

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Letter of Notification Application)
of the Dayton Power & Light Company, Inc. d/b/a AES) **Case No. 21-0679-EL-BLN**
Ohio for the Clinton 345 kV Expansion Project)

Members of the Board:

| | |
|---|-------------------------------|
| Chair, Public Utilities Commission | Ohio House of Representatives |
| Director, Department of Development | 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 December 1, 2021, 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 objections you or your designee may have with this case to my office at least four business days prior to December 1, 2021, which is the recommended automatic approval date.

Sincerely,



Theresa White
Executive Director
Ohio Power Siting Board

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 21-0679-EL-BLN
Project Name: Clinton 345 kV Station Expansion Project
Project Location: Clinton County
Applicant: DP&L Company, Inc. d/b/a AES Ohio
Application Filing Date: September 9, 2021
Filing Type: Letter of Notification
Inspection Date: September 15, 2021
Report Date: November 24, 2021
Recommended Automatic Approval Date: December 1, 2021
Applicant's Waiver Requests: None
Staff Assigned: T. Crawford, A. Delong, M. Bellamy, A. Renick

Summary of Staff Recommendations (see discussion below):

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

Project Description and Need

The Dayton Power & Light Company, Inc. d/b/a AES Ohio (Applicant or AES Ohio) proposes to expand the boundary of the existing Clinton Substation for the accommodation of an additional 345/69 kilovolt (kV) transformer and the addition of three 345 kV circuit breakers, in the formation of a ring bus, along with 69 kV breakers and related equipment. The second transformer and associated equipment would improve operational flexibility and relieve operational loading and reliability concerns in the area.

The project expansion will be located on land already owned by the Applicant. The project is located in Clinton County.

Upgrades to the transmission system are part of PJM Interconnection, LLC's (PJM) Regional Transmission Expansion Plan (RTEP) process.¹ The need for this project was identified in 2011, and a solution was proposed to PJM using the procedures that were in place at that time. This project was presented to the Subregional RTEP-Western, Transmission Expansion and Advisory Committee as a supplemental project on September 19, 2011. The project was assigned the

1. PJM is the regional transmission organization charged with planning for upgrades to the regional transmission system in Ohio. Significant alterations to the transmission system located in the PJM control area are required to submit planned projects for review of system impacts.

supplemental ID s0324.² Supplemental projects or upgrades refer to transmission expansions or enhancements not needed to comply with PJM reliability, operational performance, Federal Energy Regulatory Commission (FERC) Form No. 715 criteria, economic planning, and public policy planning (State Agreement Approach).³

The Applicant states that the proposed substation was included in a number of the company's Long Term Forecast Reports (LTFR), including its most recent LTFR.⁴

The Applicant expects construction of the project to begin during October 15, 2021 with an in-service date planned for May 31, 2022. The capital cost of the station expansion project is estimated to be approximately \$8,800,000.⁵

Nature of Impacts

Land Use

The project would be sited in Union Township, Clinton County. The footprint of the project would be on industrial and utility land as it would be on the same location as the existing Clinton Substation. The project area consists of agricultural land use plus the location of the existing substation. Three acres of agricultural land would be permanently impacted as it would be used to accommodate the expansion of the substation. None of the project would be located on land that is designated as agricultural district land.

Cultural Resources

The Applicant's cultural resources consultant performed a literature review of previously identified cultural resources in the vicinity of the project. The consultant determined that the project would neither involve nor impact any significant cultural resources or landmarks, and that no further cultural resource management work was considered to be necessary unless cultural resources were discovered during construction. The findings were submitted to the Ohio Historic Preservation Office (OHPO). The OHPO responded to the consultant in concurrence that this project would not affect historic properties, and that no additional cultural resources studies are needed for the project. Staff agrees that no further cultural resource management work is necessary.

Surface Waters

The Applicant's consultant conducted wetland and waterbody delineation surveys on October 13-14, 2020 and June 22, 2021. The consultant identified two palustrine emergent wetlands totaling 0.02 acres, one palustrine emergent/palustrine scrub shrub/palustrine forested wetland totaling 0.08 acres, four streams totaling 475 linear feet within the environmental survey area. Of these features, approximately 0.08 acres of wetlands and 241 linear feet of streams are located

2. <https://www.pjm.com/-/media/committees-groups/committees/srrtep-w/20110919/20110919-reliability-analysis-update.ashx> (Accessed September 16, 2021)

3. PJM Manual 14B: PJM Region Transmission Planning Process, Revision 50, Effective Date: July 1, 2021.

4. The Dayton Power and Light Company d/b/a AES Ohio, "Long-Term Forecast Report", Public Utilities Commission of Ohio Case No. 21-0505-EL-FOR, Form FE-T10, page 93.

5. Through a Data Request response the Applicant indicates that the cost of the expansion project is a Class 3 estimate. Under FERC and PJM practices these are network transmission resources and, therefore, their costs are combined with all other costs of network transmission resources to compute the PJM Network Integrated Transmission Service rate charged to transmission users with load sinking in the PJM Dayton Zone. The applicable Attachment under the PJM Open Access Transmission Tariff is PJM OATT Attachment H-15A.

within the project area and will be impacted. Due to the total acreage and location of these impacts, neither a pre-construction notification submittal to the U.S. Army Corps of Engineers nor an Ohio Environmental Protection Agency (OEPA) Isolated Stream/Wetlands Permit is required.

The Applicant would file a Notice of Intent with the OEPA for authorization of construction stormwater impacts under the National Pollutant Discharge Elimination System General permit prior to the beginning of construction. The Applicant would also submit an Erosion and Sediment Control Plan as well as the Storm Water Pollution Prevention Plan documents for review by the Clinton County Soil and Water Conservation District.

The project does not overlap with a FEMA 100-year floodplain.

Threatened and Endangered Species

The project is within range of the federal and state endangered Indiana bat (*Myotis sodalis*), federal endangered and state threatened northern long-eared bat (*Myotis septentrionalis*), state endangered little brown bat (*Myotis lucifugus*), and the state endangered tricolored bat (*Perimyotis subflavus*). Limited tree clearing is proposed for this project. Ohio Department of Natural Resources Division of Wildlife recommends that trees greater than three inches in diameter be cut between October 1 and March 31 to prevent impacts to these species.

The project is also within range of the federal and state endangered club shell (*Pleurobema clava*), federal and state endangered rayed bean (*Villosa fabalis*), federal and state endangered snuffbox (*Epioblasma triquetra*), and the state endangered Iowa darter (*Etheostoma exile*). Impacts to these species are not anticipated due to lack of suitable habitat.

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 approval of this application on December 1, 2021 subject to the following conditions. 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.

Conditions

- (1) The certificate authority provided in this case shall not exempt the facility from any other applicable and lawful local, state, or federal rules or regulations nor be used to affect the exercise of discretion of any other local, state, or federal permitting or licensing authority with regard to areas subject to their supervision or control.
- (2) 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, on the case docket prior to commencement of construction.
- (3) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than or equal to three inches in diameter, unless coordination efforts with the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service allow a different course of action. If coordination with these agencies allows

clearing between April 1 and September 30, the Applicant shall docket proof of completed coordination prior to clearing trees.

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

11/24/2021 4:21:48 PM

in

Case No(s). 21-0679-EL-BLN

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