

**BEFORE THE
OHIO POWER SITING BOARD**

**The Dayton Power and Light Company
Proposed West Milton to Eldean 138 kV Transmission Line Project
Case Number 14-0469-EL-BTX**

Letter Motion and Memorandum Requesting Limited Waivers

The Dayton Power and Light Company ("DP&L") is in the process of preparing to make a filing before the Ohio Power Siting Board ("OPSB" or "Board") later this year that will seek approval of a new 17 mile, 138 kV transmission line from the exiting West Milton Substation to the existing Eldean Substation located northwest of Troy, Ohio. For purposes of expediting the preparation of this filing and to ensure that the application contains all the information that is needed by the Board in evaluating the proposal without requiring time and money to be spent developing information that is less relevant, DP&L hereby requests waivers for two requirements of 4906-5-04(A) of the Ohio Administrative Code ("OAC"). The Board is specifically empowered by OAC Rules 4906-1-03 and 4906-5-04(b) to waive the requirement of providing fully developed information on the alternative route for "good cause shown."

The first waiver is related to the requirement that the alternate route shall not have more than 20% in common with the preferred route. The proposed alternate route has approximately 30% in common with the preferred route. Good cause exists for this waiver in that the most feasible routes utilize some of the same route segments due to: 1) the constraints of the town of West Milton residential development, 2) the limited routing options for crossing the Stillwater River that minimize ecological impacts, and 3) the project's objective to evaluate routes that utilize existing road right-of-way or existing transmission line corridors. Furthermore, there are no viable route options that involve crossing the Stillwater River to the southeast of the West Milton Substation.

The second waiver is related to the requirement that all certificate applications for electric transmission facilities shall include fully developed information on two routes. DP&L will provide extensive information on both the preferred and alternate routes including published data and GIS-based information concerning ecological features, socioeconomic data, and information on land use. However, DP&L proposes reporting the results of field studies and investigations for ecological and cultural resources for only the preferred route in the application. Good cause exists for this waiver from performing field studies for ecological and cultural resources on the alternate route because: 1) based on existing data, there is a low probability that wetlands, streams or other sensitive areas exist that are not already known, 2) there is sufficient time in the project schedule to perform the additional field investigations on the alternate route in the event that the Board does not approve the preferred route, and 3) the number of landowners that would need to permit access for performing the field studies on the alternate route would require significant effort and expense.

Should you have any questions regarding the requested waivers for the proposed project, please give me a call at (937) 259-7262.

Sincerely,



Hertz Shamash
Vice President, Resource Planning

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Summary: Motion Letter Motion and Memorandum Requesting Limited Waivers electronically filed by Mr. Michael A Hassay on behalf of Shamash, Hertzal Mr.