

**BEFORE**

**THE OHIO POWER SITING BOARD**

In the Matter of the Letter of )  
Notification Regarding the Duke Energy ) Case No. 20-0543-GA-BLN  
Ohio Round Bottom Road Improvement )  
Natural Gas Pipeline Project. )

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**MOTION OF DUKE ENERGY OHIO FOR WAIVERS  
AND  
REQUEST FOR EXPEDITED TREATMENT**

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Comes now Duke Energy Ohio, Inc., (Duke Energy Ohio) and hereby moves the Ohio Power Siting Board (Board) for an order waiving certain requirements relating to the filing of a letter of notification in the above-captioned proceeding. More specifically, Duke Energy Ohio respectfully requests that the Board waive the newspaper publication requirement set forth in O.A.C. 4906-6-08(A), as well as a portion of the requirement to notify affected property owners and tenants, as set forth in O.A.C. 4906-6-08(B). Duke Energy Ohio further seeks an expedited ruling on its motion, pursuant to O.A.C. 4906-2-27(C).

Duke Energy Ohio submits the following memorandum in support of its motion and request.

Respectfully submitted,

/s/ Jeanne W. Kingery

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## **MEMORANDUM IN SUPPORT**

On January 16, 2020, in Case No. 20-48-GA-BLN, Duke Energy Ohio filed an application, in the form of a letter of notification, for approval by the Board of a project intended to improve the Company's natural gas pipeline system, through the construction of a line near and along Round Bottom Road, in Newtown, Ohio. As of the date of filing, the Company had not yet agreed upon easements with all of the affected landowners, although it believed that it would be able to do so eventually.

The Board approved the application for the Round Bottom Road project, effective February 14, 2020. Following that date, Duke Energy Ohio determined that it would not be able to reach agreement on easement terms with one landowner along the southern portion of the route. As a result, the Company has developed a second approach to completion of this improvement project, which approach requires crossing the property of two additional landowners. Those landowners have provided the necessary easements.

The application in the present case seeks Board approval of the modified section of the route, affecting only those two additional landowners. Because of the minimal impact of this revised route and because both newly affected landowners have already executed easements for the project, Duke Energy Ohio seeks a waiver of the requirements to publish notice of the project in the newspaper and to notify every affected landowner and tenant along the entirety of the route. The Company does intend to notify the owners (and tenants, if any) of the newly affected properties, as well as governmental officials and the local library.

Finally, Duke Energy Ohio respectfully requests expedited treatment of this motion as the clearing of trees on the new portion of the route must be accomplished prior to the end of March, when bat roosting season begins. As there were no intervenors in Case No. 20-0048-GA-BLN,

and there is no dispute with the newly affected landowners, no intervenors are anticipated in this proceeding.

Respectfully submitted,

/s/ Jeanne W. Kingery

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