

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application)
of American Transmission Systems)
Incorporated for a Certificate Relative) Case No. 12-1726-EL-BLN
to the Bruce Mansfield-Glenwillow)
345 kV Transmission Line Project.)

ENTRY

The administrative law judge finds:

- (1) On June 1, 2012, American Transmission Systems, Incorporated (ATSI or applicant) filed a pre-application notification letter in this docket. Specifically, the letter advised the Ohio Power Siting Board (Board) that ATSI planned to hold four public information meetings for the Bruce Mansfield-Glenwillow 345 kilovolt (kV) Transmission Line Project. The letter indicated that the proposed project will consist of a new 345 kV transmission line and a new transmission substation. According to the applicant, the transmission line will be approximately 110 miles in length depending upon the route chosen and connect the existing Bruce Mansfield Substation, located along Shippenport Road in Shippenport, Pennsylvania, to a new transmission substation, named Glenwillow Substation, proposed to be located in or near Glenwillow, Village, Ohio. The proposed project will be constructed and operated by ATSI or another transmission subsidiary of FirstEnergy Corp.
- (2) On September 4, 2012, the Board issued a Finding and Order in Case No. 12-1981-GE-BRO, *In the Matter of the Ohio Power Siting Board's Review of Chapters 4906-1, 4906-5, 4906-7, 4906-9, 4906-11, 4906-13, 4906-15, and 4906-17 of the Ohio Administrative Code* (12-1981), which established an interim procedural process for the automatic certification of accelerated applications pursuant to Am. Sub. S.B. 315 (S.B. 315) that became effective on September 10, 2012. The Board's Order permitted an applicant that currently has a case pending before the Board that wishes to take advantage of the new expedited process to file a letter requesting that the case code be changed and that the application be subject to the accelerated review process. The Board determined that, upon the filing of such a request, the

63-day timeline for the expedited review of the application, as set forth in Chapter 4906-5, Ohio Administrative Code (O.A.C.), would commence. Additionally, the Board noted that S.B. 315 provided for the extension of the automatic approval time frame to 90 days for certain cases provided they are not suspended for good cause.

- (3) On September 26, 2012, the applicant filed a letter of notification, requesting that the case number for the application be reclassified as 12-1726-EL-BLN and that the application be subject to a 63-day accelerated review process and Chapter 4906-5, O.A.C., in accordance with the Board's September 4, 2012, Order in 12-1981.
- (4) Pursuant to the Entry of October 12, 2012, the administrative law judge (ALJ) found that, while the application in this case is entitled to be considered under the expedited review process provided for in the Board's September 4, 2012, Order in 12-1981, the applicant had not yet filed the application in this case. Therefore, the ALJ determined that the clock for consideration of the automatic approval of the application shall not begin until the actual filing of both the letter and the application itself.
- (5) On November 9, 2012, ATSI filed its letter of notification application specific to the proposed construction of a new single circuit 345 kV transmission line. ATSI submits that the preferred route can be constructed entirely within its existing transmission right-of-way through a combination of using open arm positions on existing transmission structures, reenergizing an existing but inactive 345kV circuit, and rebuilding existing single circuit transmission structures to accommodate a second circuit.

In particular, ATSI submits that approximately 72 percent of the preferred route in the state of Ohio will involve using open arm positions on existing transmission line structures or reenergizing an inactive 345 kV circuit. The remaining 28 percent will involve rebuilding existing transmission structures to accommodate a second circuit. Further, the applicant notes that a few new structures will be installed along the route of the new construction, generally at locations where the route crosses existing transmission lines or at transitions from the

proposed open arm to rebuild sections of construction. In one location, the applicant notes that the conductors installed in the new construction will be used as part of an existing circuit and the existing conductors of that circuit will be used as part of the newly proposed transmission line.

- (6) At this time, the ALJ finds that in order to provide sufficient time for the review of the application, the 63-day review period should be extended to 90 days, consistent with the time frame permitted by S.B. 315.
- (7) In addition, the ALJ finds that ATSI should provide copies of its completed application to the main library of each political subdivision as referenced in Section 4906.06(B), Revised Code.
- (8) At this time, the ALJ also finds that motions to intervene and/or comments must be filed within 10 days for the publication of the notice required in finding (9) below.
- (9) Furthermore, the ALJ directs that, within seven days of this Entry, ATSI should give public notice of the proposed facility in newspapers of general circulation in those municipal corporations and counties in which the chief executive received service of a copy of the application, pursuant to Rule 4906-5-06, O.A.C. The notice shall include a map showing the location of the proposed facility and shall read as follows:

LEGAL NOTICE

American Transmission Systems, Incorporated has filed an application with the Ohio Power Siting Board (Case No. 12-1726-EL-BLN) for a certificate to construct, operate, and maintain the Bruce Mansfield-Glenwillow 345 kilovolt transmission line project. The proposed transmission line will be approximately 110 miles in length and connect the existing Bruce Mansfield substation, located along Shippenport Road in Shippenport, Pennsylvania, to a new transmission substation proposed to be located in or near Glenwillow, Ohio. An electronic or paper copy of the application is available from the applicant by contacting (insert applicant's toll-free telephone number) or at the following

locations: the main libraries in the affected area; (insert applicant's main office address, the address of any other site at which the applicant will maintain a copy of the application, and the address of the Board). The application is also available on the applicant's website at www.firstenergycorp.com. Motions to intervene and/or comments in this case will be accepted by the Board up to 10 days following publication of this notice. Motions to intervene and/or comments should be addressed to the Ohio Power Siting Board, Docketing Division, 180 East Broad Street, Columbus, Ohio 43215-3793, and cite the above-listed case number.

It is, therefore,

ORDERED, That the automatic approval process be extended in accordance with Finding (6). It is, further,

ORDERED, That ATSI provide a copy of its application to main libraries in accordance with Finding (7). It is, further,

ORDERED, That intervention and/or comments may be filed in accordance with Finding (8). It is, further,

ORDERED, That ATSI provide public notice and a copy of a map of its proposed facility in accordance with Finding (9). It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE OHIO POWER SITING BOARD

s/Jay Agranoff

By: Jay S. Agranoff
Administrative Law Judge

JRJ/vrm

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in

Case No(s). 12-1726-EL-BLN

Summary: Administrative Law Judge Entry ordering the automatic approval process be extended in accordance with Finding (6), ordering ATSI to provide a copy of its application to main libraries in accordance with Finding (7), ordering intervention and/or comments may be filed in accordance with Finding (8), and ordering ATSI to provide public notice and a copy of a map of its proposed facility in accordance with Finding (9). - electronically filed by Sandra Coffey on behalf of Jay Agranoff, Attorney Examiner, Public Utilities Commission of Ohio