

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Construction Notice Application by)
Duke Energy Ohio, Inc. for a Certificate of)
Environmental Compatibility and Public Need for the) 15-1446-EL-BNR
Fields Ertel 138 kV Transmission Line Relocation.)**

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 Ohio Power Siting Board (Board) rules. The 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 will be automatically approved on September 9, 2015, unless suspended by the Board's chairperson or an administrative law judge. If suspended, the Board must render a decision on the application within 90 days from the date of suspension.

The staff report includes recommended conditions of the certificate. Prior to the automatic approval date, the applicant must file a supplement to its application that adopts these conditions. Absent such supplement, Staff will recommend that the case be suspended.

Please present any concerns you or your designee may have with this case to my office at least four business days prior to September 9, 2015, which is the automatic approval date.

Sincerely,



Patrick Donlon
Director, Rates & Analysis
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215
(614) 466-6692

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 15-1446-EL-BNR
Project Name: Fields Ertel 138 kV Transmission Line Relocation
Project Location: Hamilton County
Applicant: Duke Energy Ohio
Application Filing Date: August 18, 2015
Filing Type: Expedited Construction Notice
Inspection Date: August 28, 2015
Report Date: September 2, 2015
Automatic Approval Date: September 9, 2015
Waiver Requests: None
Staff Assigned: J. Whitis, R. Huckleberry, G. Zeto

Summary of Staff Recommendations (see discussion below):

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

Project Description

Duke Energy proposes to relocate an existing transmission line from its current location to accommodate road widening and a roundabout. The project would include the installation of nine steel poles; five poles spanning approximately 1000 feet west of the Columbia Road and Fields Ertel intersection and four poles spanning approximately 800 feet to the east of the same intersection. Construction of the project would begin in September 2015 and be completed and placed in-service by January 2016. The capital cost for this project is estimated at \$307,000.

Site Description

The project is located on south side of Fields Ertel Road and it crosses North Lebanon Road at the half way point. The transmission line relocation would be constructed entirely on Duke Energy property and existing easement within the Fields Ertel Road right-of-way.

Nature of Impacts

Surface Waters

The proposed electric transmission line right-of-way contains one perennial stream. Pole locations would be accessed from either side and no in-water work would occur. No mechanized clearing would occur within 25-feet of the stream. The Applicant would utilize best management practices

such as silt fences or filter socks to minimize impacts to surface waters. The right-of-way does not contain any wetlands.

Threatened and Endangered Species

The project would require some tree clearing or side trimming. With the exception of the federally and state-endangered Indiana bat (*Myotis sodalis*) and federally-threatened Northern long-eared bat (*Myotis septentrionalis*), no federally or state-listed species and/or their suitable habitat would be impacted by this project. In order to avoid impacts to the Indiana bat, the Applicant would adhere to seasonal cutting dates of October 1 through March 31, unless coordination efforts with the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service allow a different course of action.

Conclusion

Pursuant to Ohio Revised Code Section 4906.10(A)(3), the construction of this project should pose only minimal negative social and ecological impacts. Staff recommends automatic approval of this case on August 20, 2015, provided that the following conditions are satisfied.

Conditions

- 1) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for tree removal and side trimming, unless coordination efforts with the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service allow a different course of action.
- 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.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/1/2015 3:14:01 PM

in

Case No(s). 15-1446-EL-BNR

Summary: Staff Report of Investigation electronically filed by Mrs. Yvonne W Cooper on behalf of Staff of OPSB