

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION
OF DUKE ENERGY OHIO, INC. FOR
A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE C314V CENTRAL CORRIDOR
PIPELINE EXTENSION PROJECT.

CASE NO. 16-253-GA-BTX

ENTRY

Entered in the Journal on January 17, 2020

{¶ 1} Duke Energy Ohio, Inc. (Duke) is a person as defined in R.C. 4906.01.

{¶ 2} R.C. 4906.04 provides that no person shall construct a major utility facility in the state without obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 3} By Opinion, Order, and Certificate dated November 21, 2019, the Board issued a certificate of environmental compatibility and public need to Duke for the construction, operation, and maintenance of the C314V Central Corridor Extension along the alternate route, subject to 41 conditions set forth by the Board.

{¶ 4} R.C. 4906.12 provides that R.C. 4903.02 to 4903.16 and R.C. 4903.20 to 4903.23 apply to any proceeding or order of the Board, as if the Board were the Public Utilities Commission of Ohio (Commission).

{¶ 5} Ohio Adm.Code 4906-2-32(A) states, in relevant part, that any party or affected person may file an application for rehearing, within 30 days after the issuance of a Board order, in the manner, form, and circumstances set forth in R.C. 4903.10. R.C. 4903.10 states that any party to a Commission proceeding may apply for rehearing with respect to any matter determined by the Commission within 30 days after the entry of the order upon the journal of the Commission.

{¶ 6} Ohio Adm.Code 4906-2-32(E) provides that the administrative law judge (ALJ) may issue an order granting rehearing for the purpose of affording the Board more time to

consider the issues raised in an application for rehearing.

{¶ 7} On December 23, 2019, applications for rehearing of the November 21, 2019 Opinion, Order, and Certificate were filed by the City of Reading (Reading), Village of Evendale (Evendale), NOPE - Neighbors Opposed to Pipeline Extension, LLC (NOPE), City of Blue Ash (Blue Ash), and jointly by the City of Cincinnati (Cincinnati) and the Board of County Commissioners of Hamilton County (Hamilton County). Duke filed a memorandum contra the applications for rehearing on January 2, 2020.

{¶ 8} Pursuant to the authority set forth in Ohio Adm.Code 4906-2-32(E), the ALJ finds that, to the extent that the applications for rehearing of Reading, Evendale, NOPE, Blue Ash, and Cincinnati/Hamilton County have been filed consistent with the requirements of R.C. 4903.10 and Ohio Adm.Code 4906-2-32(A), which is a matter for the Board's determination, rehearing should be granted for the limited purpose of affording the Board additional time to consider the issues raised by Reading, Evendale, NOPE, Blue Ash, and Cincinnati/Hamilton County in their applications for rehearing.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the applications for rehearing filed by Reading, Evendale, NOPE, Blue Ash, and Cincinnati/Hamilton County on December 23, 2019, be granted for further consideration of the matters specified in the applications for rehearing, in accordance with Paragraph 8. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE OHIO POWER SITING BOARD

/s/ Sarah J. Parrot

By: Sarah J. Parrot
Administrative Law Judge

JRJ/kck

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Commission of Ohio Docketing Information System on

1/17/2020 1:31:00 PM

in

Case No(s). 16-0253-GA-BTX

Summary: Administrative Law Judge Entry the applications for rehearing by Reading, Evendale, NOPE, Blue Ash, and Cincinnati/Hamilton County be granted for further consideration. electronically filed by Mrs. Kelli C King on behalf of Sarah J. Parrot, Administrative Law Judge, Ohio Power Siting Board