

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 a Certificate )  
of Environmental Compatibility and Public Need for ) Case No. 19-1822-EL-BLN  
the Clay Substation 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 (Ohio Adm.Code) 4906-6.

Staff recommends the application for automatic approval February 11, 2020, 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 11, 2020, 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:** 19-1822-EL-BLN  
**Project Name:** Clay Substation Project  
**Project Location:** Clay Township, Highland County  
**Applicant:** The Dayton Power and Light Company  
**Application Filing Date:** November 12, 2019  
**Filing Type:** Letter of Notification  
**Inspection Date:** January 07, 2020  
**Report Date:** February 04, 2020  
**Recommended Automatic Approval Date:** February 11, 2020  
**Applicant's Waiver Requests:** None  
**Staff Assigned:** E. Morrison, S. Halter, R. Holderbaum

### 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 install a substation for the approved Highland Solar Farm (Case No. 18-1334-EL-BGN). The new substation would connect AC1-085 generator to the Applicant's existing 345 kilovolt (kV) transmission line. The proposed project calls for the installation of the necessary interconnection equipment including three breakers, a control building, structures and associated foundations, and metering.

The Applicant intends to begin construction beginning in March 2020 and anticipates completion of the project by the end of September 2020.

### Site Description

The proposed project area is located on the northwest side of Gath Road, approximately 0.75 miles northeast of the intersection of State Route 321 and Gath Road in Clay Township, Highland County. The facility would be located on an easement granted to the Applicant on a parcel owned by the solar farm, Hecate Energy Highland LLC. The land within the project area is currently used for agricultural purposes. The surrounding land use consists of agricultural and residential properties.

## **Basis of Need**

The proposed project is needed to interconnect the Highland Solar Farm (Case No. 18-1334-EL-BGN) to the transmission system. This project was submitted to PJM and was given numbers n5692, n5896, n5897, and n5898. Its progress can be tracked on PJM's website.<sup>1</sup>

## **Nature of Impacts**

### *Surface Waters*

The project area contains one stream, Flat Run, one Category 1 wetland, and one pond. All three resources are located outside of the project boundary. The Applicant would not need to cross any of these resources during construction of the project. The project would not impact a Federal Emergency Management Agency 100-year floodplain. No impacts to these resources are anticipated.

The Applicant stated that it will submit a Notice of Intent for coverage under the Ohio Environmental Protection Agency General National Pollutant Discharge Elimination System Permit because the project would result in over one acre of ground disturbance.

### *Threatened and Endangered Species*

The Applicant coordinated with the 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 the project. In order to avoid impacts to the Indiana bat and the northern long-eared bat, the ODNR, the USFWS, and Staff recommend the Applicant adhere to seasonal tree cutting dates of October 1 through March 31 for removal of any trees greater than or equal to three inches in diameter. The Applicant stated that no tree clearing will be necessary for the project. No impacts to these species are anticipated.

The project lies within the range of several federal and state listed mussel species. Due to no in-water work proposed in perennial streams, no impacts to these species are 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. Subject to the following condition, Staff recommends automatic approval of this application on February 11, 2020. 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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1. PJM Interconnection, "Project Status & Cost Allocation – Beta," accessed January 10, 2020, <https://www.pjm.com/planning/project-construction.aspx>.

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

**Commission of Ohio Docketing Information System on**

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**Case No(s). 19-1822-EL-BLN**

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