

**In the Matter of the Letter of Notification Application)
by Duke Energy Ohio, Inc. for a Certificate of)
Environmental Compatibility and Public Need for the) Case No. 19-0048-EL-BLN
Garver Substation Expansion Project)**

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	

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OPSB STAFF REPORT OF INVESTIGATION

Case Number: 19-0048-EL-BLN
Project Name: Garver Substation Expansion
Project Location: Butler County
Applicant: Duke Energy Ohio, Inc.
Application Filing Date: January 30, 2019
Filing Type: Expedited Letter of Notification
Inspection Date: February 8, 2019
Report Date: February 25, 2019
Recommended Automatic Approval Date: March 4, 2019
Applicant's Waiver Requests: none
Staff Assigned: J. Whitis, J. Cross, G. Zeto

Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions

Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

Project Description

Duke Energy Ohio, Inc. (Applicant) proposes to expand the existing 345 kilovolt (kV) Garver Substation on the south end of the NTE Middletown Energy Center power plant site to include a new 138 kV transmission substation. The construction of the new 138kV transmission substation includes the installation of 78 new low profile bus support structures, two new double A-frame transmission line take off towers, one single bay A-frame transmission line take off tower, and one single bay H-frame take off tower.

The Applicant anticipates that construction of this project would begin on March 4, 2019, and the facilities would be placed in service by October 22, 2019. The estimated total cost of the project is approximately \$17.2 million, and would be borne by the Applicant.

The construction would occur within property the Applicant will acquire from NTE. The tallest new structure would be approximately 73 feet.

Basis of Need

Duke Energy Ohio identified overloads on the Bulk Power System which violated North American Electric Reliability Corporation reliability standards. The Applicant states that the loss of any two of the three 345/138 kV transformers at the Todhunter Substation would overload the third transformer and the Nickel-Warren 138 kV transmission line. This project was included as a baseline project in the PJM Interconnection, LLC (PJM) 2016 Regional Transmission Expansion

Plan. This project would alleviate the overloads and allow the transmission system to provide safe, reliable electric service, while meeting applicable planning criteria.

This project was included in the Applicant's most recent Long-Term Forecast Report filing in Case No. 18-484-EL-FOR, and is a PJM Baseline RTEP project. PJM assigned the project upgrade ID No. b2830. The construction status of the transmission project can be tracked on PJM's website.^{1,2}

Nature of Impacts

Socioeconomic

The project is located north of Enterprise Drive and west of Cincinnati-Dayton Road in the city of Middletown. No schools or parks are located within a mile of the project area. The land use surrounding the project area is previously disturbed land and predominately industrial property.

Cultural Resources

The Applicant performed a literature review and found that 20 archaeological site, 14 historic structures, and one cemetery have been recorded within a mile of the project area. None of these resources are located within or adjacent to the project area. Additionally, the entire area had previously been investigated in 2014 for cultural resources. Based on these findings and the heavily disturbed nature of the site, the Applicant concluded that no further work is necessary.

Surface Waters

No streams or wetlands would be impacted by the proposed project.

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

The project is located within a 100-year floodplain. However based on the Applicant's February 25, 2019 supplemental filing, the elevation of the entire Garver Substation site, including the expansion area, was raised to three feet above the flood plain elevation as part of previous construction activities. This project is exempt from the City of Middletown floodplain requirements per Section 3.9C of the City of Middletown's Flood Damage Prevention Regulations.

Threatened and Endangered Species

The project is within the range of the state endangered upland sandpiper. Nesting upland sandpipers utilize dry grasslands including native grasslands, seeded grasslands, grazed and ungrazed pasture, hayfields, and grasslands established through the Conservation Reserve Program. In order to avoid impacts to this species the Staff recommends that construction in areas of potential habitat be avoided during the species' nesting period of April 15 through July 31, unless coordination with the Ohio Department of Natural Resources allows a different course of action.

1. Duke Energy Ohio, "Long-Term Forecast Report to the Public Utilities Commission of Ohio," Public Utilities Commission of Ohio Case No. 18-484-EL-FOR, June 29, 2018.

2. PJM Interconnection, "Transmission Construction Status," accessed February 15, 2019, <https://pjm.com/planning.aspx>.

Due to no proposed in-water work and a lack of suitable habitats, impacts to state and federal listed species are not anticipated.

Conclusion

Staff's review of the application included consideration of the requirements listed in R.C. 4906.10. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff recommends automatic approval of this case on March 4, 2019.

Condition:

- (1) Construction in upland sandpiper preferred nesting habitat types shall be avoided during the species' nesting period of April 15 through July 31, unless coordination with the Ohio Department of Natural Resources allows a different course of action.

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Case No(s). 19-0048-EL-BLN

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