

February 10, 2022

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. 22-12-EL-BNR  
Duke Energy Ohio, Inc., Seward Substation Transmission Line Relocation Project  
Letter Accepting Conditions

Dear Ms. Troupe:

Duke Energy Ohio, Inc. (Duke Energy Ohio), filed a Construction Notice, pursuant to O.A.C. Chapter 4906-6, on January 20, 2022, concerning a proposed project known as the Seward Substation Transmission Line Relocation Project. The Ohio Power Siting Board (OPSB) Staff issued its report recommending approval by the OPSB, provided that the following conditions are satisfied:

- (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 provide to Staff the PJM Interconnection, LLC supplemental upgrade ID and the presentation presented at the applicable PJM committee.
- (4) Prior to construction, the Applicant shall either receive concurrence from OHPO that the Project will not have adverse effects on cultural resources or coordinate with OHPO to avoid or mitigate adverse effects on cultural resources.
- (5) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for the removal of trees three inches or greater in diameter to avoid impacts to listed bat species, unless coordination with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service (USFWS) allows 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 on the case docket prior to clearing trees.

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: Theresa White