**Socioeconomic Impacts**

*Demographics*

The proposed routes would traverse land in Seneca and Sandusky counties. The populations of Seneca and Sandusky counties decreased slightly between 2000 and 2010. The population of both counties is projected to continue to decrease slightly over the next 20 years.<sup>18</sup> The Applicant states that no regional land use development plans identified for the area of this project in both counties.

*Land Use*

The proposed right-of-way width for this project is 100 feet. Where applicable, this width would be expanded from the current 50-foot right-of-way for the existing Allendale-Fremont 69 kV transmission line. The Applicant's Preferred Route is approximately 15 miles in length. The Preferred Route runs generally in a northeast direction, and predominately follows the centerline of the existing Allendale-Fremont Center 69 kV line with 10 deviations to avoid structures and other utilities. The Applicant's Alternate Route is approximately 17 miles in length, extending from the Buckley Road Substation to the Fremont Center Substation. The Alternate Route also generally runs in a northeast direction, following the existing Allendale-Fremont Center 69 kV line, and has 10 deviations with different orientations from the deviations on the Preferred Route.

There are 295 residences within 1,000 feet of the Preferred Route centerline, including both the rebuild and replacement sections of the route. Eleven of the residences are located within 100 feet of the centerline. The nearest residence is located 10 feet away from the proposed right-of-way for the Preferred Route. There are 291 residences within 1,000 feet of the Alternate Route centerline, four of which are located within 100 feet. The nearest is located 20 feet away from the right-of-way for the proposed route.

The Applicant states that it is unlikely that any residences would need to be removed for construction or operation of the transmission line along either route, as both routes were sited to avoid existing residences when taking into account the expanded right-of-way width. The primary impact on existing residences would be that they would experience temporary ambient noise increases during facility construction and subsequent maintenance.

The majority of either route crosses agricultural land and utilizes existing right-of-way. Ninety-two percent of both routes cross agricultural land. For either route, approximately 135 acres of agricultural land would be utilized for the project, including right-of-way and access roads.

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<sup>18</sup> "Ohio County Profiles: Seneca County," Ohio Development Services Agency: Office of Research, accessed May 21, 2018: <https://development.ohio.gov/files/research/C1075.pdf>. "Ohio County Profiles: Sandusky County," Ohio Development Services Agency: Office of Research, accessed May 21, 2018, <https://development.ohio.gov/files/research/C1073.pdf>.



Both the Preferred and Alternate routes are each located within 1,000 feet of 11 commercial buildings and no industrial buildings. None of these buildings would be located within 100 feet of the Preferred Route. No negative impacts to commercial or industrial land uses are anticipated as a result of the project.

Neither the Preferred nor Alternate route are within 1,000 feet of recreational land use or schools. There is one church located within 1,000 feet of the Preferred Route, approximately 575 feet away. No negative impacts to institutional and recreational land uses are expected from the construction, operation, or maintenance of either the Preferred or the Alternate routes for the project.

#### *Cultural, Archaeological, and Architectural Resources*

The Applicant's cultural resources consultant performed a literature review and Phase I cultural resource management investigation (archaeology and history/architecture) for the project in January 2018. No previously inventoried Ohio Archaeological Inventory (OAI) sites were found along either route during the literature review. Three new OAI sites were identified during fieldwork. These sites were not determined eligible for listing in the National Register of Historic Places (NRHP) and not determined to be landmarks. No further archaeological work was recommended by the Applicant's cultural resources consultant for these sites.

Eighty-seven individual properties 50 years of age or older were identified within the project Area of Potential Effect. Five properties were determined to be eligible for listing in the NRHP and were assessed by the consultant for effects from this project. Due to the nature of this project as a rebuild of an existing line, it was recommended by the consultant that the project would have no adverse affect on these five resources.

The findings were submitted to the OHPO. The OHPO responded to Staff February 20, 2018 in concurrence that no further archaeological work was necessary and that this project would not affect historic properties.

#### *Aesthetics*

Permanent visual impacts would result from the introduction of a new manmade element to the landscape. Aesthetic impacts would vary with the viewer and setting, depending on the degree of contrast between the proposed transmission line and the existing landscape. In areas where the new transmission line would be constructed where existing aboveground utilities are already located, the aesthetic impact would be lessened. However, in areas where mature residential landscaping would need to be removed prior to rebuilding the line, the aesthetic impact would be greater. This would be particularly noticeable along the Preferred Route.

#### *Economics*

The Applicant estimates the total cost for the Preferred Route to be \$23,051,729 and the Alternate Route to be \$24,087,463. The following table summarizes these costs.

| INTANGIBLE AND CAPITAL COSTS                          |                 |                 |
|---|-----------------|-----------------|
| Category  | Preferred Route | Alternate Route |
| Land and Land Rights                                  | \$2,939,288     | \$3,495,886     |
| Poles and Fixtures                                    | \$14,953,080    | \$15,274,932    |
| Overhead Conductors and Devices                       | \$4,984,360     | \$5,091,644     |
| Right-of-way Clearing, Roads, Trails, or other Access | \$175,000       | \$225,000       |

Both routes are located within Sandusky and Seneca counties. The projected tax revenue generated from the project would benefit the local school district and fire department. Based on 2017 tax rates, the Preferred Route would generate annual property taxes of approximately \$1,037,000 over the first year of operation, while the Alternate Route would generate approximately \$1,058,000.

To the extent that the proposed facility would enhance service reliability and provide greater capacity in the region, the proposed transmission line would facilitate future economic growth.

All Staff recommendations for the requirements discussed in this section of the *Staff Report of Investigation* are included under the **Socioeconomic Conditions** heading of the Recommended Conditions of Certificate section.

## Ecological Impacts

### *Geology*

Sandusky and Seneca counties are located within the Till Plains section of the Central Lowlands physiographic province. Rocks that outcrop along the Preferred, Alternate, and Common routes in the two counties belong to relatively flat-lying sedimentary rocks of Silurian and Devonian age consisting of shale, limestone, and dolomite.

The underlying geologic feature for all the routes is Wisconsin-age glacial till, lacustrine deposits, and sand and gravel outwash of variable thickness. Karst limestone occurs principally in the eastern portion of Sandusky and Seneca counties. The Applicant did not identify any Karst features along the proposed routes.

Oil and gas operations are scattered throughout the two counties. No active operations or pipelines are located along any of the routes. No active or abandoned mining operations are located along any of the routes. There have been five recorded seismic events in Sandusky and Seneca counties dating back as far as 1936 and as recent as 2010. No geological features exist that would restrict or limit the construction of the transmission line.

### *Slopes and Soil Suitability*

The Applicant has noted that the Preferred, Alternate, and Common routes cross soil types described primarily of silt loam, silty clay loam, fine sandy loam, very stony loam, and loam. The Applicant noted that there are no slopes along any of the routes that are greater than 6 percent. One significant concern is the potential for dissolution in the carbonate rocks exposed to slightly acidic groundwater within the project area. Other potential limiting factors include soil type and its

position on slopes, low strength, shrink-swell, erosion, frost action, and suitability for building for a particular soil unit.

The Applicant would conduct a geotechnical drilling investigation along the recommended route to obtain further site-specific detailed information and engineering properties for the soils for construction design purposes. The subsurface drilling would also ensure that the structures would be installed in locations that are suitable, based upon soil and rock properties.

The Applicant in addition would implement a stormwater pollution and prevention plan and best management practices (BMP) as necessary to ensure, both during and after construction, the long-term stability of the transmission line. Although there are potential land use limitations related to dissolution, erosion, frost action, low strength, and shrink-swell, with the proper design and appropriate construction methods, these limitations should not adversely affect or restrict the construction of either route.

#### *Surface Waters*

The Preferred Route right-of-way contains six streams, including five ephemeral streams and one intermittent stream, totaling 2,520 linear feet within the right-of-way. The Alternate Route right-of-way contains five streams, including three ephemeral streams and two intermittent streams, totaling 723 linear feet within the right-of-way. The Common Route right-of-way contains 15 stream crossings totaling 15,551 linear feet within the right-of-way. The proposed transmission line would aerially span all streams. No structures would be placed within streams, no streams will be filled, and no permanent impacts to streams would occur. The Applicant has committed not to conduct mechanized clearing within 25 feet of any stream, and would only clear trees in this area that are tall enough to have the potential to interfere with safe construction and operation of the line. Construction vehicles may cross some streams. The Applicant has proposed to utilize construction matting or other BMP in order to minimize impacts to streams during construction.

The Preferred Route right-of-way contains two wetlands with a total of 0.1 acre of wetland within the right-of-way. Neither of the wetlands would be crossed by the proposed project. The Alternate Route right-of-way contains one wetland with a total of 0.1 acre of wetland within the right-of-way. This wetland would not be crossed by the proposed project. The Common route right-of-way contains 16 wetlands with a total of 0.62 acre of wetland within the right-of-way. One of these wetlands would be spanned by the proposed project for 95 linear feet. All delineated wetlands are category 1 wetlands. Fill within wetlands is not anticipated. No structures will be placed within wetlands. Construction vehicles may cross some wetlands. The Applicant stated that it would use timber matting at any areas where construction access through wetlands is necessary and that selective non-mechanized clearing may be required to remove woody vegetation in wetlands that would otherwise interfere with the operation of the transmission line. In the event that any unanticipated fill within wetlands becomes necessary, impacts would be covered under the Army Corps of Engineers Nationwide 12 Permit.

The Preferred and Alternate Route right-of-ways do not contain any ponds. The Common Route of the project contains two ponds within the right-of-way. Neither of these ponds would be crossed by the proposed project. No impacts to ponds would occur as a result of the project.

The Applicant would obtain coverage under the Ohio EPA General National Pollutant Discharge Elimination System (NPDES) Permit. Sedimentation that may occur as a result of construction activities would be minimized through BMP, such as silt fences. BMP would be outlined in the Applicant's Stormwater Pollution Prevention Plan (SWPPP) required as part of the NPDES Permit. Both the Preferred Route and Alternate Route would cross within 100-year floodplain areas. Staff recommends the Applicant coordinate with the local floodplain administrator for Seneca and Sandusky counties to discuss any concerns and the potential need for a floodplain construction permit.

#### *Threatened and Endangered Species*

The Applicant requested information from the ODNr and the USFWS regarding state and federal listed threatened and endangered plant and animal species. Staff gathered additional information through field assessments and review of published ecological information. The following table reflects the results of the information requests, field assessments, and document review.

| REPTILES AND AMPHIBIANS  |                                   |                |              |   |
|--------------------------|-----------------------------------|----------------|--------------|---|
| Common Name              | Scientific Name                   | Federal Status | State Status | Presence in Project Area  |
| spotted turtle           | <i>Clemmys guttata</i>            | N/A            | Threatened   | Due to the lack of suitable habitat, this project is not likely to impact this species.                       |
| blue-spotted salamander  | <i>Ambystoma laterale</i>         | N/A            | Endangered   | Due to the location and the type of work proposed, this project is not likely to impact this species.         |
| Blanding's turtle        | <i>Emydoidea blandingii</i>       | N/A            | Threatened   | Due to the location and the type of work proposed, this project is not likely to impact this species.         |
| eastern massasauga       | <i>Sistrurus catenatus</i>        | Threatened     | Endangered   | Due to the location and the type of work proposed, this project is not likely to impact this species.         |
| FISH                     |                                   |                |              |   |
| lake sturgeon            | <i>Acipenser fulvescens</i>       | N/A            | Endangered   | Historical range includes the project area. Potentially located in perennial streams within the project area. |
| western banded killifish | <i>Fundulus diaphanous menona</i> | N/A            | Endangered   | Historical range includes the project area. Potentially located in perennial streams within the project area. |
| American eel             | <i>Anguilla rostrata</i>          | N/A            | Threatened   | Historical range includes the project area. Potentially located in perennial streams within the project area. |

| FISH                    |                                |            |            |   |
|-------------------------|--------------------------------|------------|------------|---|
| greater redhorse        | <i>Moxostoma valenciennesi</i> | N/A        | Threatened | Historical range includes the project area. Potentially located in perennial streams within the project area.   |
| MUSSELS                 |                                |            |            |   |
| pondhorn                | <i>Unio merus tetralasmus</i>  | N/A        | Threatened | Historical range includes the project area. Potentially located in perennial streams within the project area.   |
| threehorn wartyback     | <i>Obliquaria reflexa</i>      | N/A        | Threatened | Historical range includes the project area. Potentially located in perennial streams within the project area.   |
| black sandshell         | <i>Ligumia recta</i>           | N/A        | Threatened | Historical range includes the project area. Potentially located in perennial streams within the project area.   |
| MAMMALS                 |                                |            |            |   |
| Indiana bat             | <i>Myotis sodalis</i>          | Endangered | Endangered | Historical range includes the project area.   |
| northern long-eared bat | <i>Myotis septentrionalis</i>  | Threatened | N/A        | Historical range includes the project area.   |
| BIRDS                   |                                |            |            |   |
| upland sandpiper        | <i>Bartramia longicauda</i>    | N/A        | Endangered | Due to the location and the type of work proposed, this project is not likely to impact this species.   |
| pipin plover            | <i>Charadrius melodus</i>      | Endangered | Endangered | Species does not nest in the state but only utilize stopover habitat as they migrate through the region. This project is not likely to impact this species. |
| Kirtland's warbler      | <i>Setophaga kirtlandii</i>    | Endangered | Endangered | Species does not nest in the state but only utilize stopover habitat as they migrate through the region. This project is not likely to impact this species. |
| American bittern        | <i>Botaurus lentiginosus</i>   | N/A        | Endangered | Due to the location and the type of work proposed, this project is not likely to impact this species.   |
| black tern              | <i>Chlidonias niger</i>        | N/A        | Endangered | Due to the location and the type of work proposed, this project is not likely to impact this species.   |
| king rail               | <i>Rallus elegans</i>          | N/A        | Endangered | Due to the location and the type of work proposed, this project is not likely to impact this species.   |
| cattle egret            | <i>Bubulcus ibis</i>           | N/A        | Endangered | Due to the location and the type of work proposed, this project is not likely to impact this species.   |

| BIRDS             |                            |     |            |   |
|-------------------|----------------------------|-----|------------|---|
| loggerhead shrike | <i>Lanius ludovicianus</i> | N/A | Endangered | Potential habitat within project area. The ODNR recommends that construction in suitable habitat be avoided between April 1 and August 1. |
| northern harrier  | <i>Circus cyaneus</i>      | N/A | Endangered | Due to the location and the type of work proposed, this project is not likely to impact this species.                                     |

The Applicant did not identify any listed plant or animal species during field surveys. Further, the ODNR and the USFWS did not identify any concerns regarding impacts to listed plant species. In the unexpected event that the Applicant encounters listed plant or animal species during construction, Staff recommends that the Applicant contact Staff, the ODNR, and the USFWS, as applicable. Staff also recommends that if the Applicant encounters any listed plant or animal species prior to construction, the Applicant include the location and how impacts would be avoided in the final access plan to be provided to Staff.

The project area is within the range of state and federal endangered Indiana bat (*Myotis sodalis*) and the federal threatened northern long-eared bat (*Myotis septentrionalis*). As tree roosting species in the summer months, the habitat of these species may be impacted by the project. In order to avoid impacts to the Indiana bat and northern long-eared bat, Staff recommends the Applicant adhere to seasonal tree cutting dates of October 1 through March 31 for all trees over 3 inches in diameter. The project would not disturb any hibernacula including caves or abandoned mines.

Due to a lack of suitable habitat, impacts to other federal and state listed species are not anticipated.

#### *Vegetation*

The Preferred and Alternate routes cross through several vegetative communities. The following table reflects the major vegetative communities present in the survey corridor and associated acres of impact the project.

| VEGETATION             |   |
|------------------------|---|
| Community Type         | Approximate Percentage within Survey Corridor |
| Open Land/Agricultural | 56%   |
| Landscaped areas       | 10%   |
| Old Field              | 2%  |
| Pasture                | <1%   |
| Scrub-Shrub            | 7%  |
| Streams/Wetlands       | 12%   |
| Forest                 | 11%   |
| Urban                  | 1%  |



Impacts to vegetation along both the routes would include the initial clearing for the proposed 100-foot right-of-way and along access roads, and operational maintenance. The Preferred Route would require more clearing as it would parallel existing right-of-way along the majority of the route. Due to the change in structural height of the proposed transmission structures, the right-of-way would need to be widened. Trees adjacent to the proposed transmission line right-of-way, which are significantly encroaching or prone to failure, may require clearing to allow for safe operation of the transmission line. Vegetative wastes generated during construction would be windrowed or chipped and disposed of appropriately depending on landowner requests. The Applicant does not anticipate the use of herbicides during construction or operation.

All Staff recommendations for the requirements discussed in this section of the *Staff Report of Investigation* are included under the **Ecological Conditions** heading of the Recommended Conditions of Certificate section.

### **Public Services, Facilities, and Safety**

#### *Public Services and Traffic*

The principal impact on public services would be an increase in truck traffic during the construction phase of the project for equipment access, and pole and hardware equipment delivery. Workers arriving and departing during construction would also increase traffic. Some traffic management during the construction phase may be necessary in the immediate vicinity of the project area to ensure safe and efficient maintenance of existing traffic patterns and usages. The Applicant has committed to coordinating with local officials to ensure that shift times and travel routes are optimized to the extent possible.

#### *Roads and Bridges*

Equipment deliveries to the site would be by truck and would be planned as to minimize impact to local traffic patterns. Road access to the project would be by State Route 635, State Route 590 and through several local roads. Access roads during construction would require landowner's input and approval. Upgrades to local roads and bridges are anticipated not to be necessary. Staff recommends a requirement for the Applicant to develop a final Transportation Management Plan and obtain any necessary permits.

#### *Noise*

Most noise impacts associated with this project would be confined to the 12 to 15 month construction period, and during ongoing maintenance activities through the life of the facility. The Applicant stated that it will mitigate noise impacts by properly maintaining construction equipment with installed mufflers and limiting construction activities to daylight hours, to the extent feasible.

The Applicant does not address construction working hours with reference to noise impacts. Staff recommends the following:

- The Applicant use the generally accepted construction working hours of 7:00 a.m. to 7:00 p.m., or until dusk when sunset occurs after 7:00 p.m.
- Impact pile driving, and hoe ram operations, if required, would be limited to the hours between 10:00 a.m. and 5:00 p.m., Monday through Friday.

- The Applicant could conduct construction activities that do not involve noise increases above ambient levels at sensitive receptors outside of daylight hours when necessary.
- The Applicant will notify property owners or affected tenants of upcoming construction activities, including any potential for nighttime construction activities.

#### *Safety*

The Applicant stated that it will comply with safety standards set by the Occupational Safety and Health Administration, the PUCO (for example standards that are set by the Service Monitoring and Enforcement Division), and the North American Electric Reliability Corporation (NERC) reliability standards, as well as any equipment manufacturer specifications. The Applicant stated that it will design the facility to meet the requirements of the National Electric Safety Code.

#### *Communications*

The Applicant does not expect radio or television interference to occur from the operation of the proposed transmission line along the Preferred or Alternate route. Any likely source of radio or television interference would be a localized effect primarily from defective hardware that can be easily detected and would be replaced by the Applicant.

All Staff recommendations for the requirements discussed in this section of the *Staff Report of Investigation* are included under the **Public Services, Facilities, and Safety Conditions** heading of the Recommended Conditions of Certificate section.

#### **Recommended Findings**

Staff recommends that the Board find that the Applicant has determined the nature of the probable environmental impact for the proposed facility, and therefore complies with the requirements specified in R.C. 4906.10(A)(2), provided that any certificate issued by the Board for the proposed facility include the conditions specified in the section of this *Staff Report of Investigation* entitled Recommended Conditions of Certificate.



**Considerations for R.C. 4906.10(A)(3)****MINIMUM ADVERSE ENVIRONMENTAL IMPACT**

Pursuant to R.C. 4906.10(A)(3), the proposed facility must represent the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, along with other pertinent considerations.

**Route Selection**

The Applicant conducted a route selection study to identify potential electric transmission line routes that would avoid or limit impacts to sensitive land uses, ecological resources, and cultural features, while taking into consideration the engineering and construction needs of the project. The study area was determined based on considerations including the terrain and existing utility and transportation corridors in the geographic area between the existing Allendale-Fremont Center line and the Buckley Road Tap. The Applicant collected and scored data on potential routes, ranking them based on weighted ecological, land use, cultural, and technical criteria.

Based on the results of the route selection study, public outreach, property owner input, and detailed engineering, the Applicant selected its Preferred Route and Alternate Route. The majority of both routes overlaps the right-of-way of the existing 69 kV facility. However, right-of-way would be expanded from 50 feet to 100 feet in width due to the increase in height of the proposed replacement transmission structures. The Applicant deviated from the existing right-of-way in areas deemed to have potential land use conflicts in ten areas. The Alternate Route would require less tree clearing than the Preferred Route, and has fewer residences within 100 feet of the centerline.

**Minimizing Impacts**

While both routes are viable, they each have issues unique to one another, and no route is without impact. Staff has analyzed each route independently of one another and concluded that when compared to the Alternate Route, the Preferred Route has a significantly greater impact on residential lands. The Alternate Route has the least amount of wooded areas that would require clearing and avoids the three municipalities that are not avoided by the Preferred Route.

**Conclusion**

The project would result in both temporary and permanent impacts to the project area. Both routes parallel the existing right-of-way and follow the route of the existing utility lines for the majority of their length. The Alternate Route requires less tree clearing, is more accessible for construction purposes, and requires fewer impacts to residential areas and their associated land uses. Therefore, Staff concludes that the Alternate Route represents the minimum adverse environmental impact when compared to the Preferred Route.

**Recommended Findings**

Staff recommends that the Board find that the Alternate Route represents the minimum adverse environmental impact, and therefore complies with the requirements specified in R.C. 4906.10(A)(3), provided that any certificate issued by the Board for the proposed facility include the conditions specified in the section of this *Staff Report of Investigation* entitled Recommended Conditions of Certificate.

## Considerations for R.C. 4906.10(A)(4)

### ELECTRIC GRID

Pursuant to R.C. 4906.10(A)(4), the Board must determine that the proposed electric facilities are consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems, and that the facilities will serve the interests of electric system economy and reliability. The purpose of this section of the report is to evaluate the impact of integrating the proposed facility into the existing regional transmission grid.

The facility proposed by the Applicant involves rebuilding approximately 15 miles of the existing Allendale-Fremont Center 69 kV infrastructure with updated 138 kV capable facilities. The existing facility was constructed between 1916 and 1917, over one-hundred years ago. The proposed facility would provide direct 138 kV connection between the Buckley Road and Fremont Center 138 kV substations, eliminating a radial feed and adding looped two-way service. The proposed facility would operate at 69 kV until additional facilities in the area have been upgraded to 138 kV. The project would begin at the Allendale Switches and continue to Structure 254 of the existing Allendale-Fremont Center 69 kV transmission line. The Applicant states that the project would improve reliability, allow for faster recovery of service when outages occur, and improve service to customers.

#### NERC Planning Criteria

NERC is responsible for the development and enforcement of the federal government's approved reliability standards, which are applicable to all owners, operators, and users of the bulk power system. As an owner, operator, and/or user of the bulk power system, the Applicant is subject to compliance with various NERC reliability standards, including but not limited to those related to transmission planning for contingency events.

#### AEP Planning Criteria

AEP Ohio Transco follows internal transmission planning reliability criteria to plan their system. These criteria are required by the Federal Regulatory Energy Commission (FERC) and are filed as part of the annual FERC Form No. 715 filing. The criteria comply with NERC Reliability Standards and PJM planning and operating manuals for the bulk electric system. The proposed project has been designed to meet AEP Ohio Transco's planning criteria. The following figure highlights a portion of AEP Ohio Transco's planning criteria.<sup>19, 20</sup>

| AEP TRANSMISSION PLANNING RELIABILITY CRITERIA |  |  |
|--|--|--|
| System Condition                               | Voltage Performance  | Thermal Performance                          |
| Normal   | 95% - 105% of nominal voltage.   | No facility may exceed its normal rating.    |
| Contingency<br>(single and multiple)           | 92% - 105% of nominal voltage.<br>Voltage deviation from system normal of 8% or greater is not acceptable. | No facility may exceed its emergency rating. |

19. American Electric Power, "Transmission Planning Reliability Criteria - AEP PJM," accessed May 23, 2018, <https://www.aep.com/about/codeofconduct/OASIS/TransmissionStudies>.

20. Federal Regulatory Energy Commission, "Form No. 715 - Annual Transmission Planning and Evaluation Report," accessed May 23, 2018, <https://www.ferc.gov/docs-filing/forms/form-715/overview.asp>.

### **PJM Interconnection**

The proposed project was submitted to PJM Interconnection, LLC (PJM) as a supplemental project at the April 2018, "Subregional RTEP Committee – Western" meeting. The supplemental project upgrade ID is pending. Once the supplemental project upgrade ID is assigned by PJM, the construction status of the transmission project can be tracked on PJM's website.<sup>21, 22</sup>

### **Conclusion**

Without the proposed facility, AEP Ohio Transco potentially would be unable to continue to provide safe, reliable electric service. The proposed facility is consistent with plans for expansion of the regional power system, and serves the interests of electric system economy and reliability. The completed project would improve quality and reliability of the transmission system in the northwest Ohio area.

### **Recommended Findings**

Staff recommends that the Board find that the proposed facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems, and that the facility would serve the interests of electric system economy and reliability. Therefore, Staff recommends that the Board find that the facility complies with the requirements specified in R.C. 4906.10(A)(4), provided that any certificate issued by the Board for the proposed facilities include the conditions specified in the section of this *Staff Report of Investigation* entitled Recommended Conditions of Certificate.

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21. PJM Interconnection, "Subregional RTEP Committee – Western," accessed April 17, 2018, <http://pjm.com/committees-and-groups/committees/srrtep-w.aspx>.

22. PJM Interconnection, "Transmission Construction Status," accessed May 2, 2018, <http://pjm.com/planning/rtep-upgrades-status/construct-status.aspx>.

**Considerations for R.C. 4906.10(A)(5)****AIR, WATER, SOLID WASTE, AND AVIATION**

Pursuant to R.C. 4906.10(A)(5), the facility must comply with Ohio law regarding air and water pollution control, withdrawal of waters of the state, solid and hazardous wastes, and air navigation.

**Air**

Air quality permits are not required for construction of the proposed facility. However, fugitive dust rules adopted under R.C. Chapter 3704 may be applicable to the construction of the proposed facility. The Applicant would control fugitive dust through dust suppression techniques such as irrigation, mulching, or application of tackifier resins. These methods of dust control should be sufficient to comply with fugitive dust rules.

**Water**

Neither construction nor operation of the proposed facility would require the use of significant amounts of water. Therefore, the requirements under R.C. 1501.33 and 1501.34 are not applicable to this project.

The Applicant intends to submit a Notice of Intent for coverage under the Ohio EPA's NPDES general permit for stormwater discharges associated with construction activities. The Applicant would submit a SWPPP to the Ohio EPA as part of the NPDES permit. This SWPPP would include a detailed construction access plan and indicate BMP for construction activities that minimize erosion-related impacts to streams and wetlands. The Applicant intends to clearly identify wetlands, streams, and other environmentally sensitive areas before commencement of clearing or construction. No construction or access would be permitted in these areas unless clearly specified in the construction plans and specifications, thus minimizing any clearing-related disturbance to surface water bodies. With these provisions, construction of this facility would comply with the requirements set forth under R.C. Chapter 6111.

**Solid Waste**

Debris generated from construction activities would include items such as conductor scrap; construction material packaging including cartons, insulator crates, conductor reels and wrapping; and used stormwater erosion control materials. All construction-related debris would be disposed of in accordance with state and federal requirements.

Any contaminated soils discovered or generated during construction would be handled in accordance with applicable regulations. The Applicant intends to have a Spill Prevention Plan in place and would follow manufacturer's recommendations for any spill cleanup. The Applicant's solid waste disposal plans would comply with solid waste disposal requirements set forth in R.C. Chapter 3734.

**Aviation**

The height of the tallest aboveground structure of the transmission line and construction equipment would be approximately 160 feet. According to the Federal Aviation Administration (FAA), the closest airports are the Fostoria Metropolitan (FZI), Seneca County (16G), Fremont (14G), and Sandusky County Regional (S24), which are all between 1 and 10 miles from the proposed transmission line. The closest heliports are the Fostoria Community Hospital (99O1) and Memorial

Hospital (O179), which are between 1 and 3 miles away. The Applicant states that it does not anticipate that there will be any impact to airports, landing strips, or heliports. The Applicant further states that, upon completion of the final design, it will consult with the FAA and the ODOT Office of Aviation to determine if a Notice of Construction or Alteration or other permitting is required.

In accordance with R.C. 4906.10(A)(5), Staff contacted the ODOT Office of Aviation during the review of this application in order to coordinate review of potential impacts of the facility on local airports. As of the date of this filing, no such concerns have been identified.

All Staff recommendations for the requirements discussed in this section of the *Staff Report of Investigation* are included under the **Air, Water, Solid Waste, and Aviation Conditions** heading of the Recommended Conditions of Certificate section.

#### **Recommended Findings**

Staff recommends that the Board find that the proposed facility complies with the requirements specified in R.C. 4906.10(A)(5), provided that any certificate issued by the Board for the proposed facility include the conditions specified in the section of this *Staff Report of Investigation* entitled Recommended Conditions of Certificate.

**Considerations for R.C. 4906.10(A)(6)**

**PUBLIC INTEREST, CONVENIENCE, AND NECESSITY**

Pursuant to R.C. 4906.10(A)(6), the Board must determine that the facility will serve the public interest, convenience, and necessity.

**Public Interaction**

The Applicant hosted public informational meetings for this project on November 1, 2017. Attendees were provided the opportunity to speak with representatives of the Applicant about the proposed project, view proposed route maps, and to provide feedback regarding potential routes.

The Applicant served copies of the complete application on officials representing Sandusky and Seneca counties, Ballville and Jackson townships in Sandusky County; Jackson and Liberty townships in Seneca County; the cities of Fremont and Fostoria; the Village of Burgoon; and the Sandusky and Seneca county soil and water conservation districts. The Applicant also sent hard copies to the Tiffin-Seneca Public Library and the Birchard Public Library. Copies of the complete application are available for public inspection at the offices of the PUCO and online at <http://opsb.ohio.gov>, and are available upon request from the Applicant.

The Applicant maintains a website at <http://www.aeptransmission.com/ohio/Fostoria-Fremont> that provides details about the project. Members of the public may contact the Applicant's project outreach specialist with questions or concerns during any phase of the project. The Applicant stated that it will log all contacts and share them with Staff. The Applicant has committed to notify affected landowners or tenants by mail or telephone, or in person, at least seven days prior to the start of any construction activities.

The Board will conduct a local public hearing and an adjudicatory hearing for this proceeding. The local public hearing, at which the Board will accept written or oral testimony from any person, is scheduled for June 25, 2018, at 6:00 p.m., at Old Fort Elementary, Bettsville Campus, located at 118 Washington Street, Bettsville, OH 44815. The adjudicatory hearing is scheduled for July 10, 2018, at 10:00 a.m., in Hearing Room 11-C at the offices of the Public Utilities Commission of Ohio, 180 E. Broad St., Columbus, OH 43215-3793.

As of the filing of this Staff Report, the Board has not received any public comments or motions to intervene in this case.

**Electromagnetic Fields**

Electric transmission lines, when energized, generate electromagnetic fields (EMF). Laboratory studies have failed to establish a strong correlation between exposure to EMF and effects on human health. However, there have been concerns that EMF may have impacts on human health.

Because these concerns exist, the Applicant has computed the EMF associated with the new circuits.<sup>23</sup> The fields were computed based on the maximum loadings of the lines, which would lead to the highest EMF values that might exist along the proposed transmission line. Daily current load levels normally operate below the maximum load conditions, thereby further reducing nominal EMF values.

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<sup>23</sup>. Application at Table 7-2.



The electric field is a function of the voltage, the line configuration, and the distance from the transmission lines. Electric fields are produced by voltage or electric charge. For example, a plugged in lamp cord produces an electric field, even if the lamp is turned off. The electric field for this transmission line would be 0.13 kV/meter or less. Electric fields are easily shielded by physical structures such as the walls of a house or foliage.

Magnetic fields are a function of the electric current, the configuration of the conductors, and the distance from the transmission lines. The magnetic fields for this project are estimated at the right-of-way edge to be less than 53.81 milligauss. The magnetic field output is comparable to that of common household appliances. A list of typical magnetic fields from household items, as well as the maximum magnetic field scenarios for this facility, is in the application.<sup>24</sup> The Applicant states that the transmission facilities will be designed according to the requirements of the NESC.

### **Recommended Findings**

Staff recommends that the Board find that the proposed facility would serve the public interest, convenience, and necessity, and therefore complies with the requirements specified in R.C. 4906.10(A)(6), provided that any certificate issued by the Board for the proposed facility include the conditions specified in the section of this *Staff Report of Investigation* entitled **Recommended Conditions of Certificate**.

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24. Ibid., Table 7-3.

**Considerations for R.C. 4906.10(A)(7)****AGRICULTURAL DISTRICTS**

Pursuant to R.C. 4906.10(A)(7), the Board must determine the facility's impact on the agricultural viability of any land in an existing agricultural district within the Preferred and Alternate routes of the proposed utility facility. The agricultural district program was established under R.C. Chapter 929. Agricultural district land is exempt from sewer, water, and electrical service tax assessments.

Agricultural land can be classified as an agricultural district through an application and approval process that is administered through local county auditors' offices. Eligible land must be devoted exclusively to agricultural production or be qualified for compensation under a land conservation program for the preceding three calendar years. Furthermore, eligible land must be at least 10 acres or produce a minimum average gross annual income of \$2,500.

The Preferred and Alternate route rights-of-way would each cross 135 acres of agricultural land. The Preferred Route would cross 25 agricultural parcels, 17 of which have the agricultural district designation. The Alternate Route would cross 22 agricultural district parcels. The permanent impacts to agricultural use of the land are expected to be similar to the existing facilities.

The Applicant stated that it would take measures to minimize impacts to field operations, irrigation, and field drainage systems associated with agricultural lands that would occur as a result of construction, operation, and maintenance of the proposed project. Compensation for crop damages would be negotiated with the property owners. No irrigation systems were identified within the project area. However, the Applicant pledges to coordinate with property owners should any irrigation systems be affected. Damage to field drainage systems is not anticipated, but the applicant promises to resolve any disturbances. One barn may be affected by the construction of the proposed project. The Applicant plans to negotiate the compensation for or relocation of this structure with the property owner. Due to existing infrastructure in the vicinity of the proposed project, the viability of agricultural district land is not expected to be adversely affected. Mitigation procedures and compensation for damage to crops and the compaction of soils are outlined in the individual easement agreements. Structures would be located, where feasible, at or beyond the edge of fields, and excavated top soil would be segregated and stockpiled. Top soil would also be restored to original conditions unless otherwise specified by the affected landowners.

**Recommended Findings**

Staff recommends that the Board find that the impact of the proposed facility on the viability of existing agricultural land in an agricultural district has been determined, and therefore complies with the requirements specified in R.C. 4906.10(A)(7), provided that any certificate issued by the Board for the proposed facility include the conditions specified in the section of this *Staff Report of Investigation* entitled Recommended Conditions of Certificate.



**Considerations for R.C. 4906.10(A)(8)**

**WATER CONSERVATION PRACTICE**

Pursuant to R.C. 4906.10(A)(8), the proposed facility must incorporate maximum feasible water conservation practices, considering available technology and the nature and economics of the various alternatives.

Because the facility may require the use of only minimal amounts of water for dust control and concrete foundations during construction, and would not require the use of any water during operation, the facility would comply with water conservation practice as specified under R.C. 4906.10(A)(8).

**Recommended Findings**

Staff recommends that the Board find that the proposed facility would incorporate maximum feasible water conservation practices, and therefore complies with the requirements specified in R.C. 4906.10(A)(8).

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#### **IV. RECOMMENDED CONDITIONS OF CERTIFICATE**

Following a review of the application filed by AEP Ohio Transco and the record compiled to date in this proceeding, Staff recommends that a number of conditions become part of any certificate issued for the proposed facility. These recommended conditions may be modified as a result of public or other input received subsequent to the issuance of this report. At this time, Staff recommends the following conditions:

##### **GENERAL CONDITIONS**

Staff recommends the following conditions to ensure conformance with the proposed plans and procedures as outlined in the case record to date, and to ensure compliance with all conditions listed in this Staff Report:

- (1) The facility shall be installed on the Applicant's Alternate Route, utilizing the equipment, construction practices, and mitigation measures as presented in the application filed on January 30, 2018, and further clarified by recommendations in this *Staff Report of Investigation*.
- (2) The Applicant shall conduct a preconstruction conference prior to the start of any construction activities. Staff, the Applicant, and representatives of the prime contractor and/or subcontractors for the project shall attend the preconstruction conference. The conference shall include a presentation of the measures to be taken by the Applicant and contractors to ensure compliance with all conditions of the certificate, and discussion of the procedures for on-site investigations by Staff during construction. Prior to the conference, the Applicant shall provide a proposed conference agenda for Staff review to ensure compliance with this condition. The Applicant may conduct separate preconstruction conferences for each stage of construction.
- (3) At least 30 days before the preconstruction conference, the Applicant shall submit to Staff one set of detailed engineering drawings of the final project design, including the facility, temporary and permanent access roads, construction staging areas, and any other associated facilities and access points, so that Staff can determine that the final project design is in compliance with the terms of the Certificate. The final project layout shall be provided in hard copy and as geographically referenced electronic data. The final design shall include all conditions of the Certificate and references at the locations where the Applicant and/or its contractors must adhere to a specific condition in order to comply with the Certificate.
- (4) Within 60 days after the commencement of commercial operation, the Applicant shall submit to Staff a copy of the as-built specifications for the entire facility. The Applicant shall provide as-built drawings in both hard copy and as geographically referenced electronic data.
- (5) The certificate shall become invalid if the Applicant has not commenced a continuous course of construction of the proposed facility within five years of the date of journalization of the certificate.
- (6) As the information becomes known, the Applicant shall provide to Staff the date on which construction will begin, the date on which construction was completed, and the date on which the facility begins commercial operation.

- (7) At least 30 days prior to the preconstruction conference, the Applicant shall provide to Staff a complaint resolution procedure to address potential public grievances resulting from project construction and operation. The resolution procedure must provide that the Applicant will work to mitigate or resolve any issues with those who submit either a formal or informal complaint and that the Applicant will immediately forward all complaints to Staff.
- (8) At least 30 days prior to the preconstruction conference, the Applicant shall provide to Staff a copy of its public information program that informs affected property owners and tenants of the nature of the project, specific contact information of Applicant personnel who are familiar with the project, the proposed timeframe for project construction, and a schedule for restoration activities. The Applicant shall give notification to property owners and tenants at least 7 days prior to work on the affected property.
- (9) 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, including any permits necessary for aviation clearance. 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. The Applicant shall provide a schedule of construction activities and acquisition of corresponding permits for each activity at the preconstruction conference.
- (10) The Applicant shall Docket the PJM Interconnection supplemental upgrade ID.

### **SOCIOECONOMIC CONDITIONS**

Staff recommends the following conditions to address the impacts discussed in the **Socioeconomic Impacts** section of the Nature of Probable Environmental Impact:

- (11) If the Alternate Route is chosen, prior to commencement of any construction, the Applicant shall prepare a Phase I cultural resources survey program for archaeological work within the construction disturbance area, in consultation with Staff and the Ohio Historic Preservation Office. If the resulting survey work discloses a find of cultural or archaeological significance, or a site that could be eligible for inclusion in the National Register of Historic Places, then the Applicant shall submit an amendment, modification, or mitigation plan to the Board.
- (12) The Applicant shall replace agricultural field tiles damaged from this project, and excavated topsoil in agricultural fields shall be segregated and restored upon backfilling.

### **ECOLOGICAL CONDITIONS**

Staff recommends the following conditions to address the impacts discussed in the **Ecological Impacts** section of the Nature of Probable Environmental Impact:

- (13) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than or equal to three inches in diameter, unless coordination with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service (USFWS) allows a different course of action.
- (14) The Applicant shall provide a final construction access plan for review prior to the preconstruction conference. The plan would consider the location of streams, wetlands,

wooded areas, and sensitive plant species, as identified by the ODNR Division of Wildlife, and explain how impacts to all sensitive resources will be avoided or minimized during construction, operation, and maintenance. The plan shall show surface water resource crossing methods. The plan would include the measures to be used for restoring the area around all temporary access points, and a description of any long-term stabilization required along permanent access routes.

- (15) The Applicant shall contact Staff, the ODNR, and the USFWS within 24 hours if state or federal threatened or endangered species are encountered during construction activities. Construction activities that could adversely impact such plants or animals shall be halted until an appropriate course of action has been agreed upon by the Applicant, Staff, and the ODNR, in coordination with the USFWS. Nothing in this condition shall preclude agencies having jurisdiction over the facility with respect to threatened or endangered species from exercising their legal authority over the facility consistent with law.
- (16) Prior to any in-water work, the Applicant shall provide information to Staff and the ODNR indicating that no mussel impacts would occur at stream crossings. If this is not possible, then the appropriate survey(s) shall be performed in coordination with the ODNR and Staff. If mussels found in the project area cannot be avoided, as a last resort, a professional malacologist shall collect and relocate the mussels to suitable and similar habitat. All surveys and assessments shall be done in accordance with the Ohio Mussel Survey Protocol and provided to Staff and the ODNR for review.
- (17) 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.
- (18) The Applicant shall have a qualified environmental specialist on site during construction activities that may affect sensitive areas, as mutually agreed upon between the Applicant and Staff, and as shown on the Applicant's final approved construction plan. Sensitive areas include but are not limited to areas of vegetation clearing, designated wetlands and streams, and locations of threatened or endangered species or their identified habitat. The environmental specialist shall be familiar with water quality protection issues and potential threatened or endangered species of plants and animals that may be encountered during project construction.

### **PUBLIC SERVICES, FACILITIES, AND SAFETY CONDITIONS**

Staff recommends the following conditions to address the requirements discussed in the **Public Services, Facilities, and Safety** section of the Nature of Probable Environmental Impact:

- (19) Prior to commencement of construction activities that require transportation permits, the Applicant shall obtain all such permits. The Applicant shall coordinate with the appropriate authority regarding any temporary or permanent road closures, lane closures, road access restrictions, and traffic control necessary for construction and operation of the proposed facility.
- (20) General construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., or until dusk when sunset occurs after 7:00 p.m. Impact pile driving and hoe ram operations, if

required, shall be limited to the hours between 10:00 a.m. to 5:00 p.m., Monday through Friday. Construction activities that do not involve noise increases above ambient levels at sensitive receptors are permitted outside of daylight hours when necessary. The Applicant shall notify property owners or affected tenants within the meaning of Ohio Adm. Code 4906-3-03(3)(B)(2) of upcoming construction activities including potential for nighttime construction activities.

### **AIR, WATER, SOLID WASTE, AND AVIATION CONDITIONS**

Staff recommends the following conditions to address the requirements discussed in the **Air, Water, Solid Waste, and Aviation** section of the Nature of Probable Environmental Impact:

- (21) The Applicant shall remove all construction staging area and access road materials after completion of construction activities, as weather permits, unless otherwise directed by the landowner. Impacted areas shall be restored to preconstruction conditions in compliance with the Ohio Environmental Protection Agency (Ohio EPA) General National Pollutant Discharge Elimination System (NPDES) permit(s) obtained for the project and the approved Stormwater Pollution Prevention Plan (SWPPP) created for this project.
- (22) The Applicant shall not dispose of access road material, or any other construction material, during or following construction of the facility by spreading such material on agricultural land. All construction debris and all contaminated soil shall be promptly removed and properly disposed of in accordance with Ohio EPA regulations.
- (23) At least seven days before the preconstruction conference, the Applicant shall submit to Staff, for review, a copy of all NPDES permits including its approved SWPPP, approved Spill Prevention, Control, and Countermeasure procedures, and its erosion and sediment control plan. The Applicant must address any soil issues through proper design and adherence to Ohio EPA best management practices related to erosion and sedimentation control.



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Columbus, OH 43215-3793





**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of AEP :  
Ohio Transmission Co., Inc. for a : Case No. 17-2085-EL-BTX  
Certificate of Environmental :  
Compatibility and Public Need For the :  
Buckley Road-Fremont Center 138 kV :  
Transmission Line Project. :

**PREFILED TESTIMONY  
OF  
ROBERT HOLDERBAUM  
SITING, EFFICIENCY, AND RENEWABLE ENERGY DIVISION  
RATES AND ANALYSIS DEPARTMENT**

**Staff Exhibit 2**

**July 9, 2018**

1 1. Q. Please state your name and your business address.

2 A. My name is Robert Holderbaum, and my business address is 180 East  
3 Broad Street, Columbus OH 43215.  
4

5 2. Q. By whom are you employed and what is your position?

6 A. I am employed by the Public Utilities Commission of Ohio (Commission)  
7 as a Utility Specialist II in the Siting, Efficiency and Renewable Energy  
8 Division of the Commission's Rates and Analysis Department.  
9

10 3. Q. Please summarize your educational background and work experience.

11 A. I hold a Bachelor of Science degree in Political Science Pre-Law (2009)  
12 and a Master of Science degree in Environmental Policy & Planning  
13 (2012), both from Ohio University.  
14

15 I have been employed by the PUCO since 2012. I have worked almost  
16 exclusively on power siting activities during that time. I have provided  
17 analysis for over 100 cases before the Ohio Power Siting Board (Board).  
18 My responsibilities typically include application review and the preparation  
19 of analysis for major utility facility applications in Ohio, including  
20 accelerated filings such as Letters of Notification and Construction Notices.  
21 I have been the lead analyst for more than 40 applications for generation  
22 facilities, substations, and transmission line applications. I have also been

1 responsible for the preparation of staff reports and coordination of Staff  
2 review and field work for major utility facilities.  
3

4 4. Q. Have you testified in prior proceedings before the Board?

5 A. Yes. I have testified in many cases before the Board concerning Staff's  
6 investigation and report findings and recommendations on proposed siting  
7 projects involving power plants, wind farms, substations, and transmission  
8 lines.  
9

10 5. Q. What is the purpose of your testimony in this proceeding?

11 A. I am sponsoring the Staff Report of Investigation (Staff Report) that was  
12 filed on June 8, 2018 in this docket. I am the Staff project lead. I managed  
13 the Staff investigation and preparation of the Staff Report in this case. In  
14 addition, Staff is a signatory party supporting the Joint Stipulation and  
15 Recommendation filed on July 5, 2018 in this docket.  
16

17 6. Q. What kind of case is this?

18 A. The Applicant proposes to develop, construct, and operate a 138 kV  
19 transmission line to be located in Seneca and Sandusky counties, Ohio.  
20

21 7. Q. Please summarize Staff's investigation that was conducted in this case?

1           A.     Staff's investigation included reviewing the application, conducting site  
2                 visits to the proposed facility location, acquiring additional information  
3                 from the applicant, obtaining input from state agencies that compose the  
4                 Board along with other relevant state and federal agencies, and preparing a  
5                 Staff Report that presents Staff's analysis, conclusions, and  
6                 recommendations. As a result of Staff's investigation, Staff is recom-  
7                 mending that the Board approve construction on the alternate route, subject  
8                 to the 23 conditions that are presented in the Staff Report.

9  
10       8.     Q.     Does this conclude your testimony?

11           A.     Yes, it does. However, I reserve the right to submit supplemental testi-  
12                 mony, as new information subsequently becomes available or in response  
13                 to positions taken by other parties.

## **PROOF OF SERVICE**

I hereby certify that a true copy of the foregoing Prefiled Testimony of Robert Holderbaum submitted on behalf of the Staff of the Ohio Power Siting Board, was served via electronic mail upon the following parties of record this 9th day of July, 2018.

/s/ Thomas G. Lindgren

**Thomas G. Lindgren**  
Assistant Attorney General

### **Parties of Record:**

Christen M. Blend  
American Electric Power Service Corp.  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, Ohio 43215

### **Administrative Law Judge:**

Daniel Fullin  
Daniel.Fullin@puco.ohio.gov

Joint Exh. No. 1

## BEFORE THE OHIO POWER SITING BOARD

|   |                                |
|---|--------------------------------|
| <b>In the Matter of the Application of )<br/>         AEP Ohio Transmission Company, Inc. )<br/>         For a Certificate of Environmental )<br/>         Compatibility and Public Need for the )<br/>         Buckley Road-Fremont Center 138 kV )<br/>         Transmission Line Project )</b> | <b>Case No. 17-2085-EL-BTX</b> |
|---|--------------------------------|

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## STIPULATION AND RECOMMENDATION

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### I. INTRODUCTION

AEP Ohio Transmission Company, Inc. (“AEP Ohio Transco” or the “Applicant”), and the Staff of the Ohio Power Siting Board (“OPSB Staff”) (at times, collectively referred to as the “Parties”) submit and recommend this Stipulation and Recommendation (“Stipulation”) for adoption by the Ohio Power Siting Board (“Board”). This Stipulation is intended by the Parties to resolve all matters pertinent to Applicant’s proposed Buckley Road-Fremont Center 138 kV Transmission Line Project (“Project”).

AEP Ohio Transco plans to rebuild 15.4 miles of the existing 17.6-mile Allendale-Fremont Center 69 kilovolt (kV) transmission line in Seneca and Sandusky Counties, Ohio to 138 kV standards. The proposed Project will be built to 138 kV design capabilities and energized at 69 kV. The purpose of the Project is to replace aged existing infrastructure, the majority of which was initially constructed in 1916. AEP Ohio Transco has identified that the deterioration of the existing line, comprised of the obsolescence of support structures and hardware components, insulators, conductors, and shield wires that have reached the end of their physical life, has created reliability and service concerns and increased risk of interruptions. The benefits of this Project include faster recovery of service after outages, reduced risk of service interruptions, and overall improved service to customers. By

constructing the line to 138 kV standards, AEP Ohio Transco will be able to energize the line at 138 kV in an expedited fashion when necessary in the future.

A combination of steel structures is proposed for the Project. Structure type will vary based on topography, and all proposed structures are anticipated to average 85 feet tall. Figure 02-1 in the Application shows the Project vicinity, substation interconnection points, and the Preferred and Alternate Routes identified by AEP Ohio Transco. Additional details can be found in the January 30, 2018 Application's ("Application") Review of Need and Schedule, in Section 4906-5-03, which the Parties incorporate by reference herein.

This Stipulation is the product of serious bargaining among capable and knowledgeable parties. The Parties have each participated in negotiations. This Stipulation has been signed by the Applicant and OPSB Staff (collectively, "Signatory Parties"). Each of the Signatory Parties was represented by experienced counsel who regularly practice and participate in proceedings before the Board.

The Stipulation will benefit customers and the public interest. In the Stipulation, the Applicant has made commitments (as more fully described below) to comply with OPSB Staff conditions to minimize adverse impacts associated with the Project. The Stipulation does not violate any important regulatory principle or practice. The Project is more fully described in the Application. This Stipulation results from discussions between the Parties, who agree that it is supported by adequate data and information and is therefore entitled to careful consideration by the Board.

Accordingly, the Parties recommend that the Board issue a Certificate of Environmental Compatibility and Public Need ("Certificate") for construction and operation of the Buckley Road-Fremont Center 138 kV Transmission Line Project, as identified in the Application, and subject to the conditions set forth in this Stipulation.



## **II. STIPULATIONS**

### **A. Recommended Findings of Fact**

The Signatory Parties agree that the record in this case, which consists of the Application, any supplemental or related information, and the Staff Report of Investigation, contains sufficient probative evidence for the Board to find and determine, as findings of fact, that:

- (1) AEP Ohio Transco is an Ohio corporation and a wholly-owned subsidiary of AEP Transmission Company, LLC, which is a Delaware limited liability company.
- (2) The proposed Buckley Road-Fremont Center 138 kV Transmission Line Project is a “major utility facility,” as defined in Section 4906.01(B)(1) of the Ohio Revised Code.
- (3) On October 11, 2017, the Applicant filed a pre-application notification letter for a Certificate to build the proposed Project, pursuant to Ohio Adm.Code 4906-3-03(A).
- (4) On October 12, 2017, the Applicant filed proof of notification to property owners and affected tenants of the date of the public informational meeting held pursuant to Ohio Adm.Code 4906-3-03(B)(2).
- (5) On October 24, 2017, the Applicant filed its proof of publication of public notice to property owners and affected tenants of the date of the public informational meeting held pursuant to Ohio Adm.Code 4906-3-03(B)(2).

- (6) On November 1, 2017, the Applicant held a public informational meeting regarding the Project.
- (7) On January 30, 2018, the Applicant filed the Buckley Road-Fremont Center 138 kV Transmission Line Project Application.
- (8) On February 1, 2018, the Applicant filed a supplemental Application cover letter.
- (9) On April 2, 2018, the Director of Rates and Analysis for the Public Utilities Commission of Ohio issued a letter of compliance regarding the Application to the Applicant.
- (10) On April 3, 2018, the Applicant filed proof of service of the certified application on local officials pursuant to Ohio Adm.Code 4906-3-07.
- (11) On May 18, 2018, the Administrative Law Judge issued an Entry setting the effective date for the application to April 18, 2018, scheduling local public and adjudicatory hearings in this matter, ordering AEP Ohio Transco to notice the hearings, and establishing a procedural schedule for the filing of lists of issues and testimony.
- (12) On May 29, 2018, the Applicant filed supplemental proof of compliance with Ohio Adm.Code 4906-3-07.
- (13) On June 7, 2018, the Applicant filed proof of publication and notice regarding the date, time, and location of the public hearing and adjudicatory hearing, including proof of notice of the public hearing and adjudicatory hearing to affected property owners and elected officials, in compliance with Ohio Adm.Code 4906-3-09(A).
- (14) On June 8, 2018, OPSB Staff filed its Report of Investigation ("Staff Report").

- (15) On June 25, 2018, a local public hearing was held at Old Fort Elementary School in Bettsville, Ohio.
- (16) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine the basis of the need for the proposed facility, as required by Section 4906.10(A)(1) of the Ohio Revised Code.
- (17) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine the nature of the probable environmental impact of the proposed facility, as required by Section 4906.10(A)(2) of the Ohio Revised Code.
- (18) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine that the Preferred Route contained in the Application, as filed by the Applicant on January 30, 2018, represents the minimum adverse environmental impact, considering the available technology and nature and economics of the various alternatives, and other pertinent considerations, as required by Section 4906.10(A)(3) of the Ohio Revised Code.
- (19) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and its Staff to determine that construction of the Project located on Applicant's Preferred site is consistent with plans for expansion of the regional power grid and that it will serve the interests of electric system economy and reliability, as required by Section 4906.10(A)(4) of the Ohio Revised Code.

- (20) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine that the Project will comply with Chapters 3704, 3734, and 6111, of the Ohio Revised Code and all rules and standards adopted under Sections 1501.33, 1501.34 and 4561.32 of the Ohio Revised Code, as required by Section 4906.10(A)(5) of the Ohio Revised Code.
- (21) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine that the proposed facility will serve the public interest, convenience and necessity, as required by Section 4906.10(A)(6) of the Ohio Revised Code.
- (22) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine the proposed facility's impact on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Ohio Revised Code that is located within the Preferred Route and Alternate Route of the proposed Project, as required by Section 4906.10(A)(7) of the Ohio Revised Code.
- (23) Adequate data on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project has been provided to the Board and OPSB Staff to determine that the facility incorporates maximum feasible water conservation practices, considering available technology and the nature and economics of the various alternatives, under Section 4906.10(A)(8) of the Ohio Revised Code. Due to the fact that the facility will not require the use of water for operation, Section 4906.10(A)(8) of the Ohio Revised Code is not applicable to

certification of the Project.

- (24) The information, data and evidence in the record of this proceeding provide substantial and adequate evidence and information to enable the Board to make an informed decision on the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project.

**B. Recommended Conclusions of Law**

The Signatory Parties further agree that the record in this case contains sufficient probative evidence for the Board to find and determine, as conclusions of law, that:

- (1) Applicant, AEP Ohio Transco, is a “person” pursuant to Section 4906.01(A) of the Ohio Revised Code.
- (2) The proposed Buckley Road-Fremont Center 138 kV Transmission Line Project is a “major utility facility” as defined by Section 4906.01(B)(2) of the Ohio Revised Code. Applicant’s Application, filed on January 30, 2018, complies with the requirements of Ohio Adm.Code 4906-5-01, *et seq.*
- (3) The record establishes the need for the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project as required by Section 4906.10(A)(1) of the Ohio Revised Code.
- (4) The record establishes the nature of the probable environmental impact from construction, operation and maintenance of the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project as required by Section 4906.10(A)(2) of the Ohio Revised Code.

- (5) The record establishes that the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project, if conditioned in the Certificate as recommended by the Parties, 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, as required by Section 4906.10(A)(3) of the Ohio Revised Code.
- (6) The record establishes that the proposed Preferred Route for the Buckley Road-Fremont Center 138 kV Transmission Line Project is consistent with plans for expansion of the regional power system, and serves the interests of electric system economy and reliability, as required by Section 4906.10(A)(4) of the Ohio Revised Code.
- (7) The record establishes that the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project, if conditioned in the Certificate as recommended by the Parties, will comply with Chapters 3704, 3734 and 6111 of the Ohio Revised Code, and all rules and regulations adopted under those chapters, and under Sections 1501.33, 1501.34 and 4561.32 of the Revised Code, all as required by Section 4906.10(A)(5) of the Ohio Revised Code.
- (8) The record establishes that the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project, if conditioned in the Certificate as recommended by the Parties, will serve the public interest, convenience and necessity, as required by Section 4906.10(A)(6) of the Ohio Revised Code.

- (9) The record establishes the impact of the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Ohio Revised Code that is located within the Preferred Route and Alternate Route of the proposed Project as required by Section 4906.10(A)(7) of the Ohio Revised Code.
- (10) The record establishes that the proposed Buckley Road-Fremont Center 138 kV Transmission Line Project incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives required by Section 4906.10(A)(8) of the Ohio Revised Code.

**C. *Recommended Conditions of the Certificate of Environmental Compatibility and Public Need***

- (1) The facility shall be installed on the Applicant's Alternate Route, utilizing the equipment, construction practices, and mitigation measures as presented in the Application filed on January 30, 2018, and further clarified by recommendations in the Staff Report.
- (2) The Applicant shall conduct a preconstruction conference prior to the start of any construction activities. Staff, the Applicant, and representatives of the prime contractor and/or subcontractors for the project shall attend the preconstruction conference. The conference shall include a presentation of the measures to be taken by the Applicant and contractors to ensure compliance with all conditions of the certificate, and discussion of the procedures for on-site investigations by Staff during construction. Prior to the conference, the

Applicant shall provide a proposed conference agenda for Staff review to ensure compliance with this condition. The Applicant may conduct separate preconstruction conferences for each stage of construction.

- (3) At least 30 days before the preconstruction conference, the Applicant shall submit to Staff one set of detailed engineering drawings of the final project design, including the facility, temporary and permanent access roads, construction staging areas, and any other associated facilities and access points, so that Staff can determine that the final project design is in compliance with the terms of the Certificate. The final project layout shall be provided in hard copy and as geographically referenced electronic data. The final design shall include all conditions of the Certificate and references at the locations where the Applicant and/or its contractors must adhere to a specific condition in order to comply with the Certificate.
- (4) Within 60 days after the commencement of commercial operation, the Applicant shall submit to Staff a copy of the as-built specifications for the entire facility. The Applicant shall provide as-built drawings in both hard copy and as geographically referenced electronic data.
- (5) The certificate shall become invalid if the Applicant has not commenced a continuous course of construction of the proposed facility within five years of the date of journalization of the certificate.
- (6) As the information becomes known, the Applicant shall provide to Staff the date on which construction will begin, the date on which construction was



completed, and the date on which the facility begins commercial operation.

- (7) At least 30 days prior to the preconstruction conference, the Applicant shall provide to Staff a complaint resolution procedure to address potential public grievances resulting from project construction and operation. The resolution procedure must provide that the Applicant will work to mitigate or resolve any issues with those who submit either a formal or informal complaint and that the Applicant will immediately forward all complaints to Staff.
- (8) At least 30 days prior to the preconstruction conference, the Applicant shall provide to Staff a copy of its public information program that informs affected property owners and tenants of the nature of the project, specific contact information of Applicant personnel who are familiar with the project, the proposed timeframe for project construction, and a schedule for restoration activities. The Applicant shall give notification to property owners and tenants at least 7 days prior to work on the affected property.
- (9) 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, including any permits necessary for aviation clearance. 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. The Applicant shall provide a schedule of construction activities and acquisition of corresponding permits for each activity at the preconstruction conference.

- (10) The Applicant shall Docket the PJM Interconnection supplemental upgrade ID.
- (11) If the Alternate Route is chosen, prior to commencement of any construction, the Applicant shall prepare a Phase I cultural resources survey program for archaeological work within the construction disturbance area, in consultation with Staff and the Ohio Historic Preservation Office. If the resulting survey work discloses a find of cultural or archaeological significance, or a site that could be eligible for inclusion in the National Register of Historic Places, then the Applicant shall submit an amendment, modification, or mitigation plan to the Board.
- (12) The Applicant shall replace agricultural field tiles damaged from this project, and excavated topsoil in agricultural fields shall be segregated and restored upon backfilling.
- (13) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than or equal to three inches in diameter, unless coordination with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service (USFWS) allows a different course of action.
- (14) The Applicant shall provide a final construction access plan for review prior to the preconstruction conference. The plan would consider the location of streams, wetlands, wooded areas, and sensitive plant species, as identified by the ODNR Division of Wildlife, and explain how impacts to all sensitive resources will be avoided or minimized during construction, operation, and

maintenance. The plan shall show surface water resource crossing methods. The plan would include the measures to be used for restoring the area around all temporary access points, and a description of any long-term stabilization required along permanent access routes.

- (15) The Applicant shall contact Staff, the ODNR, and the USFWS within 24 hours if state or federal threatened or endangered species are encountered during construction activities. Construction activities that could adversely impact such plants or animals shall be halted until an appropriate course of action has been agreed upon by the Applicant, Staff, and the ODNR, in coordination with the USFWS. *Nothing in this condition shall preclude agencies having jurisdiction over the facility with respect to threatened or endangered species from exercising their legal authority over the facility consistent with law.*
- (16) Prior to any in-water work, the Applicant shall provide information to Staff and the ODNR indicating that no mussel impacts would occur at stream crossings. If this is not possible, then the appropriate survey(s) shall be performed in coordination with the ODNR and Staff. If mussels found in the project area cannot be avoided, as a last resort, a professional malacologist shall collect and relocate the mussels to suitable and similar habitat. All surveys and assessments shall be done in accordance with the Ohio Mussel Survey Protocol and provided to Staff and the ODNR for review.

- (17) 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.
- (18) The Applicant shall have a qualified environmental specialist on site during construction activities that may affect sensitive areas, as mutually agreed upon between the Applicant and Staff, and as shown on the Applicant's final approved construction plan. Sensitive areas include but are not limited to areas of vegetation clearing, designated wetlands and streams, and locations of threatened or endangered species or their identified habitat. The environmental specialist shall be familiar with water quality protection issues and potential threatened or endangered species of plants and animals that may be encountered during project construction.
- (19) Prior to commencement of construction activities that require transportation permits, the Applicant shall obtain all such permits. The Applicant shall coordinate with the appropriate authority regarding any temporary or permanent road closures, lane closures, road access restrictions, and traffic control necessary for construction and operation of the proposed facility.
- (20) General construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., or until dusk when sunset occurs after 7:00 p.m. Impact pile driving and hoe ram operations, if required, shall be limited to the hours between 10:00 a.m. to 5:00 p.m., Monday through Friday. Construction activities that do not involve noise increases above ambient levels at sensitive receptors are

permitted outside of daylight hours when necessary. The Applicant shall notify property owners or affected tenants within the meaning of Ohio Adm.Code 4906-3-03(3)(B)(2) of upcoming construction activities including potential for *nighttime construction activities*.

- (21) The Applicant shall remove all construction staging area and access road materials after completion of construction activities, as weather permits, unless otherwise directed by the landowner. Impacted areas shall be restored to preconstruction conditions in compliance with the Ohio Environmental Protection Agency (Ohio EPA) General National Pollutant Discharge Elimination System (NPDES) permit(s) obtained for the project and the approved Stormwater Pollution Prevention Plan (SWPPP) created for this project.
- (22) The Applicant shall not dispose of access road material, or any other construction material, during or following construction of the facility by spreading such material on agricultural land. All construction debris and all contaminated soil shall be promptly removed and properly disposed of in accordance with Ohio EPA regulations.
- (23) At least seven days before the preconstruction conference, the Applicant shall submit to Staff, for review, a copy of all NPDES permits including its approved SWPPP, approved Spill Prevention, Control, and Countermeasure procedures, and its erosion and sediment control plan. The Applicant must address any soil issues through proper design and adherence to Ohio EPA best management practices related to erosion and sedimentation control.

### **III. EXHIBITS**

The Parties agree and stipulate that the following information has been filed in the docket and is to be marked and admitted into the record as exhibits of this proceeding and that cross-examination is waived thereon:

- AEP Ohio Transco Exhibit No. 1: Pre-Application Notification Letter filed on October 11, 2017
- AEP Ohio Transco Exhibit No. 2: Proof of Notification filed October 12, 2017
- AEP Ohio Transco Exhibit 3: Proof of Publication filed October 24, 2017
- AEP Ohio Transco Exhibit 4: Application filed January 30, 2018, and certified as completed by the Board on April 2, 2018
- AEP Ohio Transco Exhibit No. 5: Proof of Notification filed on April 3, 2018
- AEP Ohio Transco Exhibit No. 6: Proof of Notification filed on May 29, 2018
- AEP Ohio Transco Exhibit No. 8: Proof of Notification filed on June 7, 2018
- AEP Ohio Transco Exhibit No. 7: Direct Testimony of Pattarin Jarupan
- Staff Exhibit No. 1: Staff Report of Investigation filed on June 8, 2018
- Staff Exhibit No. 2: Prefiled Testimony of Robert Holderbaum
- Joint Exhibit No. 1: This Stipulation

In deliberating the merits of the Application and reasonableness of this Stipulation, the Signatory Parties encourage the Board to review and consider all evidence and exhibits submitted and admitted in this case.

#### **IV. OTHER STIPULATIONS**

- (1) This Stipulation is expressly conditioned upon its acceptance by the Board without material modification. In the event the Board rejects or materially modifies all or part of this Stipulation, or imposes additional conditions or requirements upon the Parties, each Party shall have the right, within thirty (30) days after the Board's order, to file an application for rehearing with the Board. Upon a grant of rehearing by the Board, each party shall have the right, within ten (10) days after the Board's order granting rehearing, to file a notice of termination and withdrawal of the Stipulation. Upon notice of termination and withdrawal of the Stipulation by any party, pursuant to the above provisions, the Stipulation shall immediately become null and void, and any party to the Stipulation shall be free to petition the Board or the Administrative Law Judge for such additional process as may be necessary to address any of the remaining issues in this case. In such an event, a hearing shall go forward, and the Parties shall be afforded the opportunity to present evidence through witnesses, to cross-examine all witnesses, to present rebuttal testimony, and to file briefs on all issues.
- (2) The Parties agree and recognize that this Stipulation has been entered into only for the purpose of this proceeding. Each of the Parties agrees not to assert against another party in any proceeding before the Board or any court, other than in a proceeding to enforce the terms of this Stipulation, that party's participation in this Stipulation as support for any particular position on any issue. Each of the Parties further agrees that it will not use this Stipulation as factual or legal precedent on any issue, except as may be necessary to support

enforcement of this Stipulation. The Parties request that the Board recognize that its use of this Stipulation in any proceeding other than this proceeding is contrary to the intentions of the Parties in entering into this Stipulation.

**WHEREFORE**, based upon the record and the information and data contained therein, the Signatory Parties recommend that the Board issue a Certificate of Environmental Compatibility and Public Need for construction, operation and maintenance of the proposed Buckley Road-Fremont Center 138kV Transmission Line Project as described in the Application filed with the Board on January 30, 2018.

Respectfully submitted on behalf of:

**STAFF OF THE OHIO POWER SITING BOARD**

By: /s/ John H. Jones  
William W. Wright, Section Chief  
John H. Jones, Counsel of Record  
Assistant Attorney General  
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(willing to accept service by email)

**AEP OHIO TRANSMISSION COMPANY, INC.**

By: /s/ Christen M. Blend  
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hgarcia1@aep.com

(willing to accept service by e-mail)



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing has been served upon the individuals listed via electronic mail, this 5th day of July, 2018.

/s/ Christen M. Blend  
Christen M. Blend

john.jones@ohioattorneygeneral.gov  
dan.fullin@puco.ohio.gov