

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Construction Notice Application by
Duke Energy Ohio for a Certificate of Environmental
Compatibility and Public Need for the Summerside 138
kV Transmission Line Extension.**

)
)
) **Case Number**
) **14-1178-EL-BNR**
)

Members of the Board:

Chairman, Public Utilities Commission	Ohio House of Representatives
Director, Development Services Agency	Ohio Senate
Director, Department of Health	
Director, Department of Agriculture	
Director, Environmental Protection Agency	
Director, Department of Natural Resources	
Public Member	

To the Honorable Power Siting Board:

Please review the attached Staff Report of Investigation, which has been filed in accordance with the Board's rules. The applicant's accelerated certificate application in this case is subject to an automatic approval process as required by Section 4906.03 of the Ohio Revised Code.

The application would be automatically approved on **September 3, 2014**, unless suspended by the Board's chairperson, the executive director, or an administrative law judge. If suspended, the Board must render a decision on the application within 90 days.

Any concerns you or your representative may have with this case must be presented to the Executive Director of the Power Siting Board at least four business days prior to **September 3, 2014**, which is the automatic approval date. To contact the Executive Director with concerns, you can reply to the email to which this document was attached, or use the ContactOPSB email address listed below.

Sincerely,



Patrick Donlon
Interim Director
Ohio Power Siting Board
(614) 466-6692
ContactOPSB@puc.state.oh.us

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 14-1178-EL-BNR
Project Name: Summerside 138 kV Line Extension
Project Location: Clermont and Hamilton counties
Applicant: Duke Energy Ohio
Application Filing Date: July 22, 2014
Filing Type: Construction Notice
Inspection Date: August 19, 2014
Report Date: August 26, 2014
Automatic Approval Date: September 3, 2014
Waiver Requests: None
Staff Assigned: J. Whitis, R. Holderbaum, R. Huckleberry

Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions
Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

Project Description

Duke Energy Ohio proposes an alternate route to extend the 138 kilovolt (kV) transmission line from the Summerside substation to the existing Duke Energy circuit. Duke Energy filed a Letter of Notification on September 13, 2013 for a new 1.9 mile 138 kV transmission line. Duke Energy was unable to secure 700 feet of easement for the new line and is proposing an alternate route of 0.28 miles. Duke Energy has established all necessary easement agreements associated with the alternate route. The project would include the installation of both wood and steel poles. Construction is scheduled to begin in late 2014, and the project is anticipated to be completed and in-service by June 1, 2015. The capital cost for this project is estimated at \$400,000.

Site Description

The project is located on the property of Duke Energy Ohio with the exception of the new 0.11 mile section of transmission line. Additional right-of-way easements are required, and Duke Energy has reached a mutual agreement for the new easements.

Need

The Summerside 138 kV line is needed to improve and secure electric service reliability for customers in the eastern Hamilton County and western Clermont County. The project would ensure that Duke Energy will continue to meet system conditions set forth by PJM, the regional transmission authority.

Nature of Impacts

Vegetation management would be required and performed as needed for access and construction activities and would be consistent with standard practices used for normal line clearance activities. Additional right-of-way easements are required for this project. Duke Energy has reached a mutual agreement for the new easements.

Surface Waters

No wetlands would be impacted by project construction activities. One ephemeral stream would be crossed during construction work, and the necessary controls would be incorporated into the permit documents and plans for the project. If headwater streams need to be crossed, it is the standard practice of the Applicant to use timber matting to avoid impacts.

Threatened and Endangered Species

The federal and state listed species and/or their suitable habitat that may be found in the project area include the state and federal endangered Indiana bat (*Myotis sodalis*), the state and federal endangered rayed bean mussel (*Villosa fabalis*), federal endangered running buffalo clover (*Trifolium stoloniferum*), the state endangered black bear (*Ursus americanus*), and the state endangered upland sandpiper (*Bartramia longicauda*). Based on the type of construction activities proposed, these species and/or their suitable habitat would not be expected to be impacted by this project.

Conditions

1. Prior to the commencement of construction activities that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations. The Applicant shall provide copies of permits and authorizations, including all supporting documentation, to Staff within seven days of issuance or receipt by the Applicant;
2. The Applicant shall utilize best management practices 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;
3. The Applicant shall not conduct mechanized clearing within 25 feet of any stream channel;
4. If suitable running buffalo clover habitat is present, the Applicant shall have surveys for this species conducted by a trained botanist in May or June when the plant is in flower.
5. Should the proposed project directly or indirectly impact suitable rayed bean habitat, the Applicant shall conduct a survey to determine the presence or probable absence of rayed bean mussels in the vicinity of the proposed site. Any survey should be designed and conducted in coordination with USFWS and ODNR. Surveyors must have valid federal and state permits to survey for federally listed mussels in Ohio.

6. Prior to the commencement of construction activities, the Applicant shall check for the following potential hazards. Areas prone to landslides and slumping, including some local fine-grained soils derived from lake deposits, terraces along valley sides, and certain bedrock formations (particularly the Kope Shale) along steep slopes. If during the course of review these hazards are discovered at the project site, the Applicant shall coordinate with the Ohio Department of Natural Resources Division of Geological Survey and Staff on the appropriate course action;
7. The Applicant has signed agreements with property owners for the additional right-of-ways prior to commencement of construction activities;

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 14-1178-EL-BNR

Summary: Staff Report of Investigation electronically filed by Mr. Matt Butler on behalf of Staff of OPSB