

RECEIVED-DOCKETING DIV

2007 MAR 23 AM 11:20

PUCO

Anita M. Schafer Senior Paralegal

DUKE ENERGY CORPORATION 139 East Fourth Street P. O. Box 960 Cincinnati, OH 45202

513.287.3842

513-287-3810 fax

anita.schafer@duke-energy.com

VIA OVERNIGHT MAIL DELIVERY

March 22, 2007

Docketing Division Public Utilities Commission of Ohio 180 East Broad Street Columbus, Ohio 43215

Re: Case No. 06-444-GA-BTX

Dear Docketing Division:

Enclosed please find the proof of publication of the first and second notice as required by OAC §4906-5-08(B) and 4906-5-09 in the above-captioned cases. Please note that there also was a Second Public Hearing in this case. Notices appeared in the following newspapers on the dates indicated:

Cincinnati Post and the Cincinnati Enquirer on July 28, 2006, September 18, 2006 and March 3, 2007

Community Journal Clermont, Milford Miami Advocate, Bethel Journal, Community Journal North Clermont on July 26-27, 2006, September 20-21, 2006, March 14-15, 2007.

Should you have any questions, please contact me at (513) 287-3842.

Very truly yours,

Schofn Anita M. Schafer

Senior Paralegal

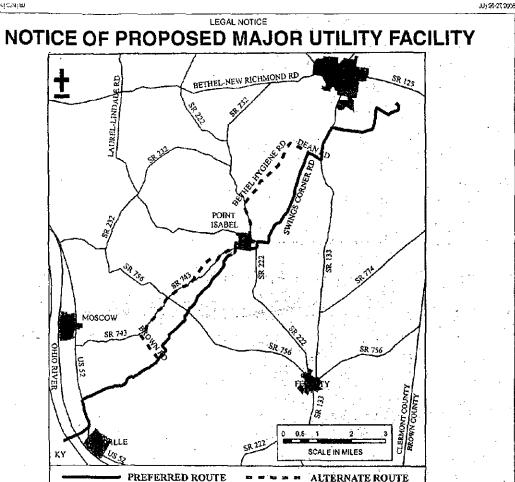
Enclosures

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business. Technician _________ Date Processed 3/03/07

	UNITY PRESS/ENQU 312 ELM,ST. CINCINNATI OHIO '45202 DF OF PUBLICATI Community Journal, Cle	ON FOR:
DUKE ENERGY ATTN: ANITA SCHAF 139 E FOURTH ST P.O. BOX 960 CINCIMNATI, OH 4	ER 520 l	
REFERENCE: 1305453 341438	Cinergy	
State of Ohio, State of Kentucky,		
authority, within an representative of the weekly and of genera made oath that the an published in the sta- date, and that each	sefore me, the undersigned d for the said County, is a e stated newspaper published t circulation in said County, nexed advertisment was ted newspaper, for the stated proceeding insertion was upon week, viz Wednesday/Thursday.	
Sworn to and subscrift day of Septent	bed before me, this $\frac{1444}{0.06}$	
in <u>Ham: Ho</u> Notary Public	County.	
My Commission Expires	Notary Public, State of Ohio	
PUBLISHED ON: 07726	My Commission Expires Nov. 27, 2008	
TOTAL COST: 520.02 FILED ON: 07/26/(AD SPACE: 121.500 INCH	

Customer Service is available during regular business hours 8:30 am - 5:00 pm Monday through Friday at (513) 768 - 8653

.



The Cincinnali Gas & Electric Company dp/a Duke Energy Ohio, Inc. (Duke Energy) has proposed to build a new 12 inch natural gas pipeline originating Bracken County, Kentucky and continuing to a terminus in southeastern Bethel, Clermoni County, Chio. The need for the proposed facility is based upon providing adequate fuel for current and luture gas customers in Clermont and Brown Counties. This project is within Franklin, Tate, and Washington Tokinships in Clermont County. The proposed natural gas pipeline route is shown on the accompanying map. Only pipeline route would be thill ArrSpatistion for a certificate to construct, operates; and maintain the proposed facility is now pending before the Ohio Power Siting Board. The C 336 Ohio River to Bethel Natural Gas Pipeline Pipeline Totics assigned docket number 06-444-GA.BTX. The first holice ran July 28, 2005

The first holice ran July 26, 2005
Protect should be for the public informational meeting for this project was held on March 15, 2006. For the C 338 Ohio River to Bethel Natural Gas Pipeline Project, Duke Energy submitted a Motion for Waiver related to the 20 percent "in-common" provision. A response to the Applicants waver request was filed by The Ohio Power Siling Board Staff on June 27, 2006. The Administigue Law Judge granted the monison for the waver on July 3, 2006, The Applicants waver request was filed by The Ohio Power Siling Board Staff on June 27, 2006. The Administigue Law Judge granted the monison for the waver on July 3, 2006, The Application was lied on May 1, 2006 and on July 7, 2006 The Application was found to Karpy 18 monits a their receipt of an ecrificate of environmental comparability and public need. Construction to Iplannet of begin in May 2008. This Equity is expected to be operational in November 2009. Duke Energy has served the Idroving public officials and agencies with a copy of the Application as required by OAC Rule 4906-5-06. Clermont County Commissiones Mayor, Yulige of Bethel, Frankin Township Trustees, The Ohio Power Siling Board has distributed the Application to the following State of Ohio Department of Department of Development, Ohio Department of Health, Ohio Department of Transportation, Ohio Historical Society A copy of the C 338 Ohio River to Bethel Natural Gas Pipeline Project Application is available for inspection at the Bland office Brand of the Clermont County Public Library, 611 West Plane State (Count State) and Shio Power Siling Board has distributed the Application is also available for inspection at the Bland office Brand There and Transportation, Ohio Historical Society A copy of the C 338 Ohio River to Bethel Natural Gas Pipeline Project Application is available for inspection at the Ohio Department of the Application is also available for inspection at the Ohio Cravet at 180 East Brand Street, Columbus, Ohio In accordance with CAR Rule 4905-506, the jolewin

accordars with OAC Rule 4905-08, the tokoning sections of the Ohio Revised Code and additional information are shown below. Section 4906/10_Subject Revised Revised Code and additional information are shown below. Section 4906/10_Subject Revised Revised Revised Code and additional information are shown below. (A) The Dower siling board shall render a decision upon the record either granting or denying the application as filed, or granting if upon such terms, conditions, or modifications of the construction, operation, or maintenance of the major utility lexitity as the board considers appropriate. The exertiseds enable be conditioned upon the teaching the compliance with standards and rules adooled under sections 1501.31, 1501.34, and 4551.32 and Chapters appropriate. The certificate shall be conditioned upon the tability being in compliance with standards and rules adooled under sections 1501.33, 1501.34, and 4551.32 and Chapters 3704, 3734, and 6111. of the Revised Code. The period of initial operation under a certificate shall expire two years af the director of environmental protection of the lead of one of the environmental protection for a solution of the solution of the solution of the environmental protection of the lead of the environmental protection of a conditions of the conditions of the solution. The facility and the terms and conditions of its certificate in accordance with all applicable requirements of state faws, rules, and standards pertaining to air pollution, the facility may apply to the director of environmental protection for a conditional operating pering is not involation of a major utility activity to the director of environmental protection for a conditional operating pering is not involation of a section and activity shall be environmental protection agenes and shall ecopy with all taxis, rules, and standards pering the revisition of a major utility tactify the teaching the environmental protection agenes and shall comply with all taxis, rules, and standards pering the environmental

pertaining to air poliufon, water poliufon, and solid and hazardous waste deposit.
 The board shell not grant a certificate for the construction, operation, and maintenance of a major utility facility, either as proposed or as moduled by the board, unless if finds and determines all of the tolowing.
 (1) The basis of the need ior the tacity is the case of a major utility facility, either as proposed or as moduled by the board, unless if finds and determines all of the toloballe environmental impact; (3) That the facility is shart need is stated in an application pursuant to division (A)(3) of section 4906.00 of the Revised Code. (2) The networks and uncertain impact; (3) That the facility is constant with the facility is constant with regional plans for expansion of the effective generation of the effective systems serving hits state and interconnecied utility systems and that the facility is constant with regional plans resulting of the space of a valueble technology and the nature and economy in the data of the scale of a value of the division of the division of uncertain systems and that planning and programs of the division durit risos chapters and uncertain section, 4501.32 of the Revised Code, in determining whether the facility will comply with chapters and uncertain section, 4501.32 of the Revised Code, and necessity, (1) in addition to the provisions contained in divisions (A)(1) to (5) of this section and rules adopted under section 4501.34 (1) of the Revised Code, the board while model and and the size and alternative site of the proposed may using acjudutal technology and the nature section, 4501.34 (1) of (6) of this section and rules adopted under the division of any fand in an avsite the tacility is conventione, and rules adopted under section, 4501.34 (1) of (6) of this section and rules adopted under the division (A)(2) of this section and rules adopted under the section and rules adopted under the section and rules adopted under the sele addition adopted un

(C) The board shall accept whiten or oral testimony from any person at the public hearing. But the right to call and examine witnesses shall be reserved for parties. However, the board may adopt rules to exclude repetitive, timmational, or interevant testimony. The Board will accept petitions to intervene in the adjudicatory hearing by interested persons no later than twe days prior to the scheduled date for the non-adjudicatory (public) hearing by file their petitions as early as possible. Petitions, with reference to case number 06-444-GA-BTX, should be addressed to the Public Utilities Commission of Chio, 160 East Broad Street. Columbus, Ohio, 43213-3733.

312 FLM ST		
the state of the s		
CINCINNATI OHIO 45202		
PROOF OF PUBLICATION F	0 R :	
Milfd Miami Adv/CJ, North Clei		

ļ

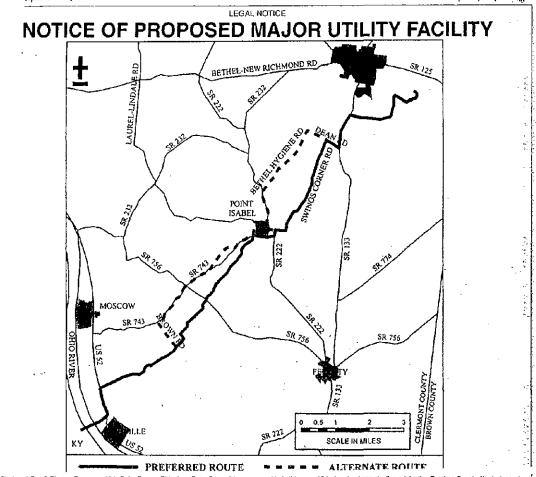
let wheel where it she have a burner would

DUKE ENERGY 1 ATTN: ANITA SCHAFER 139 E FOURTH P.O. BOX 960 ST CINCINNATI, OH 45201 REFERENCE: 1305453 354869 Proposed Utility Fac State of Ohio, State of Kentucky, Personally appeared before me, the undersigned authority, within and for the said County, is a representative of the stated newspaper published (weekly and of general circulation in said County , (made oath that the annexed advertisment was 1 published in the stated newspaper, for the stated (date, and that each proceeding insertion was upon ! the same day of each week, viz Wednesday/Thursday. I Mikki Nelan (Signed) Sworn to and subscribed before methis $\underline{-2}$ September A.D. 20 06 dau of

rilton		1	
Bin	County.		
$l^{O}\mathcal{N}^{V}$	ν $\rho = 0$	na a ga san na na dad ka si na si na si na da da sa ba sa	
Expires	TOWNED FOR ON THE OF	. 1	
09/20	Commission Expires 02/2	8/2010	
		1	
521.24 09720706	AD SPACE: 121	500 INCHI I	
	Ben Expires FARIA 09720 521.24	Beni Bell BESSIE J. BATTLE BESSIE J. BATTLE BESSIE J. BATTLE BESSIE J. BATTLE BESSIE J. BATTLE BESSIE J. BATTLE Commission Expires 02/2 DE OF OF S21. 24 AD SPACE: 121	Beni Bell BESSIE J. BATTLE BESSIE J. BATTLE BESSIE J. BATTLE OTARY PUBLIC, STATE OF OHIO Commission Expires 02/28/2010 EDF OF BEDF OF AD SPACE: 121, 500 INCH

8:30 am - 5:00 pm Monday through Friday at (513) 768 - 8653 September 20-21, 2006

CJC | MMA | CJN | BJ LITE Z



The Cincinnati Gas & Electic Company *db/a* Duko Energy Chio, Inc. (Duko Energy) has proposed to build a new 12 inch natural gas pipeline originating Bracken County, Kentucky and continuing to a terminus in southeastern Behel, Clermont County, Chio. The need for the proposed tacility is based upon providing adequate fuel for current and future gas customers in Clermont and Brown Counties. This project is within Frankin, Tate, and Washingtan Townships in Clermont County. The proposed natural gas pipeline route is shown on the accompanying map. Only pipeline indee would be built. The proposed facility is now pending before the Ohio Power Siting Board. The C 338 Ohio River to Bethel Natural Gas Pipeline Project has been assigned docket number 06-441-GA.BTX. The first notice ran July 26, 2005

Street, Columbus, Onio 43215-3793. Section 4906.08 (C) Patties to certification proceeding, testimony by parties and other persons. (C) The board shall accept written or oral testimony from any person at the public hearing, but the right to call and examine winesses shall be reserved for parties. However, the board may adopt rules to exclude repetitive, immaterial, or irrelevant testimony. The Board will accept pattiens to intervene in the adjudicatory hearing by interested persons no later than five days prior to the scheduled date for the non-adjudicatory (public) hearing. The Board will permit Intervention at a later date only upon the showing of good cause. The Board strongly encourages persons who wish to intervene in the adjudicatory hearing to file heirer petitions as early as possible. Petitions, with reference to case number 06-444-GA-BTX, should be addressed to the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio, 43215-3793.

С	Ű	M	l h	i t	/ N	I	ТΥ	P	R	E	8	87	E	N	Q	U	1	R	Ef	2				
							3	12 1	EL.Þ	1 8	T.			•										
					CI	NC I	NNA.	ГТ	٥ŀ	IC)		45;	20:	2									
F	2	R	0	0	F	D	F	Р	U	В	Ĺ.	1	C i	A '	T	[(ונ	N	F	۵	R	:		
							Co	កតាមា	nit	Ξų	Ja)ur	na	1,	C (leı	۳m	ant	i					
د وربه وربه مربع مربر عمر وربه مربه ومرب ومربع وربه المربع											•				****								M 10 13 91-38 M 40-11	

DUKE ENERGY ATTN:ANITA SCHAFER 139 E FOURTH P.O. BOX 960 ST CINCINNATI, OH 45201	
REFERENCE: 1305453 388920 docket # 06-444-GA-B	
State of Ohio, State of Kentucky,	
Personally appeared before me, the undersigned authority, within and for the said County, is a representative of the stated newspaper published weekly and of general circulation in said County, made oath that the annexed advertisment was published in the stated newspaper, for the stated date, and that each proceeding insertion was upon the same day of each week, viz Wednesday/Thursday. (Signed)	1 1 1
Sworn to and subscribed before me, this <u>2011</u> day of <u>March</u> A.D. 20 <u>07</u>	1 1 1 1
in <u>Hamilton</u> County. Notary Public <u>Happings lt</u>	1
My Commission Expires My Commission Expires Nov. 27, 2008	1
PUBLISHED ON: 03/14	
TOTAL COST: 260.21 AD SPACE: 60.000 INCH FILED DN: 03/14/07	1

8:30 am - 5:00 pm Monday through Friday at (513) 768 - 8653

С	0	Μ	M	1 L	I N	1	ΤΥ	P	R	E	ទ	S7	E	Ν	Q	U	I	R	ΕF	2			
							31						د										
					CIN	CI	NNAT	I	Ü۲	110			452	202	:								
F)	R	0	()	F	O	F	P	U	в	L	1 (C A	۲ i	Ī	0	N	l	F	۵	R	:	
							Mil	fd	Мi	am	i	Ad	v/0	ω_i	ħ	lor	th	С	let	7			
			*****													·							 ***** ****

DUKE ENERG ATTN:ANITA 139 E FOUR CINCINNATI	A SCHAFER I RTH P. D. BDX 960 ST I	
	1 305453 38720 docket # 06-444-GA-B	
State of Ohio State of Kent		
authority, wi representativ weekly and of made oath tha published in date, and tha the same day	ppeared before me, the undersigned ithin and for the said County, is a /e of the stated newspaper published ^a general circulation in said County , at the annexed advertisment was the stated newspaper, for the stated it each proceeding insertion was upon 1 of each week, viz Wednesday/Thursday. Bigned)	
Sworn to and day of in <u>Jaw</u> Notary Public My Commission PUBLISHED ON:	Expires KAREN J. BRANDT	
TOTAL COST: FILED ON:	260. 21 AD SPACE: 60. 000 INCHI 03/14/07 I	

8:30 am - 5:00 pm Monday through Friday at (513) 768 - 8653 -----

С	C	ľ	'i h	4 8	1 M	I F	ΓY						Ε	N	Q	U	I	R	E	R				
							31	2)	ELP	4 8	ЗΤ.			ŀ										
					CI	AC I P	INAT	I	Οł	110	ງ		452	202	2									
f	э	R	O	Ð	F	0	F	р	U	В	L	I	C /	ΑT	ĩ	C) (M	F	0	R	:		
							The	B	etł	1e	Lu	lau	τ'n	al										
		••••										سده بردیه د			4 81 71, equi	·}	*****		ra admin		** ***	120 arino -etna -eti	 	

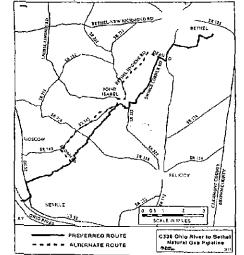
DUKE ENERGY ATTN:ANITA SCHAFER 139 E FOURTH P.O. BOX 960 ST CINCINNATI, OH 45201	
REFERENCE: 1305453 388920 docket # 06-444-6A-B	
State of Ohio, State of Kentucky,	
Personally appeared before me, the undersigned authority, within and for the said County, is a representative of the stated newspaper published weekly and of general circulation in said County, made oath that the annexed advertisment was published in the stated newspaper, for the stated f date, and that each proceeding insertion was upon f the same day of each week, viz Wednesday/Thursday. (Signed)	
Sworn to and subscribed before me, this 20th	
day of Mand A.D. 20 07	
in <u>Flam; Hon</u> county. Notary Public <u>Belt</u>	
My Commission Expires KAREN BHAMDT	
PUBLISHED ON: 03/15 Notary Public, State of Ohio My Commission Explose Nov. 27, 2008	
TOTAL COST: 260. 22 OF OF OF AD SPACE: 60.000 INCHI FILED ON: 03/15/07	

8:30 am - 5:00 pm Monday through Friday at (513) 768 - 8653

Lease Notice Notice of PROPOSED MAJOR UTILITY ACULTY The Chockney Gas & Existing Company Stat Date Shring Chou, June Date Shring Shat proposed to builds are if a white the state state Company Stat Date Shring Chou, June Date Shring Shat proposed to builds are if a white and state state Company. State Date Shring Chou, June Date Shring Shat proposed to builds are if a white and state state Company. State Date Shring Chou, June Date Shring Shate Shring Shate Shring Shate Date Shring Shate Company. State Shring Shate Counties The project a white Plantich. They are advected and company county County. The opposed Advance and provide a stream of Handin. They are advected and the opposed of the Shate Counties. The project a white Plantich. They are advected and the stream of County County. The opposed Advance and the projects a white Plantich. They are advected and the stream of County. The opposed Advance and the projects a white Plantich Date and advected and the stream of the stream of the stream of the projects a white Plantic Date Shate advected and the stream of the streng Shate County. The Shate Shate County of the Shate Shate Date Shate Shate Shate County Shate Shate County and stream of the projects of the Shate Shate and the stream of the List A NOTICE NOTICE P PLAN USED NOTICE P PLAN (Many Control of Control Onter Control of Control LEGAL NOTICE COURT OF COMMON PLEAS CLERMONT COUNTY, OHIO GMAC Mortgage, LLC Plaintiff, Case No.: 2007 CVE 0027B Judge: Wallam Walker -va-Rebecca Jansen, et al. Defendente. NOTICE IN SUIT FOR FORECLOSURE OF MORTGAGE EDRECLOSURE OF LIDERTAGE Rebords amount who is that you not address is a stol Viser Kort Neige Dirke, Bataka, Or H4108, And the unknown helm, devises, lippings, securities, deministrations, spouse and assigns and the vinnown guardizes or mixer and/or is completing beings of Rebords. Jackars, and or hoje is externory, and the vinnown and demind by reasonable disparse be associations, will also reader that on the 18th days of rebursy, 2007, GLAE Alergage LUC Red as Gompletin in the Common Pleas Count of Clemmont County, Ohin in Case No. 2007 CVE DO276, on the doctes of the Court, and the object and sommard for relief of which preading is to knecks the liter of plaint's morgange recorded upon the following doctmod registering to knecks the liter of plaint's morgange recorded upon the following doctmod registering to knecks the liter of plaint's morgange recorded upon the following doctmod registering to knecks the liter of plaint's morgange recorded upon the following doctmod registering to knecks the liter of plaint's morgange recorded upon the following doctmod registering to kneck the liter of plaint's morgange recorded upon the following doctmod registering to kneck the liter of plaint's morgange recorded upon the following doctmod registering to kneck the liter of plaint's morgange recorded upon the site morgange brucks the there of the boors mende distingting is repured to answer within thereinty eight (28) days after test publication, which share the guardent's Cless of Courts by the Schnett, Deputy Clerk Run Dates: March 14, 21, 28, April 4, 11 & 11 PLAIN MOTIGE

Desy of the Application is Control Loop Profile Loop 2011 real Plane Step Board Test (Spitter Unio, An Bestep Board Test), Spitter Spitter Spitter Spitter Spitter Test (Spitter Spitter Spitter Spitter Spitter Spitter Spitter Spitter Spitter Test (Spitter Spitter Sp

additional table set opin in nucleip bine in program in program. The set of the record of a server back of the program in thep



LEGAL NOTICE

Vach 14-15-2001

2011IIO COMMISSION and, received by the storelary at 5101 Megre Dama, means remaining, unite review serve the date of the hearing. Anrendments to the Zaming Resolution as proposed by the popical may be exemined at the office of the Commission of the Stark as Stark Bastava, Zhok 43180 or at the office of the Main Township Zhong Becretary, 6101 Meller Dive, Maan Township, Chin 4516 during normal office hours. Many Township Zenety stall and Zoolng Resolution are available at 5101 Meller Direr, Maxin Township (513-246-3731) during normal office hours for any concerned picter who would file an assistation of this toxing request before the date to the hearing. At the conclusion of this hearing the recommendation of the beard will be automaticed to the Main Township Tratests for their pock Hearing and other a stall at Wition whose batt pictors of instant Starts 3315

LEGAL NOTICE John Don, Urknown Spouse, 4 any, of Theresa M Wiscon whose last place of residence is known as 3315 Clarinwold Place, Cheivnai, OH 45208 - but whose present place of residence is unknown will take holipo that Nemember 22, 2006, GMAC Mongage, LLC, find its Complaint its Case No. 2006 OVE 01886 in the Court of Central Places Clarmos (Cover, Classificity Durits to Edendry (1), John Don, Utheom Spoule, it any, of Amemober 32, 2006, GMUC Norgange LLC, Reid To Compliant G. San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Compliant Compliant International San No. 2006 CVE 10460 in the Appliant International San No. 2006 CVE 10460 in the Appliant International San No. 2006 CVE 10460 in the Appliant Internatis No. 2006 CVE 10460 in the Posterional San No. 2006 CVE

LEGAL NOTICE

Huden, CH 14226 (200) 34-2003 The No Coart of Common Plens of Common Plane State No. 95/04/04/34, Bank Di New York, An Database Har The Certificate/blackars of CMMSE 2005-80%, Share Smith, et al., Defondants, Shurt Shurt, Shurt,

 $\sim \sim$

÷

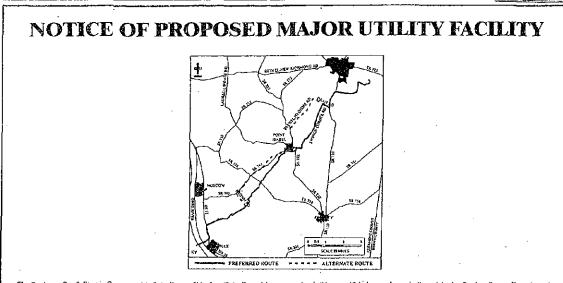
ty M. Schnatz, Deputy Clerk Run Dates: Feb. 28, March 7, 14, 21, 28, April 4

MAGUNE & SCHNEIDER, LLP Karl H. Sonkoler (10012891) Benamin B, Forikamp (10079356) 250 Chic Conter Divia, Suita 500 Columbus, Onio 48215 Telephone: (614) 224-1222 Facsmöle: (614) 224-1235 Attomys for Plaintil

State of Ohio, Hamilton County, SS.

Personally appeared before me, a Notary Public, in and annexed Advertisement was published in the Cincinnati Enquirer Cincinnati Post 🗌 Kentucky Post 🗍 Kentucky Enquirer Daily Newspapers O.N.C. TIME ONLY -----commencing on the day of 20.....and that each insertion was upon the same day of the week, viz: M. Q. J. M. Afflant Sworn to and subscribed before me this A_{a} day of lugust 2006 PENNY STEWART Notary Public, State of Ohio Notary Public My Commission Expires June 21, 2011

ŝ



The Concinnant Gas & Electric Company adda Dake Energy Ohio, Joc. (Duke Baergy) http://pupoted to/build a new 12 linch natural gas pipeline originating Bracken County, Kentucky and communing to a terminus in wortherment Bethel, Clermont County, Network of the proposed facility is based upon providing adequate fuel for corrent and Intone gas existences in Clermont and Environ County. The proposed facility is based upon providing adequate fuel for corrent and Intone gas existences in Clermont County. The proposed facility is based upon providing adequate fuel for corrent and Intone gas existences in Clermont County. The proposed facility is based upon providing adequate fuel for corrent and Intone gas existences in Clermont Potences. This project is within Franklin, Tate, and Washington Townshaps in Clermont County. The proposed natural gas pipeline totate is shown on the secompanying map. Only pipeline world to build:

An Application for a certificate to construct, operates, and maintain the proposed facility is now pending before the Ohio Power Stang Board. The C 338 Ohio River to Bethel Natural Gas Pipeline Project has been assigned docket number 06-444-OA-BTX.

Project Schedule

The public informational uncetting for this project was held on March 15, 2006. For the C 338 Ohio River to Bothel Natural Gas Pipeline Project, Duke Energy submitted a Motion for Waiver iclated to the 20 percent "in-common" provision. A response to the Applicant's waiver request was filed by The Ohio Power Sitting Board Staff on June 27, 2006. The Administrative Law Judge granted the motion for the waiver on July 3, 2006. The Application was filed on May 1, 2006 and on July 7, 2006 the Application was found to company with Chapters 4606-01, et seq. of the Ohio Administrative Code (OAC) and the effective date of the filing to be July 62, 2006. Due to explore construction on this project expressions after receipt of the certificate of environmental compatibility and public need. Construction is planned to begin in May 2006. This facility is expected to be operational in November 2008.

Duke Energy has served the following public officials and agencies with a copy of the Application as required by OAC Rule 4906-5-06.

Cleanont County Commissioners Mayor, Village of Bethet Franklin Township Trusters The Tuwnship Trustees Washington Township Trustees

The Ohio Power Siting Board has distributed the Application to the following State of Ohio agencies:

Public Utilities Commission of Obio Ohio Environnental Protection Agency Ohio Department of Apriculture Ohio Department of Desclopment Ohio Department of Hatalh Ohio Department of Hatalh Ohio Department of Transportation Ohio Elepartment of Transportation

A copy of the C 338 Ohio River to Bethet Natural Gas Pipeline Project Application is available for inspection at the Bethet Branch of the Clermont County Public Library, 611 West Plane Street, Bethet, Ohio, An additional copy of the Application is also available for inspection at the Ohio Power String Board offices feeted at 160 East Brand Street, Culumbus, Ohio.

In accordance with OAC Rule 4906-5-08, the following sections of the Ohio Revised Code and additional information are shown below.

Section 6996.10 Childebnes for graning or denying contribute; inclify must comply with sit, water, and solid waste requirements: facility subject to enforcement and monitoring powers of disease of environmental motection.

(A) This power sing band shall render a decision upon the tocord either gratting or denying the application as filed, or gratting it upout such terms, conditions, or molifications of the major unity facility as the board considers appropriate. The certificate shall be conditioned upon the facility being in compliance with standards and considers appropriate. The certificate shall be conditioned upon the facility being in compliance with standards and the date on which electron power is first generated by the facility. During the period of initial operation, the facility shall be subject to the enforcement and monitoring powers of the director of which electron power is first generated by the facility. During the period of initial operation, the facility shall be subject to the enforcement and monitoring powers of the director of which electron power is first generated by the facility. During the period of initial operation, the facility shall be subject to the enforcement and monitoring powers of the director of a more or digits, estimate a transferration, and to the emergency provisions under these shall explice to a standard pertaining to air pollution, the facility and to the emergency provision standard to the enforcement and monitoring powers of the director of a more orthogen and of 11. of the Revised Code and the other these shall explice the date and the ender of the period of the analytic orthogen and to the emergency provisions under the set shall explice the enderthese chapters. If a major up constructed in accordance with the terms and conditions of its certificate is analyte to upen the interview of the director of anyte orthogen and additional operating period of the enderthese chapter additional operation, the facility near apply to the director of a major uniting adopted thereation of a major unity facility. The facility is shall be under the jurisdiction of the environmental protection on agency and shall econjby which all layers adopted thereater adopted thereater the uperaction of a major

The board shall not grant a configure for the construction, operation, and maintenance of a major utility facility, either as proposed or as modified by the board, onless it finds and determines all of the following:

(1) The basis of the need for the facility. In the case of a major utility facility described in division (A)(1) of section 4906.01 of the Revised Code to be constructed on or after the effective date of this amendment, the based shall present the aced for the facility as that need is stated in an application pursuant to division (A)(3) of section 4906.06 of the Revised Code.

(2) The nature of the probable environmental impact;

(3) This the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other performent emitibations.

(4) In the case of an electric treasmission line, that the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability;

(5) That the facility will comply with Chapters 3704., 3734., and 6111. of the Revised Code and all roles and standards adopted under those chapters and under rections 1501.33, 1501.34, and 4561.32 of the Revised Code. In determining whether the facility will comply with all roles and standards adopted under section 4561.32 of the Revised Code, the board shall consult with the office of aviation of the division of multi-modal planning and programs of the department of transportation under section 4561.341 [4561.34.1] of the Revised Code.

(6) That the facility will serve the public interest, convenience, and necessity;

(?) In addition to the provisions contained in divisions (A)(1) to (6) of this section and rules adopted under those divisions, what its impact will be on the visbility as agricultural land of any land in an existing agricultural district established under Chapter 929, of the Revised Code that is located within the site and alternative site of the proposed major utility facility. Rules adopted to evaluate impact under division (A)(7) of this section shall not require the compilation, event within the site and alternative site of the proposed major utility facility. Rules adopted to evaluate impact under division (A)(7) of this section shall not require the compilation, eventuation, submission, or production of any information, document, or other data pertaining to land not located within the fite and alternative site.

(8) That the facility ancorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives.

Section 4906.07. Scheduling of heating on application, investigation and report,

(A) Upon the receipt of an application complying with section 4906.06 of the Revised Code, the power siling board shall promptly fix a date for a public hearing thereon, not less than sixty our more than anxity days after such receipt, and shall conclude the proceeding as expeditiously as practicable.

(B) On an application for an amondment of a certificate, the board shall hold a bearing in the same manner as a hearing is held on an application for a certificate if the proposed change in the facility would testil in any material interest in any environmental impact of the facility or a substantial change in the location of all or a portion of such facility other shan as provided in the alternates set forth in the application.

(C) The chairman of the power siting board shall cause each application filed with the board to be investigated and shall, not less than fifteen days prior to the date any application is set for hearing automnt a written report to the board and to the application is set for hearing automnt a written report to the board and to the application is set for hearing and shall be made available to any person upon request. Such report shall set forth the nature of the investigation, and shall contain recommended findings with regard to division (A) of section 4506.10 of the Revised Code and shall become part of the record and served upon all parties to the proceeding.

The Onio Power Sinug Board has scheduled hearings on the Application in two parts:

The Public Hearing is scheduled for Tuesday, September 26, 2006, at 7:00 p.m., at the Bethel Community Center, 135 North Union Street, Bethel Ohio 45106. The Board will accept written or oral textimony from any person at this hearing.

The Adjudicatory Hearing is scheduled for Thursday, September 28, 2005, at 10.00 a.m., in Hearing Room 11-C, at the officer of the Public Utilities Commission of Ohio, 130 East Broad Street, Columbus, Ohio 43215-3793.

Section 49% 08 (C) Parties to certification proceeding: testimony by parties and other persons.

(C) The board shall accept written or oral resumpting ion any person at the public hearing, but the right to call and examine witnesses shall be reserved for parties. However, the board may adopt roles to exclude repetitive, infunitienal, or intelevant estimatory

The Board woll accept petitions to intervene in the adjudicatory hearing by interested persons no later than five days prior to the scheduled date for the non-adjudicatory (public) hearing. The Board will permit intervendin at a later date only upon the showing of good cause. The Board strongly encourages persons who wish to intervene in the adjudicatory (public) hearing. The Board strongly encourages persons who wish to intervene in the adjudicatory (public) hearing. The Board strongly encourages persons who wish to intervene in the adjudicatory hearing to file their politions as early as possible. Politions, with reference to ease number 06-444-GA-BTX, should be addressed to the Public Utilities Commission of Onio, 180 East Broad Super, Ohio, 43215-3793. \$ State of Ohio, Hamilton County, SS.

Cincinnati Enquirer Cincinnati Post Kentucky Post Kentucky Enquirer

Daily Newspapers ONE TIME 78 WITT <u>9718/06</u>

commencing on the day of 20.....and that each insertion was upon the same

day of the week, viz:

Penny Stework

Notary Public

Sworn, to and subscribed before me this 1.9..... day

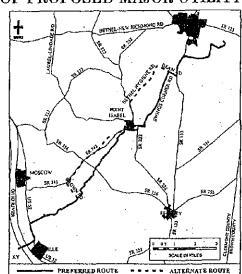
ot...... 2006



DORIS THOMAS Notary Public, State of Ohio My Commission Expires January 23, 2007

NOTICE OF PROPOSED MAJOR UTILITY FACILITY

MORNEY, SEPTEMBER 10, 400



The Concinnali Cas & Electric Company 50's Dake Energy Ohio, Inc. (Dake Energy bas proposed to build a new 12 include supplication originating Brackan County, Kentucky and continuing to a terminant in southastern Bachd, Clermont County, Ohio. The net 8 for the process finiting in based upon providing adequate fuel for current and future gas conformers in Clermont and Brave Counties. The project is within Pronklin, Tale, and Washington Towards County. The process finiture gas applicator route is shown on the accompanying map. Only prefine route south Bravilla.

An Application for a certificate to construct, operates, and maintain the proposed facility is now pending before one Ohio Power Siting Board. The C 333 Ohio River to Bethel Natural Cas Papeline Project has been assigned docket normale 05444-CA-BTX.

The first notice aan the week of July 24, 2006.

Project Schedule

The public informational matting for this project was held an March 13, 2006. For the C 33S Only Rover to Bithel Malural Gas Project, Duke Energy submitted a Motion for Waiver registed to the 20 percent "averommon" provision. A response to bla Applicant's subject reguest was filed by The Ohio Power Stimp Board Staff on the 27 percent "averommon" on Hay 1, 2005 and on July 7, 2006 the Applicant's subject store of the Ohio Power Stimp Board Staff on Low 27, 2000. The Applicate Value of the Ohio Antonia on Hay 1, 2005 and on July 7, 2006 the Applicants was the Beard Staff on the Ohio Antonia Control on Control of the official of the Application was the onestimation on Ohio project application matted in Board Staff of the Control of the Staff of the Application of the Application of the Staff of the Application of the Appl November 2008.

.

Duke Energy has served the following public officials and agencies with a copy of the Application as required by OAC Rule 4906-5-06.

Clession County Commissioners Mayor, Village of Bethel Franklin Township Trustees Tale Township Trustees Washington Township Trustees

The Ohio Power Siting Board has distributed the Application to the following State of Ohio agencies:

Public Utilities Commission of Ohio Public Uniter Commission of Drio Ohio Davisomental Protection Agency Ohio Department of Astronoment Ohio Department of Development Ohio Oppartment of Natural Resources Ohio Department of Natural Resources Ohio Department of Statistics

A copy of the C 338 Ohio River to Rethet Natural Car Pireline Project Anticution is available for inspection i at the Bathel Breach of the Clermont County Public Library, 613 West Plane Street, Bethel, Ohio. An additional copy of the Application is also available for inspection is also available for inspection of the C adumnos, Ohio.

recordance with OAC Rule 4905-5-08, the following sections of the Origo Revised Code and additional information are shown believed

Section 1806 10. Suchtings for genuing or deming conditionants in source and with sin wear, and wild waste requirements in the project to enforcement and monitoring presented friestor or regionance of a regionance of a

(A) The power using board shall render a decision upon the record tither granting or denying the application at field, or granting it upon such terms, conditions, or modifications of the construction, operation, or maintenance of the misor utility facility is the bade consider a sprayable. The conditioned upon the facility brain is compliance with instants and uso adopted under actions 1501 33, 1503 43, and 4501 32 and Chapters 3704, 3714,

rd shall not grant a certificate for the construction, operation, and maintenance of a major utility fatility, either as proposed or as prodified by file board, united (finds and determines all of the following:

4)) The basis of the need for the family. In the case of a major utility facility described in division (8)(1) of section 4956.01 of the Resized Code to be constructed on ne after the effective date of the amendment, the based shall presume the need for the facility as that need in an application pursuant to drivinon (A)(3) of section 4905.06 of the Resized Code.

(2) The nature of the probable environmental impact;

(3) That the facility represents the nummum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other partitions,

(4) In the case of an electric transmission line, that the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the freshy will arrive the interests of electric system economy and reliability.

(5) That the truchy will comply with Chapters 3784, and 6111. of the Revised Code and 42 rules and standards adopted under those chapters and under sections 1561.33, 1561.34, and 4561.32 of the Revised Code, and a rules and standards adopted under section and under section and the division of multi-model planning and programs of the devised Code, and a rules and standards adopted under section and the division of multi-model planning and programs of the devised Code.

(6) That the facility will serve the public interest, convenience, and necessary;

(7) In addition to the provingers contained in divisions (A)(1) to (6) of this section and value adopted under those divisions, whill it is impact will be on the viability as agricultural and of any land in an existing agricultural district established under Chapter 929 of the Revised Cost unit is bacted within the site and alternative site of the proposed in prior utility agricultural district. Notes adopted to avaluate impact under division (A)(7) of this section shall not reputire the compliation, contensions or production of any information, focusion of this perior to be due to addition the site and alternative site.

(5) That the field interpretates meaning feasible water concervation practice cas determined by the based, considering available technology and the network and economics of the various alternatives.

Section 4995.07. Scheduling of hearing an application: investigation and report.

recept of an application complying with suction 4966 46 of the Iterised Code, the power siting board shall groundly fix a date for a public bearing thereon, not less than sixty nor more than ninety days after such that conclude the proceeding as propositionally as practiceble.

(8) On an application for an amendment of a certificate, the board shall hold a hearing in the same manner as a hearing is held on an application for a certificate of the proposed change in the leadity would result in any material increases on any entering in the same manner as a hearing is held on an application for a certificate of the proposed change in the leading would result in any material increases on any entering is held on any entering is held on an application for a certificate of the proposed change in the leading would result in any material increases on any entering is held on an application for a certificate of the proposed change in the leading would result in any material increases on any entering is held on an application for a certificate of the proposed change in the leading would result in any material increases of the alternates are found in the application.

(C) The chairman of the power using bowd shall cause each application fited with the based to be investigated and shall, not less than forcen days prior to the date any application is set for bearing subinit a written report to the barra and in the architecture of the date and shall be made wallable to any person upon arequest. Such report shall set forth the nature of the investigation, and shall contain recommonded fundings with regard to drivion (A) of section 4908 10 of the Revised Code and shall be one part of the record and secred upon all parties to the proceeding.

The Ohio Power Siting Board has selectuied hearings on the Application in two parts:

The Public Haring in scheduled for Toesday, September 28, 2666, at 7 do pum, at the Bethel Community Center, 133 North Union Street, Bethel Ohio 45106. The Board will accept willten ar oral testimony from any present of this herona

The Adjudicatory Hearing is scheduled for Thursday, September 26, 2005, at 10:00 a.m., in Hearing Room 11-C, as the Diffees of the Public Withfus Commission of Ohio, 180 East Broad Strees, Columbus, Ohio 43215-3753

Sersion 4905.06 (C) Parties to certification proceeding, testimony by parties and other occases

(C) The board shall accept writen or oval (estimony from any person at the public hazing, but the right to call and availine wanesses shall be reserved for paties. However, the based may adopt rules to exclude rejutition, immore teal or or obtain testmana.

The Board will accept prilliness in interacts in the adjudicatory locating by intersted persons no later than five days prior to she scheduled date for the sca-adjudicatory foulder) hearing. The Board will permit inte Life date easy upon the phonago is good cause. The Board strongly encounger person who with to memory to be adjudicatory hearing to site their participes as early as possible. Peutions, with reference to caus and GL-BIX, should be addressed to the Public Wildies Commission of Chao, 196 East Bread Street, Calumbur, Chao, 1925-3783.

State of Ohio, Hamilton County, SS.

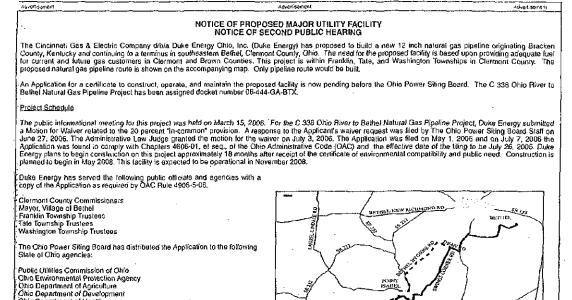
Personally appeared before me, a Notary Public, in and for Hamilton County, Ohio Judi Smith, who, being duly sworn, says that the annexed Advertisement was published in the **Eincinnati** Enquirer Cincinnati Post Kentucky Post Kentucky Enquirer Daily Newspapers one time to wit: 3/09/07 _____ commencing on the day of 20.....and that each insertion was upon the same day of the week, viz: Afflant 2... day Sworn to and subscribed before me this *i*... of March 2007 PENNY STEWART Notary Public, State of Ohio My Commission Expires June 21, 2011 Notary Public

d2 FRIDAY, MARCH 9, 2007

Obio Department of Health Chio Department of Natural Resources Ohio Department of Transportation Ohio Historical Society THE ENOURER

In COLAND

ŝ



(A) The power siting board shall render a decision upon the record either granting or denying the application as filed, or granting it upon such terms, conditions, or modifications of the construction, operation, or maintenance of the major utility facility as the board considers appropriate. The certificate shall be conditioned upon the facility being in compliance with standards and rules adopted under sections 1501.33, 1501.34, and 4561.32 and Chapters 3704, 3734, and 6111. of the Revised Code and the tacility shall be subject to the enforcement and montioning powers of the director of environmental protection under a certificate shall expire two years after the date on which electric power is first generated by the facility may apply to the Cartificate of a major utility facility is constituent of a major utility facility is constituent of a major utility facility constructed in accordance with the rule operation of a major utility facility to a major utility facility to the flow operation of a major utility facility shall be under the jurisdiction of the environmental protection for a conditional of a major utility facility shall be under the jurisdiction of the environmental protection of a major utility facility shall be under the jurisdiction of the environmental protection of a major utility facility compliance with a conditional of the environmental protection of a major utility facility shall be under the jurisdiction of the environmental protection of a major utility facility constructed in accordance with the period of initial operation of a major utility facility to the director of environmental protection for a conditional of the environmental protection of a major utility facility to the law of the apprint of the environmental protection of the environmental protection of the environmental protection of the environmental protection of the environme

35COV

SR 76

NEVILLE

115.00

PREFERRED BOUTE

OINO RIVER

58.246

. 60:1100.04

C338 Oblo River to Bothe Natural Gas Pipeline

The board shall not grant a certificate for the construction, operation, and maintenance of a major utility facility, either as proposed or as modified by the board, unless it finds and determines all of the following:

(1) The basis of the need for the facility. In the case of a major utility facility described in division (B)(1) of section 4906.01 of the Revised Code to be constructed on or after the effective date of this amendment, the board shall presume the need for the facility as that need is stated in an application pursuant to division (A)(3) of section 4906.06 of the Revised Code.

(2) The nature of the probable environmental impact:

(3) That the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and cover notineet considerations: natives, and other pertinent considerations;

(4) In the case of an electric transmission line, that the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability;

(5) That the facility will compty with Chapters 3704., 3734. and 6111, of the Revised Code and all rules and standards adopted under those chapters and under sections 1501.33, 1501.34, and 4561.32 of the Revised Code. In determining whether the lacitity will compty with all rules and standards adopted under section 4561.32 of the Revised Code, the board shall consult with the office of aviation of the division of multi-modal planning and programs of the department of transportation under section 4561.341 [4561.34.1] of the Revised Code.

(6) That the facility will serve the public interest, convenience, and necessity;

A copy of the C 338 Ohio Biver to Bethel Natural Gas Pipeline Project

Application is evailable for inspection at the Berlie Matury Case Planter Project County Public Library, 611 West Plane Street, Bethel, Ohio, An additional copy of the Application is also available for inspection at the Ohio Power Sting Board offices located at 180 East Broad Street, Columbus, Ohio.

In accordance with OAC Rule 4906-5-08, the following sections of the Ohio Revised Code and additional information are shown below.

Section 4906.10. Guidelines for granting or danying certificate: facility must comply with air, water, and solid waste requirements; facility subject to galorcement and monitoring powers of director of environmental protection.

(7) In addition to the provisions contained in divisions (A)(1) to (6) of this section and rules adopted under those divisions, what its impact will be on the viability as agricultural tand of any land in an existing agricultural district established under Chapter 929, of the Powised Code that is located within the site and alternative site of the proceed major utility factions, even the compilation, creation, submission, or production of they information, document, or other data pertaining to land not located within the site.

(8) That the facility incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives.

Section 4906.07. Scheduling of hearing on application; investigation and report.

(A) Upon the receipt of an application complying with section 4906.06 of the Revised Code, the power siting board shall promptly fix a date for a public hearing thereon, not less than sixty nor more than ninely days atter such receipt, and shall conclude the proceeding as expeditiously as practicable.

(B) On an application for an amendment of a certificate, the board shall hold a hearing in the same manner as a hearing is held on an application for a certificate it the proposed change in the facility would result in any material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of such facility other than as provided in the alternates set forth in the application.

(C) The chairman of the power siting board shall cause each application filed with the board to be investigated and shall, not less than fifteen days prior to the date any application is set for hearing submit a written report to the board and to the applicant. A copy of such report shall be made available to any person upon request. Such report shall set fort the nature of the investigation, and shall contain recommended findings with regard to division (A) of section 4906.10 of the Revised Code and shall become part of the record and served upon all parties to the proceeding.

The Ohio Power Siting Board has scheduled hearings on the Application in two parts;

The Second Public Hearing is scheduled for Wednesday, March 14, 2007, at 7:00 p.m., at the Bethel Community Center, 135 North Union Street, Bethel Ohio 45106. The Board will accept written or oral testimony from any person at this hearing.

The Adjudicatory Hearing will continue on Thursday, April 5, 2007, at 10:00 a.m., in Hearing Room 11-C, at the offices of the Public Utilities Commission of Okio, 180 East Broad Street, Columbus, Okio 43215-3793.

Section 4906.08 (C) Parties to certification proceeding; testimony by parties and other persons.

(C) The board shall accept written or oral testimony from any person at the public hearing, but the right to call and examine witnesses shall be reserved for parties. However, the board may adopt rules to exclude repetitive, immaterial, or irrelevant testimony.

The Board will accept petitions to intervene in the adjudicatory hearing by interested persons no later than five days prior to the scheduled date for the non-adjudicatory (public) harring. The Board will permit intervention in a algorithm of the and by final solution for and the final metabolis to all of the final algorithm and algorithm a