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BEFORE THE

OHIO POWER SITING BOARD

PUCO

In the Matter of the Application of)
Clean Energy Future-Lordstown, LLC)
for the Approval of Certificate of Environmental)
Compatibility and Public Need for an Electric)
Generating Facility in Lordstown, Ohio, Trumbull)
County.)

Case Numbers:
14-2322-EL-BGN

INITIAL TESTIMONY OF

JESSICA L. THACKER

ON BEHALF OF FIRSTENERGY INTERVENORS

AMERICAN TRANSMISSION SYSTEMS, INCORPORATED,

AND OHIO EDISON COMPANY

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1 **Q. PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS AND**
2 **POSITION.**

3 A. My name is Jessica L. Thacker. I am employed by the FirstEnergy Service Company,
4 a subsidiary of FirstEnergy Corp. My business address is 76 South Main Street,
5 Akron, Ohio, 44308. I am the Supervisor of the Transmission Siting organizational
6 unit which is within the Energy Delivery Group and the Transmission and Substation
7 Engineering Department.

8

9 **OBSERVATIONS THAT WILL ASSIST THE READER WITH**
10 **UNDERSTANDING THIS TESTIMONY**

11

12 **Q. BEFORE TURNING TO SUBSTANTIVE MATTERS, DO YOU HAVE ANY**
13 **OBSERVATIONS THAT WILL ASSIST THE READER WITH**
14 **UNDERSTANDING THIS TESTIMONY?**

15 A. Yes. My testimony is being submitted in the proceedings for a Certificate of
16 Environmental Compatibility and Public Need application submitted by Clean Energy
17 Future-Lordstown, LLC for the Lordstown Energy Center Project in Ohio Power
18 Siting Board Case No. 14-2322-EL-BGN. I refer to American Transmission Systems,
19 Incorporated (“ATSI”), Ohio Edison Company (“OE”), FirstEnergy Service
20 Company, FirstEnergy Corp. and other FirstEnergy companies collectively as
21 FirstEnergy. In my testimony when I refer to FirstEnergy’s right-of-way, I am
22 referring to FirstEnergy’s property rights for its existing electric infrastructure, which

1 includes owned property, other property rights granted through easements, leases,
2 license agreements, permits, and similar agreements and documents.

3 **Q. WHAT IS THE PURPOSE OF THIS TESTIMONY?**

4 A. I am providing this testimony on behalf of American Transmission Systems,
5 Incorporated (“ATSI”) and Ohio Edison Company (“OE”), both subsidiaries of
6 FirstEnergy Corp., which I collectively refer to as the FirstEnergy Intervenors. The
7 FirstEnergy Intervenors are participating as parties in this proceeding to ensure that
8 the final route approved by the Board for the interconnection between the Clean
9 Energy Future – Lordstown (“Applicant” or “CEF-L”) generation station and the
10 proposed ringbus, as well as the construction of the ringbus and other transmission
11 facilities by the Applicant, are consistent with the current and planned future uses of
12 the FirstEnergy Intervenors’ electric infrastructure and that the Applicant and the
13 Ohio Power Siting Board are aware of FirstEnergy Intervenors’ requirements and
14 applicable safety standards when transmission line facilities are installed within and
15 or near the FirstEnergy Intervenors’ electric infrastructure.

16

17 **Q. HOW LONG HAVE YOU BEEN EMPLOYED BY FIRSTENERGY SERVICE**
18 **COMPANY, FIRSTENERGY CORP., OR IT’S OTHER SUBSIDIARIES OR**
19 **PREDECESSOR COMPANIES?**

20 A. I have been employed with FirstEnergy Service Company, a FirstEnergy company,
21 continuously since August 2008.

22

23

1 **Q. HOW LONG HAVE YOU BEEN IN YOUR CURRENT POSITION?**

2 A. I was promoted to my current position in September 2014. Previously, I worked as
3 an engineer in Transmission Siting under the titles of Engineer IV, Engineer III, and
4 Associate Engineer.

5

6 **Q. PLEASE DESCRIBE YOUR CURRENT POSITION.**

7 A. In my current position, I provide guidance, leadership and supervision to a staff of
8 five professionals in the Transmission Engineering group that are responsible for
9 siting and regulatory approvals for FirstEnergy's new transmission lines and
10 substations in Ohio, Maryland, New Jersey, Pennsylvania, Virginia and West
11 Virginia. In this position I support FirstEnergy's efforts to site new transmission
12 facilities by managing the unit's efforts in developing transmission line route siting
13 studies, transmission substation siting studies, and associated regulatory filings. This
14 includes working with internal and external resources including consultants, and
15 FirstEnergy's Legal Department, Real Estate Department, transmission and substation
16 engineers and designers, Environmental Services Department, Public
17 Communications, Regional Organizations, Area Managers and the Project
18 Management Department. The unit's activities are structured to ensure that the
19 required transmission siting regulatory approvals are diligently pursued.

20

21 Also, due to my familiarity with the siting process, as well as my knowledge and
22 experience with the FirstEnergy's electric infrastructure, I support FirstEnergy's
23 process of reviewing requests from other entities to use or modify portions of

1 FirstEnergy's property and rights of way for activities including the construction of
2 other utilities and structures.

3

4 FirstEnergy reviews proposals to use FirstEnergy property and rights-of-way by
5 assigning staff from technical grounds that are up-to-date on installation and
6 construction practices applicable to the construction of new electric infrastructure and
7 applicable and necessary safety requirements for construction activities that occur in,
8 near or around existing electric infrastructure. Proposals are reviewed for consistency
9 with the operation and maintenance of existing facilities, potential reconstruction or
10 expansion of those facilities, and for future expansion of the electric grid. The
11 process to review proposals to use or modify FirstEnergy's property and rights of way
12 also includes consideration of safety issues, the stability of existing or future
13 structures, and clearance requirements of the National Electrical Safety Code.

14

15 **Q. STARTING AFTER HIGH SCHOOL GRADUATION, PLEASE TELL US**
16 **YOUR EDUCATIONAL BACKGROUND.**

17 A. I earned a Bachelor of Science degree in Civil Engineering from the University of
18 Akron in May 2008. In May 2013 I graduated with a Master of Business
19 Administration in Management from the University of Akron.

20

21 **Q. DO YOU HAVE ANY PROFESSIONAL LICENSES OR CERTIFICATIONS?**

22 A. Yes, I am an Engineer-in-Training in the State of Ohio.

1 **Q. HAVE YOU EVER HAD TO TESTIFY PREVIOUSLY IN PROCEEDINGS**
2 **BEFORE THE BOARD?**

3 A. Yes. I testified for the Black River Substation Project (Case No. 11-5855-EL-BSB),
4 Black River Transmission Project (Case No. 11-5856-EL-BTX), and the Clinic
5 Hospital Substation Project (Case No. 11-2754-EL-BSB).

6

7 **Q. WHAT WAS THE NATURE OF YOUR TESTIMONY IN THOSE CASES?**

8 A. In those Ohio Power Siting Board cases, I was called as a witness for FirstEnergy in
9 support of an Application filed with the Ohio Power Siting Board for a Certificate of
10 Environmental Compatibility and Public Need for proposed transmission line or
11 transmission substation project.

12

13 **Q. WHY DID THE FIRSTENERGY INTERVENORS SEEK PARTY STATUS IN**
14 **THIS PROCEEDING?**

15 A. FirstEnergy Intervenors have compelling interests in this proceeding. Significantly,
16 the Applicant has proposed that ATSI take ownership of a five-breaker ringbus upon
17 completion. Additionally, the five-breaker ringbus will connect to the generating
18 facility ("Ringbus Interconnection") via a 345 kV transmission line on either a
19 proposed Preferred or Alternate Route, both of which cross existing transmission
20 lines owned by ATSI that are located on right-of-way owned by OE. FirstEnergy
21 Intervenors sought party status because of the direct impacts to ATSI and OE as a
22 result of this proposed Project.

23

1 **Q. DO THE FIRSTENERGY INTERVENORS OPPOSE LOCATING THE**
2 **PROPOSED 345 kV TRANSMISSION LINE WITHIN OR NEAR ITS**
3 **ELECTRIC INFRASTRUCTURE?**

4 A. No. FirstEnergy's electric infrastructure can coexist with the proposed Ringbus
5 Interconnection, the generation station and the ringbus itself, if the design of the
6 facilities is adequately coordinated and designed and installed not to impact the
7 existing electric infrastructure. To ensure that the proposed Project is compatible
8 with FirstEnergy's existing electric infrastructure and the planned future use of that
9 infrastructure, three significant activities must occur. First, the Applicant and
10 FirstEnergy must identify, discuss and adjust as necessary the specific location,
11 design and installation process for the Project. Second, the Applicant and FirstEnergy
12 must reach an agreement that ensures FirstEnergy has the opportunity to review and
13 approve the construction of the portions of the Project that might impact
14 FirstEnergy's electric infrastructure. Third, the Applicant and FirstEnergy must work
15 to ensure that the Project is construction in accordance with the agreement. By
16 working cooperatively, FirstEnergy and the Applicant can eliminate or minimize
17 impacts to the operation and maintenance and future use of the existing electric
18 infrastructure and address safety and construction practices within the electric
19 infrastructure right-of-way.

20

21

22

23

1 **Q. IS IT THE EXPECTATION OF THE FIRSTENERGY INTERVENORS THAT**
2 **THEY WILL BE ABLE TO REACH AN ACCEPTABLE FINAL**
3 **AGREEMENT WITH THE APPLICANT?**

4 A. Based on the discussions to date, FirstEnergy Intervenors' believe that they have
5 reached an acceptable agreement with the Applicant regarding the coordination
6 necessary for the Project. Although there is not a specific agreement between
7 FirstEnergy and Applicant related to the construction of the Project, FirstEnergy
8 Intervenors' and the Applicant have agreed to recommend a condition in the
9 Certificate that will ensure the final construction of the Project meets these important
10 coordination and safety goals. Applicant and FirstEnergy will recommend that the
11 Board adopt the following condition in Order authorizing the project:

12 Clean Energy Future – Lordstown (“CEFL”) acknowledges the need to secure
13 the permission of American Transmission System, Incorporated (“ATSI”) to
14 cross existing ATSI easements and transmission lines, in order to construct the
15 new transmission lines that will connect its proposed generation facility to a new
16 5-breaker ringbus, such permission not to be unreasonably withheld. CEFL also
17 acknowledges that it will need to reimburse ATSI for any costs ATSI incurs that
18 are reasonably necessary to mitigate for impacts to the existing ATSI
19 transmission system as a result of the crossing. It further agrees to continue to
20 collaborate with ATSI with respect to the specifications required for CEFL’s
21 transmission line crossing under ATSI transmission lines such that the Parties
22 can establish a workable solution in a timely manner and consistent with
23 standard utility practices. CEFL further agrees to timely provide ATSI its
24 engineering plans and schedules for the construction of its proposed new
25 transmission lines, below ATSI’s lines.

26

1 In addition, CEFL agrees to work cooperatively with ATSI to implement the
2 design of the new 5-breaker ringbus, including reasonable design criteria
3 and specifications provided by ATSI. Such ringbus, including the real estate,
4 will be built by CEFL and transferred to ATSI without cost to ATSI.

5

6 FirstEnergy believes that by including this condition in the Certificate, the Board will
7 ensure that the Project serves the public interest, convenience and necessity by being
8 installed in a safe manner that is fully consistent with the operation, maintenance and
9 future use of FirstEnergy's existing electric infrastructure.

10

11 **Q. WHAT ARE THE SAFETY AND CONSTRUCTION PRACTICES THAT**
12 **APPLICANT WILL NEED TO FOLLOW WHEN WORKING IN, NEAR OR**
13 **AROUND THE FIRSTENERGY INTERVENORS' EXISTING ELECTRIC**
14 **INFRASTRUCTURE?**

15 A. As I mentioned previously, coordination between the Applicant and FirstEnergy to
16 identify, discuss and adjust the specific location, design and installation of the proposed
17 facilities is key to ensuring the safe construction of the Project. This coordination will
18 include consideration of a number of safety related matters, including, but not necessarily
19 limited to:

20

21 **Working Safety Restrictions:**

22 Compliance is required for all Occupational Safety Health Administration (OSHA)
23 safe-working clearances between persons, conductive objects and energized
24 conductor/wire. In particular is should be noted that the conductor/wire position

1 changes continuously depending on load, ambient temperature, wind speed, etc.
2 FirstEnergy is not responsible for providing conductor/wire position to determine
3 OSHA safe-working clearance. Note that the maximum voltage of a nominal 345 kV
4 line is 363 kV and the maximum voltage of a nominal 138 kV line is 145 kV.

5

6 Parking or operating a vehicle or equipment within or adjacent to the FirstEnergy
7 Transmission Rights-of-Way may induce an electrical charge. Induced electric
8 charges may also be transmitted to objects such as fences, signs, or any other
9 conductive object. The use of a proper grounding system designed by a licensed
10 engineer is required. Construction vehicles, vehicles with booms and equipment
11 operating within or adjacent to the FirstEnergy Transmission Rights-of-Way must be
12 properly grounded.

13

14 Right-of-Way Access

15 FirstEnergy's authorized personnel, vehicles and equipment must have continuous
16 access to the right-of-way and all the electrical infrastructure structures.

17

18 Right-of-Way Restrictions

19 Changes to grade elevations within the FirstEnergy's Transmission-Rights-of-Way
20 without FirstEnergy's prior authorization are NOT permitted. Ground disturbance or
21 excavations without FirstEnergy's prior authorization are NOT permitted and

1 excavations are typically not permitted within 50 feet of any FirstEnergy structures
2 (poles, towers, anchor guys, etc.).

3

4 Buildings, solar panels, lighting fixtures, signs, billboards, swimming pools, decks,
5 flag posts, sheds, barns, garages, playgrounds, fences, equipment, trailers, materials
6 or any other permanent or temporary objects are NOT permitted within the
7 FirstEnergy's Transmission Rights-of-Way. Other restrictions may apply under
8 specific situations as defined by FirstEnergy.

9

10 During construction activities, protective barriers must be used for any driveway or
11 parking area located within 25 feet of any FirstEnergy structure (poles, towers, anchor
12 guys, etc.).

13

14 All vegetation within or adjacent to the FirstEnergy Transmission Rights-of-Way
15 shall be low growing within the wire zone. The wire zone is defined as the area
16 directly under the conductors which extends approximately 15 feet on each side. Low
17 growing vegetation generally has a 10-foot maximum mature height. It is preferred
18 that the planting of any woody vegetation be done outside of the wire zone of
19 FirstEnergy's transmission facilities and are not permitted to be closer than 10 feet in
20 any direction from the structure (poles, towers, anchor guys, etc.). All approved
21 shrubbery planted near structures shall allow for working area and accessibility at
22 ground level.

1 Transmission Line Construction Restrictions

2 FirstEnergy maintains unlimited access to their facilities. At no time, during
3 construction or afterward, shall access to FirstEnergy structures and facilities be
4 compromised. FirstEnergy will continue to utilize existing access roads or routes or
5 open areas to access its transmission lines and structures. FirstEnergy will be
6 permitted to utilize any new road to be used for purposes of accessing the
7 transmission line right-of-way crossings.

8

9 The Applicant should be aware that if it is necessary for any portion of the electric
10 infrastructure to be taken out of service, either for the initial construction or
11 maintenance of the Ringbus Interconnection, that the necessary electric infrastructure
12 outage needs to be coordinated with FirstEnergy and for the portion of the
13 transmission grid under PJM's control, the electric infrastructure outage is also
14 subject to PJM procedures and ultimately PJM's acceptance or rejection of the
15 request.

16

17 All equipment and vehicles operated in the Transmission-Rights-of-Way and in the
18 vicinity of all energized, overhead conductors shall be operated in strict compliance
19 with safe-working distances per all current OSHA requirements. Construction
20 vehicles and equipment near transmission lines should be properly grounded.

21

1 Temporary warning signage stating “Danger - Power Lines Above”, or similar, shall
2 be properly installed in the areas of the Transmission Rights-of-Way until completion
3 of construction and reclamation.

4

5 There shall be no storage of any equipment, material, soil, etc. within the
6 Transmission-Rights-of-Way in a fashion that violates NESC and/or the OSHA
7 clearance standards.

8

9 No buildings, structures, construction trailers, sheds, fences, lighting fixtures, etc. are
10 permitted anywhere within the FirstEnergy’s Transmission-Rights-of-Way.

11

12 All trees and shrubbery must not exceed a mature growth height of 10 feet.
13 Otherwise, they will be subject to trimming and/or removal by FirstEnergy.

14

15 FirstEnergy or its authorized representative shall have the right to inspect
16 construction within the Transmission Right of Way at any time. Any such inspection
17 shall be performed in accordance with health and safety requirements.

18

19 Any ground disturbances that are caused during installation or maintenance must be
20 restored to an equal to or better than before construction condition.

21

1 No equipment shall be operated within the Transmission-Rights-of-Way that cannot
2 maintain minimum Occupational Safety and Health Association OSHA working
3 clearances of any energized overhead conductor of the Company.

4

5 The Applicant is responsible for all damages to FirstEnergy's facilities that it causes,
6 during construction and while any operations or activities occur in the Transmission-
7 Rights-of-Way, including but not limited to poles, hardware, guy wires, anchors,
8 conductor wires and shield wires.

9

10 If construction traffic activities come closer than 25 feet to FirstEnergy's facilities,
11 safety shaped protective barriers must be installed to protect the facility.

12

13 Tree removals for installation of the Ringbus Interconnection shall be performed with
14 extreme care. Trees shall not be allowed to fall in the direction of FirstEnergy's
15 facilities.

16

17 The Applicant shall provide FirstEnergy as built drawings upon completion of the
18 Ringbus Interconnection installation, with facilities being located and installed
19 specifically in accordance with the drawings referenced herein.

20

21

22

1 **Q. DOES THIS CONCLUDE YOUR INITIAL DIRECT TESTIMONY?**

2 A. Yes it does. However, I would like to reserve the right to supplement my initial
3 testimony if anything changes with respect to the status of the Application, the
4 submittal of a stipulation between Applicant and FirstEnergy Intervenors on the
5 agreed to proposed condition or the Staff's Recommended Conditions.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Initial Testimony of Jessica L. Thacker* was served upon the following persons by electronic filing and by emailing a copy on August 5, 2015 to:

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