

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Letter of Notification Application by)
American Transmission Systems, Incorporated for a)
Certificate of Environmental Compatibility and Public)
Need for the Beaver-Black River 138 kV Transmission)
Line Rebuild and Beaver-Johnson 138 kV Transmission)
Line Partial Rebuild Project) Case No. 18-1395-EL-BLN

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 February 14, 2019, 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 February 14, 2019, which is the recommended automatic approval date.

Sincerely,



Raymond W. Strom
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Public Utilities Commission of Ohio
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OPSB STAFF REPORT OF INVESTIGATION

Case Number: 18-1395-EL-BLN
Project Name: Beaver-Black River 138 kV Transmission Line Rebuild and
Beaver-Johnson 138 kV Transmission Line Partial Rebuild
Project Location: Lorain County
Applicant: American Transmission Systems, Incorporated
Application Filing Date: November 15, 2018
Filing Type: Letter of Notification
Inspection Dates: November 23, 2019 and December 28, 2019
Report Date: January 16, 2019
**Recommended Automatic
Approval Date:** February 14, 2019
Applicant's Waiver Requests: none
Staff Assigned: J. O'Dell, G. Zeto and J. Cross

Summary of Staff Recommendations (see discussion below):

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

Project Description

American Transmission Systems, Incorporated (Applicant or ATSI) proposes to replace 64 existing steel lattice towers with 65 steel monopole structures from Brownhelm Junction to the Black River Substation. The new steel poles would be installed within existing right-of-way. The Applicant also plans to reconfigure and reconductor the 6.5-mile long segment from Brownhelm Junction to the Black River Substation. This reconfiguration would allow an open-arm position for future transmission line use. Additionally as part of this project, ATSI intends to reconductor the 2.7-mile long transmission line segments between the Beaver Substation and Brownhelm Junction. The entire project totals approximately 9.2 miles. The estimated capital costs of this project total approximately \$15,000,000.

Basis of Need

PJM Interconnection, LLC (PJM) identified a planning criteria violation on the Beaver-Black River transmission line. The violation was identified in the 2020 PJM Regional Transmission Expansion Plan generator deliverability study and confirmed by the Applicant. The violation occurred on the Beaver-Black River transmission line which was shown in the study to overload to 108.5 percent of its summer emergency rating. The Beaver-Black River Transmission Line has also experienced two unscheduled outages since January 1, 2010.

Between the Beaver Substation and Brownhelm Junction, the Beaver-Johnson 138 kV Transmission Line shares a double circuit configuration with the Beaver-Black River 138 kV Transmission Line. As required by PJM, these segments must be rebuilt. The Applicant considered splicing existing conductors to reuse material and reduce costs, however these engineering techniques were found to be unsuitable for transmission line conductors that are over 50 years old.

The rebuilding projects were included in the Applicant's most recent Long-Term Forecast Report filing, under Case No. 18-0449-EL-FOR. The Beaver-Black River project listed in the table below was submitted to PJM and approved by the PJM Board of Managers as a baseline project. PJM assigned the Beaver-Black River project upgrade ID Nos. b2673 and b2898. The construction status of transmission project's can be tracked on PJM's website. The Beaver-Johnson project was not submitted to PJM as there were no topology changes.^{1, 2, 3}

ATSI – Baseline Transmission Line Upgrades			
Required Transmission Line Upgrade	Upgrade ID	PJM Board Approved	PJM Required In-Service Date
Beaver-Black River	b2673	Oct-15	Jun-20
	b2898	Jul-17	Jun-21

Nature of Impacts

Land Use

The project area is located in Brownhelm Township, Amherst Township, and the city of Lorain. Land use in proximity to the project consists of agricultural, residential, commercial, and industrial land uses. No new easements would be required.

Surface Waters

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

The survey corridor contains 24 wetlands, including three Category 2 wetlands and 21 Category 1 wetlands. None of the replacement structures would be located within wetlands, and no wetland fill is proposed for the project.

Preliminary construction access mapping shows wetland and stream crossings. The Applicant has committed to use timber matting to avoid permanent impacts to wetlands and streams. Erosion control measures including silt fencing would be used where appropriate to minimize runoff impacts to stream channels.

1. PJM baseline upgrades are required to keep the system compliant with reliability criteria, market efficiency criteria, public policy, and operational performance.

2. American Transmission Systems Incorporated, "Long-Term Forecast Report to the Public Utilities Commission of Ohio," Public Utilities Commission of Ohio Case No. 18-0449-EL-FOR, April 16, 2019.

3. PJM Interconnection, "Transmission Construction Status," accessed January 10, 2019, <http://pjm.com/planning/rtep-upgrades-status/construct-status.aspx>.

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

Several structures to be replaced and the associated access roads would be within floodplain areas. Staff recommends that the Applicant coordinate with the local floodplain administrator and obtain any necessary floodplain development permit prior to construction in these areas.

Threatened and Endangered Species

Some tree clearing would be required for this project. 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 would be impacted by the project. In order to avoid impacts to the Indiana bat and northern long-eared bat, Staff recommends that the Applicant adhere to seasonal tree cutting dates of October 1 through March 31 for all trees three inches or greater in diameter, unless coordination efforts with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service (USFWS) allows a different course of action. The proposed project is expected not to impact any bat hibernacula.

The project is within the range of the state and federal endangered Kirkland's warbler (*Setophaga kirtlandii*). Scrub/shrub and forested habitat within 3 miles of the Lake Erie shoreline is considered by the ODNR and the USFWS as important stopover habitat during migration for this species. The existing right-of-way is bordered by habitat that may be suitable for stopover. Staff recommends that clearing of stopover habitat should not occur from April 22 through June 1 and August 15 through October 15.

Impacts to other state and federally listed species are not anticipated, due to no proposed in-water work and a lack of suitable habitats.

Cultural Resources

ATSI conducted a cultural resource survey to ascertain potential impacts to historical properties and archaeological sites. The survey determined that adverse impacts to historical properties and archaeological sites are not expected.

Conclusion

Staff's review of the application included consideration of the requirements listed in Ohio Revised Code Section 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 February 14, 2019.

Conditions

- (1) Prior to the commencement of construction activities in areas that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations. The Applicant shall provide copies of permits and authorizations, including all supporting documentation, to Staff within seven days of issuance or receipt by the Applicant.
- (2) Prior to construction in floodplains, the Applicant shall coordinate with the local floodplain administrator and obtain any applicable floodplain development permits.

- (3) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than three inches in diameter, unless coordination with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service (USFWS) allows a different course of action.
- (4) Construction in Kirkland's warbler stopover habitat types shall be avoided during the species' migration periods of April 22 through June 1 and August 15 through October 15, unless coordination with the ODNR and the USFWS allows a different course of action.

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 18-1395-EL-BLN

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