

January 16, 2018

Ms. Barcy McNeal
Ohio Power Siting Board
PUCO Docketing Division
180 East Broad Street, 11th Floor
Columbus, OH 43215-3716

Re: Duke Energy Ohio Case No. 17-2500-EL-BLN / 5680 – 138kV Nickel to Warren Rebuild Project

Dear Ms. McNeal:

Duke Energy Ohio, Inc. (Duke Energy Ohio), filed a Letter of Notification, pursuant to O.A.C. Chapter 4906-6, on December 20, 2017, concerning a proposed project known as the 5680 – 138kV Nickel to Warren Rebuild Project. The Ohio Power Siting Board (OPSB) Staff issued its report on January 11, 2018, recommending automatic approval of the project on January 18, 2018, provided that five conditions were satisfied:

1. The Applicant shall docket the PJM Interconnection supplemental upgrade ID and the presentation presented at the Subregional RTEP Committee meeting.
2. Prior to commencement of construction, the Applicant shall conclude its Phase I cultural resources survey program for archaeological work within the project area. The Applicant shall submit the literature review and Phase I fieldwork results to Staff for confirmation that this project would have minimal impact on cultural resources in the project area. If the resulting survey work discloses a find of cultural or archaeological significance, or a site that could be eligible for inclusion in the National Register of Historic Places, then the Applicant shall submit an amendment, modification, or mitigation plan to the Staff.
3. 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, to Staff within seven days of issuance or receipt by the Applicant.
4. The Applicant shall determine if suitable habitat for the running buffalo clover is present along the project route and submit the results of the determination to Staff for review. If suitable habitat for the species is present, the Applicant shall retain a U.S. Fish and Wildlife (USFWS)-approved botanist to determine presence or absence of the running buffalo clover as mandated by USFWS recommendations. If this species is present then the Applicant shall develop an avoidance/minimization plan in coordination with the USFWS and Staff.

5. The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than three inches in diameter, unless coordination with the Ohio Department of Natural Resources and the USFWS allows a different course of action.

Duke Energy Ohio adopts and accepts all five required conditions and agrees to satisfy them.

Respectfully submitted,

/s/ Jeanne W. Kingery

Jeanne W. Kingery

Associate General Counsel