

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Letter of Notification Application     )**  
**by Duke Energy Ohio for the Station 854 Regulator     )**     **18-1455-GA-BNR**  
**Station Installation Project.     )**

Members of the Board:

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

To the Honorable Power Siting Board:

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

Staff recommends the application for automatic approval on November 6, 2018, unless suspended by the Board, an administrative law judge, or the chairperson or executive director of the board for good cause shown. If suspended, the Board must render a decision on the application within 90 days from the date of suspension.

Please present any concerns you or your designee may have with this case to my office at least four business days prior to November 6, 2018, which is the recommended automatic approval date.

Sincerely,



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

**Case No.:** 18-1455-GA-BNR  
**Project Name:** Station 854 Regulator Station Installation Project  
**Project Location:** Hamilton County/Cincinnati  
**Applicant:** Duke Energy Ohio  
**Application Filing Date:** October 15, 2018  
**Filing Type:** Construction Notice  
**Inspection Date:** October 17, 2018  
**Report Date:** October 30, 2018  
**Recommended Automatic Approval Date:** November 6, 2018  
**Applicant's Waiver Requests:** none  
**Staff Assigned:** E. Morrison

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

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

### Project Description

Duke Energy Ohio (Applicant) proposes to install a new regulator station and approximately 1,500 feet of 20 inch coated steel pipe. The new pipe would feed the new regulator station, and would have a maximum allowable operating pressure of 175 pounds per square inch gauge (PSIG). The proposed pipeline would be constructed of standard wall steel with a minimum yield strength of 65,000 PSI and be coated with fusion bonded epoxy.

The Applicant would utilize open cut trench construction methods for the entire pipeline. The Applicant proposes to begin construction on November 6, 2018 and place the line in service by May 2019. The Applicant estimates the total cost of the project at \$2,500,000.

### Site Description

The project is located in the unincorporated community of Finneytown in Hamilton County and in the city of Cincinnati. The project begins with a tie-in to existing facilities on the north side of West North Bend Road just east of its intersection with Winton Road. The proposed route crosses the intersection and proceeds south to the proposed regulator site. The proposed regulator site would be located in a grass lot adjacent to the Star Tower communications tower. The surrounding land use is a mix of wood lots and commercial development. The entire length of the pipeline, with the exception of the portion that would tie in to the new regulator, would be located within road right-of-way. The laydown area would be located on the lot where the associated regulator is to be constructed.

## **Basis of Need**

The Applicant identified the need for a new pipeline to serve a proposed regulator station. The proposed station is considered by the Applicant to be the best way to alleviate capacity issues caused by the current facilities and the lack of space required to effectively upgrade those facilities. The Applicant's ability to serve potential growth downstream and provide reliable service to existing customers is limited by the current facilities. The proposed project would eliminate this bottleneck, subsequently allowing increased, and more reliable, transportation of product to downstream distribution systems.

## **Nature of Impacts**

### *Socioeconomic Impacts*

The Applicant sent notification and information about the project to affected property owners and tenants. According to the Applicant, affected landowners have been contacted and notified of the project. Temporary construction easements would be required from the pertinent local governments.

### *Cultural Resources*

The Applicant completed both field and desktop investigations for the project area to identify any potential impacts. The review did not identify any cultural resources in or directly adjacent to the proposed project. The Applicant submitted the results of the literature review to the Ohio Historic Preservation Office on September 13, 2018.

### *Ecological Resources*

Through the Applicant's assessment of vegetation, habitat and hydrologic conditions of the proposed site, no aquatic systems or other areas of ecological concern were found to be present within or directly adjacent to the project site.

### *Threatened and Endangered Species*

State and federally-listed species and/or suitable habitat that may be found in the project area include the Indiana bat, northern long-eared bat, and running buffalo clover. The study conducted by the Applicant concluded that no habitat likely to support any of these species exists within the project boundary.

The Applicant is coordinating with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service (USFWS) concerning any federally or state-listed species and/or suitable habitat that may be found in the project area. The Applicant would provide Staff with any additional comments from the ODNR and the USFWS review of the project, and continue coordination with those agencies and Staff based on their comments.

### *Unusual Conditions*

There are currently no known unusual conditions in the project area. However, several gas stations have historically been located at the northern terminus of the project area. The Applicant pledges to monitor for and manage any contaminated soils that may be found.

## **Conclusion**

Staff's review of the application included consideration of the requirements listed in R.C. 4906.10. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff

recommends automatic approval of this application on November 6, 2018, provided that the following conditions are satisfied.

**Conditions:**

- (1) The Applicant shall promptly restore all affected surfaces and infrastructure to previous or better condition.
- (2) The Applicant shall coordinate all traffic related issues with the appropriate entities (including the Ohio Department of Transportation, county and/or township officials) to ensure that traffic will be maintained along public roadways and private entrance drives during construction and deliveries.
- (3) The Applicant shall submit a traffic control plan to Staff once the winning contractor is determined.
- (4) That the Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for the removal of suitable Indiana bat habitat trees, if avoidance measures cannot be achieved. If it is not practical for the Applicant to adhere to the seasonal cutting restrictions, then the Applicant shall coordinate with the U.S. Fish and Wildlife Service and the Ohio Department of Natural Resources for clearance.
- (5) Prior to the commencement of construction activities that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations.

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

**Commission of Ohio Docketing Information System on**

**10/30/2018 11:09:17 AM**

**in**

**Case No(s). 18-1455-GA-BNR**

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