

July 29, 2019

Ms. Tanowa M. Troupe, Secretary  
Ohio Power Siting Board  
Docketing Division  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, OH 43215-3716

Re: OPSB Case No. 19-1384-EL-BNR / Duke Energy Ohio Construction Notice for the Duke Energy Ohio St. Annes Avenue Tower Replacement Project

Dear Ms. Troupe:

Duke Energy Ohio, Inc. (Duke Energy Ohio), filed a Construction Notice, pursuant to O.A.C. Chapter 4906-6, on June 28, 2019, concerning a proposed project known as the Duke Energy Ohio St. Annes Avenue Tower Replacement Project. The Ohio Power Siting Board (OPSB) Staff issued its report recommending automatic approval of the project on August 1, 2019, provided that the following conditions were satisfied:

- (1) Prior to the commencement of construction activities in areas that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations. The Applicant shall provide copies of permits and authorizations, including all supporting documentation, to Staff within seven days of issuance or receipt by the Applicant.
- (2) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than three inches in diameter, unless coordination with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service allows a different course of action.
- (3) Prior to the commencement of construction, the Applicant shall obtain a coordination letter from the ODNR regarding impacts to state and federal listed species and/or their suitable habitat, and shall coordinate with the ODNR and with Staff regarding compliance with the letter.
- (4) Prior to construction, the Applicant shall coordinate the assessment of potential effects of the proposed structure and access roads on cultural resources, if any, with Staff and the Ohio Historic Preservation Office (OHPO). If the resulting coordination discloses negative impacts on cultural resources, then the Applicant shall submit an amendment, a modification, or a mitigation plan to Staff to ensure compliance with this condition. Any such mitigation plan shall be developed in coordination with the OHPO and submitted to Staff for review to assure impacts to cultural resources are minimized.



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Duke Energy Ohio adopts and accepts these required conditions and agrees to satisfy them.

Respectfully submitted,

/s/ Jeanne W. Kingery

Jeanne W. Kingery  
Associate General Counsel

cc: Tamara Turkenton

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

**Commission of Ohio Docketing Information System on**

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**Case No(s). 19-1384-EL-BNR**

Summary: Correspondence Accepting Conditions of Approval electronically filed by Carys Cochern on behalf of Duke Energy