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PUCO July 8, 2013

Ms. Barcy F. McNeal
Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

**Supplement to the Letter of Notification Certificate Application
Chamberlin-Mansfield 345 kV Transmission Line Loop To Hanna Substation Project
Accepting Staff's Recommended Conditions and Reservation of Rights of Applicant
Case No. 13-0834-EL-BLN**

Dear Ms. McNeal:

American Transmission Systems, Incorporated ("ATSI"), a FirstEnergy Company, hereby transmits one (1) original and eleven (11) copies of the enclosed Supplement to its Letter of Notification Certificate Application for the above captioned project. In this project, ATSI is proposing to extend the existing Chamberlin-Mansfield 345 kV Transmission Line approximately one mile to the existing Hanna Substation. In this Supplement to the Letter of Notification Certificate Application, ATSI is indicating its accepting the Staff's Recommended Conditions for the project proposed in the July 2, 2013 Staff Report, while reserving the right to object to these conditions and the process for proposing these conditions in future projects proposed in Letter of Notification and Construction Notice submittals to the Board.

Should the Ohio Power Siting Board desire further information or discussion of this submittal, please contact me at (330) 761-4268.

Sincerely,

Ted Krauss, Manager Siting, Survey and Right-of-Way
Energy Delivery Transmission and Substation Design
FirstEnergy Service Company

cc: J. O'Dell (OPSB Staff)

Attachments

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 Sus Date Processed JUL 10 2013

BEFORE THE
OHIO POWER SITING BOARD

In The Matter Of:)	
The Letter of Notification Application by)	
American Transmission Systems, Incorporated)	Case No. 13-834-EL-BLN
for a Certificate of Environmental Compatibility)	
and Public Need for the Chamberlin-Mansfield)	
345 kV Transmission Line Loop to Hanna Substation)	

SUPPLEMENT TO CERTIFICATE APPLICATION
ACCEPTING STAFF'S RECOMMENDED CONDITIONS
AND RESERVATION OF RIGHTS OF APPLICANT

On July 3, 2013, the Staff at the Ohio Power Siting Board filed a Staff Report in the above referenced case summarizing their review and recommended approval of the Letter of Notification Application for the Chamberlin-Mansfield 345 kV Transmission Line Loop to Hanna Substation, subject to certain proposed conditions. In addition, the Staff indicate that the Applicant, American Transmission Systems, Incorporated ("ATSI") must file a supplement to the certificate application accepting all of the terms and conditions proposed in the Staff Report or the Staff would recommend the suspension of the review of the application by the Board. Staff indicated that unless ATSI makes such a filing by July 11, 2013, the automatic approval date for the application, Staff would recommend that the Board suspend the automatic approval of the application. Staff Reports on previous ATSI submitted Letters of Notifications did not include this requirement and the Staff offered no explanation for this requirement of ATSI, nor did it offer any basis in the Staff Report for the Board to suspend the review of the application, as would be necessary to suspend the review of the application under Revised Code §4906.03. Although ATSI believes a mechanism to review, discuss and potentially dispute the Staff's proposed terms and conditions of Letter of Notification and Construction Notices submittals is

necessary and should be included in the revised rules being considered by the Board, ATSI objects to this approach that appears to focus mostly on compelling acceptance of terms and conditions by the Staff.

However, based upon review of the conditions proposed by the Staff in the Staff Report, ATSI is willing in this case to agree to be bound by the recommended conditions. The Board should therefore consider this filing as a Supplement to the Certificate Application for the Chamberlin-Mansfield 345 kV Transmission Line Loop to the Hanna Substation. Further, ATSI agrees to the proposed conditions in the Staff Report. Those conditions are:

1. The Applicant shall obtain and comply with all applicable permits and authorizations as required by federal and state laws and regulations for any activities where such permit or authorization is required. Copies of such permits and authorizations, including all supporting documentation shall be provided to Staff. The Applicant shall provide a schedule of construction activities and acquisition of corresponding permits for each activity at the preconstruction conference;
2. The Applicant shall not conduct mechanized clearing in wetlands or within 25 feet of any stream channel;
3. The Applicant shall conduct a pre-construction conference(s) prior to the start of any project work (including any vegetation clearing), which the Staff shall attend, to discuss how environmental concerns will be satisfactorily addressed;
4. The Applicant shall adhere to seasonal cutting dates of September 30 through April 1 for removal of suitable Indiana bat habitat trees, if avoidance measures cannot be achieved. If it is not practical for the Applicant to adhere to the seasonal cutting restrictions, then the Applicant shall coordinate with USFWS and ODNR for clearance;
5. The Applicant shall avoid wetland impacts, where possible. If the Applicant finds that wetlands impacts are possible, then the Applicant shall coordinate with ODNR for clearance;
6. The Applicant shall utilize BMPs when working in the vicinity of environmentally sensitive areas. This includes, but is not limited to, the installation of silt fencing (or similarly effective tool) prior to initiating construction near streams and wetlands. The installation shall be done in accordance with generally accepted construction methods and shall be inspected regularly;

7. Prior to the pre-construction conference, the Applicant shall submit to the Staff, for review and approval, a project construction access plan. This plan shall include all laydown areas, residential and environmentally sensitive area access points (walk in locations only), and any locations where vegetation clearing is required. The plan shall consider the location of residential fencing, private structures, streams, wetlands, wooded areas, conservation easement areas, and park lands;

8. That the Applicant shall avoid, where possible, any damage to field drainage systems, and/or water and sewer lines resulting from construction of the facility. Damaged systems and lines shall be repaired to at least original conditions at Applicant's expense. Severely compacted soils shall be plowed, if necessary, to restore them to original condition;

9. That the Applicant shall remove all temporary gravel and other construction laydown area and access road materials shortly after completing construction activities.

The willingness of ATSI to agree to the Staff's conditions and to file this Supplement to its Certificate Application to document such agreement, however, should not be construed as agreement by ATSI that the approach adopted by Staff in this case is appropriate or legally sufficient. ATSI reserves the right to object in the future not only to proposed conditions in future Staff Reports, but also the process employed by the Staff and the Board to compel acceptance of Staff's conditions as part of the automatic approval process. ATSI will continue to work cooperatively with the Staff, the Administrative Law Judges of the Board, and the Board, to ensure the timely review of all Certificate Applications in accordance with law.