

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Vectren	)	
Energy Delivery of Ohio, Inc. for a	)	
Certificate of Environmental Compatibility	)	Case No. 13-1651-GA-BTX
And Public Need for the Dayton Airport	)	
Z-167 Pipeline Rerouting Project.	)	

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**STATEMENT IN LIEU OF ISSUES ON BEHALF OF  
CITY OF DAYTON, OHIO**

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The City of Dayton, Ohio (“Dayton” or “City”) filed a Petition for Leave to Intervene and Request for Public Hearing on October 2, 2013 in the above captioned proceeding (“Proceeding”). On November 14, 2013 the Administrative Law Judge granted Dayton leave to intervene in the Proceeding. On December 20, 2013, the Administrative Law Judge (“ALJ”) issued an entry that, among other things, set the procedural schedule for the above-captioned matter pursuant to Ohio Administrative Code § 4906-7-01. This entry further directed each party to file by January 27, 2014 a “list of issue(s) citing specific concerns about which they may be interested in pursuing cross-examination of witnesses at the evidentiary hearing”. The Staff Report of Investigation (“Staff Report”) in this Proceeding was issued on January 16, 2014.

Pursuant to the December 20, 2013 Entry, Dayton hereby submits this Statement in Lieu of Issues List.

Vectren Energy Delivery of Ohio, Inc. (“Vectren” or “Applicant”) and Dayton have, since mid-October of 2013, been involved in ongoing discussions regarding the specifics of Vectren’s Application for a Certificate of Environmental Compatibility and Public Need (“Certificate”) and the details of the routing and required construction being requested in this

Proceeding. As a result of those discussions, Vectren has made certain modifications to its Certificate as originally filed with this Board in order to address Dayton's concerns regarding proposed line routing and general airport safety and security issues. Dayton appreciates Vectren's ongoing efforts to address the City's concerns and would recognize the Applicant's willingness to work with the City and diligently participate in those mutually beneficial discussions.

Additionally, Vectren and Staff have scheduled a meeting(s) to discuss certain conditions of the Staff Report for which Vectren seeks clarification or modification. Dayton has been invited to and will participate in those meeting(s) in order to continue to provide its perspective and support. However, those meeting(s) have not taken place yet.

Based upon the discussions and meeting(s) referenced herein above and the details of the Staff Report, Dayton expects that a Joint Stipulation and Recommended Conditions ("Stipulation") will be filed with the Board in this matter. Dayton fully intends to be a participant in the Stipulation and its process.

At this time there do not appear to be any issues of specific concern about which Dayton may need to seek cross-examination of any witness at the evidentiary hearing.

Dayton, however, reserves the right to present testimony and conduct cross-examination of any testimony presented by any other party or regarding recommended conditions in the event that the parties are not able to reach a final agreement regarding the proposed conditions, especially if that testimony or those conditions impact airport safety and/or security issues.

Dayton further reserves the right to amend this statement in advance of the evidentiary hearing in response to any concerns that may be raised at the Public Hearing, scheduled for

February 10, 2014 at 6:00 p.m. at the Vandalia Recreation Center, 1111 Stonequarry Road,  
Dayton, Ohio 45414.

Respectfully Submitted,

/s/ Christopher L. Miller

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Statement In Lieu of Issues on Behalf of City of Dayton, Ohio was served upon the parties of record listed below this 27<sup>th</sup> day of January, 2014 via first class mail and electronic mail.

/s/ Christopher L. Miller

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Summary: Text Statement in Lieu of Issues on Behalf of City of Dayton, Ohio electronically filed by Mr. Christopher L. Miller on behalf of City of Dayton