

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Construction Notice Application of)
The Dayton Power and Light Company for the Bath) **Case No. 19-1345-EL-BNR**
Substation Expansion Project)

Members of the Board:

Chair, 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 December 10, 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 December 10, 2019, which is the recommended automatic approval date.

Sincerely,



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OPSB STAFF REPORT OF INVESTIGATION

Case No.: 19-1345-EL-BNR
Project Name: Bath Substation Expansion Project
Project Location: Greene County
Applicant: The Dayton Power and Light Company
Application Filing Date: September 10, 2019
Filing Type: Construction Notice
Inspection Date: October 3, 2019
Report Date: December 3, 2019
Recommended Automatic Approval Date: December 10, 2019
Applicant's Waiver Requests: none
Staff Assigned: A. Holderbaum, F. Butt

Summary of Staff Recommendations (see discussion below):

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

Project Description

The Dayton Power and Light Company (Applicant) proposes to expand the fence line and install a new transformer at the existing Bath Substation. The substation would be expanded by approximately 0.82 acre, or 8.45 percent. The Applicant states that these upgrades would bring the station up to current standards to satisfy resiliency, safety, and North American Electric Reliability Corporation (NERC) reliability standards. The entire project would be on existing property owned by the Applicant. The Applicant proposes to begin construction on June 1, 2020 and be completed by June 1, 2021. The Applicant estimates the total cost of the project at \$8.07 million.

Site Description

The proposed project would be constructed along the north side of the existing Bath Substation which is located west of Linebaugh Road, southwest of the Fairborn Cement Company, in Beavercreek Township, Greene County. The surrounding land use is a mix of maintained lawns, grassland, and shrub habitat. The entire construction area would be located within existing easements owned by the Applicant. No tree clearing would be required for the project. No temporary easements would be required from adjacent property owners as no impacts would occur to adjacent properties.

Basis of Need

The purpose of the project is to install a second 345/138 kilovolt transformer at Bath Substation. The project would be constructed as a baseline upgrade in order to resolve a NERC reliability

criterion violation. The reliability criterion violation is related to the Greene transformer #1 for the loss of the Green Substation transformer #2 and the existing Bath Substation transformer. In addition, this project would help provide sufficient operating capacity, operational flexibility, and reliability to some of Dayton's largest customers. This project has been assigned PJM Baseline #b1273.

Nature of Impacts

Agricultural Land

Agricultural land does not exist within the project area. No impacts to agricultural land would occur.

Cultural Resources

The Applicant completed a cultural resources literature review for the area of potential effects for the project on July 23, 2019. The review identified five previously recorded archaeological sites and one previously conducted cultural resource survey adjacent to the project area. However, the Applicant concluded that Phase I investigatory work is not necessary, because the project is located within already disturbed contexts and would not impact any significant cultural resources. Staff agrees with the Applicant's conclusion. No impacts to these resources are anticipated.

Surface Waters

The project area does not contain any streams or ponds. The project would not be within a 100-year floodplain. No impacts to these resources are anticipated.

The Applicant delineated one Category 2 wetland and one Category 1 wetland within the project area. Approximately 0.18 acre of potential wetland impacts would occur as a result of the project. The Applicant informed Staff that a Section 404/401 Clean Water Act permit from the United States Army Corps of Engineers and the Ohio Environmental Protection Agency would be required for the project. The Applicant informed Staff that they will have all necessary permits in place and docket any necessary permits in the case docket for potential wetland impacts prior to construction.

Threatened and Endangered Species

The Applicant coordinated with Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service (USFWS) to minimize and eliminate potential impacts to state and federal listed species and/or suitable habitat that may be found in the project area.

The project area is within the range of the 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 tree clearing activities. However, no tree clearing would be required for the project. No impacts to these species are anticipated.

The project lies within the range of several federal and state listed mussel and fish species. Due to no in-water work proposed in perennial streams, the type of habitat present at the project site, and within the vicinity of the project area, no impacts to these species are anticipated.

The project lies within the range of the federally threatened and state endangered eastern massasauga (*Sistrurus catenatus*), the state threatened spotted turtle (*Clemmys guttata*), and the state threatened Kirtland's snake (*Clonophis kirtlandii*). Due to the location, the type of habitat at

the project site and within the vicinity of the project area, and the type of work proposed, no impacts to these species are anticipated.

The project lies within the range of the state endangered upland sandpiper (*Bartramia longicauda*), and the state endangered northern harrier (*Circus cyaneus*). The ODNR states that if suitable habitat exists for these species and the habitat cannot be avoided, then construction should be avoided in the species habitats during the species nesting periods. The Applicant informed Staff that suitable habitat for the upland sandpiper would be avoided during the species nesting period of April 15 to July 31 as well as suitable habitat for the northern harrier of May 15 to August 1 during construction in order to avoid impacts to these species.

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 December 10, 2019. Staff notes that its recommendation for approval of this application should not be construed as a recommendation for approval of cost recovery in any ratemaking proceeding.

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Case No(s). 19-1345-EL-BNR

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