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March 26, 2013

Ms. Barcy F. McNeal, Secretary  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

RECEIVED-DOCKETING DIV

2013 MAR 26 PM 2:00

PUCO

RE: **In the Matter of the Letter of Notification of  
American Transmission Systems, Inc. for  
East Akron-Sammis and Lowellville-  
Sammis 138 kV Transmission Lines  
Relocation Project  
Case No. 13-341-EL-BLN**

Dear Ms. McNeal:

Enclosed for filing are the original and 10 copies of the proof of publication in the above-captioned case. The public notice appeared in the March 14, 2013, *Steubenville Herald Star*.

If you have any questions regarding this filing, please feel free to contact me at your convenience.

Sincerely,

Robert J. Schmidt, Jr.  
Attorney for Applicant American Transmission Systems, Inc.

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 AJ Date Processed 3/26/13

STATE OF OHIO  
STEUBENVILLE,  
JEFFERSON COUNTY, SS.

LISA L. BOYER

being sworn, says she is

BOOKKEEPER

of THE HERALD-STAR, a newspaper  
published, and of general circulation  
in said County and City, and that the  
Notice, of which the annexed is a true  
copy, was published in said newspaper

once on 3-14, 2013

Sworn to and subscribed before me

this 14th day of March, 2013

AMOUNT: \$2196.48  
ACCT. # 588989

NOTARY:



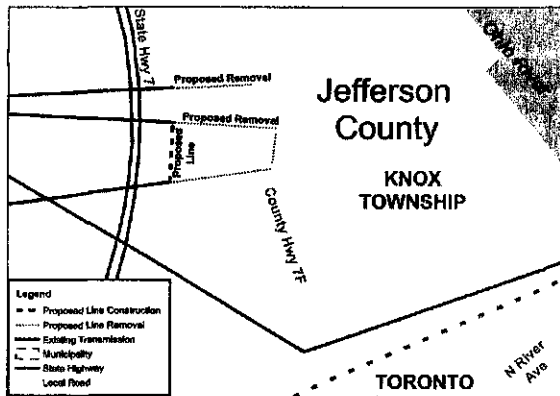
NANCY KAUFMANN  
NOTARY PUBLIC  
STATE OF OHIO  
MY COMMISSION EXPIRES  
JUNE 9, 2017

Nancy Kaufmann

# NOTICE OF PROPOSED MAJOR UTILITY FACILITY

American Transmission Systems, Incorporated (ATSI), a FirstEnergy company, has proposed to construct the East Akron-Sammis and Lowellville-Sammis 138 kV Transmission Lines Relocation Project (Project). ATSI owns FirstEnergy's Ohio transmission lines. The proposed project is a major utility facility and has been proposed and previously submitted to the Ohio Power Siting Board through a Letter of Notification application submittal. The Project consists of a relatively minor modification of existing transmission lines and is entirely located on property owned by Ohio Edison, a FirstEnergy company.

The Project consists of removing an approximately 960-foot portion of the existing East Akron-Sammis 138 kV Transmission Line and an approximately 300-foot portion of the existing Lowellville-Sammis 138 kV Transmission Line, installing six new poles and approximately 250 feet of new 138 kV transmission line between the two segments of the East Akron-Sammis 138 kV Transmission Line. The Project is needed to remove the existing transmission lines from property formerly used for the Toronto Generating Station that has been recently sold by Ohio Edison. The Project location is depicted in the following map and is located in Knox Township, Jefferson County, Ohio.



The following public officials and agencies have been served with copies of the Letter of Notification application as required by the Ohio Power Siting Board regulations:

Thomas Graham, County Commissioner, Jefferson County  
 Adam Scurti, County Commissioner, Jefferson County  
 Dave Maple, County Commissioner, Jefferson County  
 John A. Corrigan, County Clerk of Courts, Jefferson County Courts  
 Jim Branagan, County Engineer, Jefferson County  
 Domenick Mucci Jr., Director, Jefferson County Regional Planning Commission  
 Donakd R. Elder, Trustee, Knox Township  
 John M. Danko, Trustee, Knox Township  
 Donakd L. Miller, Trustee, Knox Township  
 Angie Renee Allison, Fiscal Officer, Knox Township

A copy of the Letter of Notification application is available for public inspection at the offices of the Ohio Power Siting Board, c/o Public Utilities Commission of Ohio, Utilities Department, 12th Floor, Borden Building, 180 East Broad Street, Columbus, Ohio 43215-3793, [www.opsb.ohio.gov](http://www.opsb.ohio.gov). A copy of the Letter of Notification has also been sent to the following library:

Public Library of Steubenville and Jefferson County, Toronto Branch, 607 Daniels Street, Toronto, Ohio 43964

A Letter of Notification application for a certificate to construct, operate, and maintain the above named electric transmission facility was pending before the Board. The Letter of Notification application was assigned Docket No. 13-0341-EL-BLN, and the docket number should be referenced in all communications about these proceedings.

In accordance with the Ohio Power Siting Board regulations (Admin. Code Rule 4906-5-08), the following sections of the Ohio Revised Code plus additional information are shown.

#### Section 4906.10(A)

(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. The period of initial operation under a certificate shall expire two years after the date on which electric 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 environmental protection under Chapters 3704., 3734., and 6111. of the Revised Code and to the emergency provisions under those

chapters. If a major utility facility constructed in accordance with the terms and conditions of its certificate is unable to operate in compliance with all applicable requirements of state laws, rules, and standards pertaining to air pollution, the facility may apply to the director of environmental protection for a conditional operating permit under division (G) of section 3704.03 of the Revised Code and the rules adopted thereunder. The operation of a major utility facility in compliance with a conditional operating permit is not in violation of its certificate. After the expiration of the period of initial operation of a major utility facility, the facility shall be under the jurisdiction of the environmental protection agency and shall comply with all laws, rules, and standards pertaining to air pollution, water pollution, and solid and hazardous waste disposal.

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 is an electric transmission line or gas or natural gas transmission line;
- (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 other pertinent considerations;
- (4) In the case of an electric transmission line or generating facility, 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 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 facility will comply 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 of the Revised Code.
- (6) That the facility will serve the public interest, convenience, and necessity;
- (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 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, creation, submission, or production of any information, document, or other data pertaining to land not located within the site and alternative 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. Public hearing on application

(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 ninety days after 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 if 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 alternatives 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 forth 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 Board has not scheduled a public hearing in this case.

#### 4906.08(C). Parties – testimony

(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.

#### Intervention

Petitions to intervene in the adjudicatory hearing will be accepted by the Board up to 10 days following publication of this notice. Petitions 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 (Docket No. 13-0341-EL-BLN).