

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Letter of Notification Application  
of AEP Ohio Transmission Company, Inc., for the  
Kammer-Vassell 765 kV Transmission Line Extension  
Project**

)  
) **Case No. 17-2363-EL-BLN**  
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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 Ohio Revised Code (R.C.) 4906.03 and Ohio Administrative Code (Ohio Adm.Code) 4906-6-04.

Staff recommends the application for automatic approval on December 20, 2017, unless suspended by the Board, an administrative law judge, or the chairperson or executive director of the Board for good cause shown. If suspended, the Board must render a decision on the application within 90 days from the date of suspension.

Please present any concerns you or your designee may have with this case to my office at least four business days prior to December 20, 2017, which is the recommended automatic approval date.

Sincerely,



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

## OPSB STAFF REPORT OF INVESTIGATION

**Case Number:** 17-2363-EL-BLN  
**Project Name:** Kammer-Vassell 765 kV Transmission Line Extension  
**Project Location:** Guernsey County  
**Applicant:** AEP Ohio Transmission Company, Inc.  
**Application Filing Date:** November 21, 2017  
**Filing Type:** Expedited Letter of Notification  
**Inspection Date:** October 26, 2017  
**Report Date:** December 13, 2017  
**Automatic Approval Date:** December 20, 2017  
**Applicant's Waiver Requests:** none  
  
**Staff Assigned:** J. Whitis, G. Zeto, J. Cross, J. Pawley, D. Collins

### Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions

Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

### Project Description

The Applicant, AEP Ohio Transmission Company, Inc. (AEP Ohio Transco), proposes to construct two new 765 kilovolt (kV) transmission line taps from the switchyard proposed by Guernsey Power Station (GPS) in Case No. 17-1828-EL-BLN to the existing Kammer-Vassell 765 kV transmission line. One new transmission line would extend approximately 0.3 miles north-northwest from the switchyard to the existing transmission line, while the other new transmission line would extend approximately 0.3 miles north-northeast. Construction would include the installation of four new steel pole dead-end structures.

The Applicant estimates the cost of the project at \$1 million. The transmission line construction is expected to begin after the first quarter of 2018. The anticipated in-service date provided by the Applicant is the first quarter of 2020.

### Site Description

The proposed project area is located in Valley Township, Guernsey County. The entire proposed transmission line tap is located on property owned by Guernsey Power Station, LLC. The parcel is located south of the approved generating facility and north of Clay Pike Road in Guernsey County.

The project is proposed on land located within undeveloped, forested and agricultural area. There are no residential structures within 100 feet of the project.

## **Basis of Need**

The Applicant states that the proposed project is a necessary component to interconnect the proposed Guernsey Power Station to the electric transmission grid. Two line taps would connect the existing AEP Kammer-Vassell 765 kV transmission line to the new Guernsey Power Station switchyard.<sup>1, 2</sup>

The Guernsey Power Station submitted its initial 1,100 megawatt (MW) generation interconnection request for the proposed generation facility to PJM Interconnection on March 31, 2016. PJM gave the application a queue position of AB2-067. The System Impact Study (SIS) was released by PJM in June 2017. Guernsey Power Station's other generation interconnection request for 550 MW was submitted to PJM on March 31, 2016. PJM gave the application a queue position of AC1-044. As of December 11, 2017, the SIS has not been released. The SIS for queue position of AB2-067 confirmed the interconnection would provide operational reliability and flexibility to both the AEP system and the Guernsey Power Station.<sup>3, 4, 5</sup>

## **Nature of Impacts**

### *Surface Waters*

The project area contains one perennial stream, Wills Creek. No in water work is proposed for this project. However, the proposed project would require a significant amount of riparian tree clearing, which could lead to future erosion issues. In order to minimize impacts to streams, Staff recommends that no mechanized clearing be permitted within 25 feet of the stream bank. Additionally, Staff recommends the Applicant develop a streamside vegetation restoration plan, which would include the planting of native low-growing shrubs, for cleared segments of Wills Creek.

Twelve wetlands were delineated in the project area. No category 3 wetlands were delineated in the project area. Total wetland fill associated with the two proposed transmission lines would be approximately 0.016 acres. Wetland fill proposed in this case would be permitted in association with the proposed switchyard which was filed under Case No. 17-1828-EL-BLN. Total wetland impacts would require an Army Corps of Engineers Individual Permit and an Ohio Environmental Protection Agency Section 401 Water Quality Certification. Through these permitting processes,

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1. In the matter of the Application by Guernsey Power Station, LLC for a Certificate of Environmental Compatibility and Public Need for an Electric Generation Facility in Guernsey County, Ohio, Case No. 16-2443-EL-BGN, (Opinion, Order, and Certificate)(October 5, 2017)

2. In the matter of the Application by Guernsey Power Station, LLC for a Letter of Notification Guernsey Power Station Electrical Interconnection in Guernsey County, Ohio, Case No. 17-1828-EL-BLN, (Staff Report)(December 1, 2017)

3. PJM Interconnection, LLC is the regional transmission organization charged with planning for upgrades and administering the generation queue for the regional transmission system in Ohio. Generators wanting to interconnect to the bulk electric transmission system located in the PJM control area are required to submit an interconnection application for review of system impacts. The interconnection process provides for the construction of expansions and upgrades of the PJM transmission system, as needed to maintain compliance with reliability criteria with the addition of generation in its footprint.

4. PJM Interconnection, LLC, "System Impact Study, Queue Number AB2-067," accessed December 6, 2017, <http://pjm.com/planning/generation-interconnection/generation-queue-active.aspx>.

5. PJM Interconnection, LLC, "System Impact Study, Queue Number AC1-044," accessed December 6, 2017, <http://pjm.com/planning/generation-interconnection/generation-queue-active.aspx>.

the Applicant would be required to provide mitigation for the proposed impacts. The Applicant anticipates this would be in the form of paying a fee to an approved in-lieu fee program, as mitigation for wetland fill. Specifics about how wetlands would be further protected from indirect construction stormwater impacts using erosion and sedimentation controls would be outlined in the Applicant's Stormwater Pollution Prevention Plan (SWPPP).

The project is located within a 100-year floodplain. However, this project is exempt from Guernsey County's floodplain permitting process.

#### *Threatened and Endangered Species*

Due to a lack of suitable habitat and no proposed in-water work, impacts to state and federal listed aquatic, reptile, and amphibian species are not anticipated.

Potentially suitable habitat for the northern harrier (*Circus cyaneus*) is present within the project area. Staff recommends that the Applicant consult with the Ohio Department of Natural Resources (ODNR) to determine whether any portions of the project area may be considered suitable nesting habitat, and avoid construction impacts in such areas during this species' nesting season of May 15 through August 1.

The project area is within the range of state and federal endangered Indiana bat (*Myotis sodalis*) and the federal threatened northern long-eared bat (*Myotis septentrionalis*). As tree roosting species in the summer months, the habitat of these species may be impacted by the project. In order to avoid impacts to the Indiana bat and northern long-eared bat, Staff recommends the Applicant adhere to seasonal tree cutting dates of October 1 through March 31 for all trees three inches or greater in diameter, unless coordination efforts with the ODNR and the U.S. Fish and Wildlife Service (USFWS) allows a different course of action.

The project is proposed above an area mapped by the ODNR as an abandoned underground mine and is within 2,000 feet of the mine entrance. As Indiana bats and northern long-eared bats are known to hibernate in abandoned mines, Staff recommends that the Applicant coordinate with the USFWS to determine if the project would potentially impact these species' hibernacula. If it is determined that construction of the project would cause impacts to hibernacula then portal surveys may be required.

#### *Geology*

The geology in the project area does not present any conditions or features that would prohibit the design and construction of this project. The Applicant is aware of the abandoned underground coal mine that lies greater than 100 feet beneath the footprint of the proposed project. Furthermore the Applicant has determined that due to the depth of the mine, the risk of surface effects from future mine subsidence activity is considered low. Therefore, the Applicant will not perform work to grout the open mine voids beneath the area along the transmission line route.

#### *Social*

The project is proposed on land that is located in an undeveloped, forested and agricultural area. No residential structures exist within 100 feet of the interconnection. A residential neighborhood is located approximately 0.4 miles south of the project. However, no residences would need to be removed for this project. Land use surrounding the project is a mixture of agricultural, forest,

residential, and commercial land use. The Applicant would own and control all property where the interconnection is proposed. A parcel of land that includes the utility switchyard and associated right-of-way for the line taps would be transferred to AEP Ohio Transco upon completion of construction.

A Phase I archeological investigation and historic structures report was completed and submitted to the Ohio Historic Preservation Office (OHPO) in May 2017. The investigation identified three prehistoric archeological sites in the project area. Upon further review by the cultural resources consultant, these resources were not recommended eligible for listing in the Natural Register of Historic Places and no additional archeological investigations were recommended by the Applicant's cultural resource consultant.

The Applicant received concurrence from the OHPO regarding the consultant's finding.

### **Conclusion**

Staff's review of the application included consideration of the requirements listed in R.C. 4906.10. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff recommends automatic approval of this case on December 20, 2017, provided that the following conditions are satisfied.

### **Conditions:**

- (1) Prior to construction in areas that require permits, the Applicant shall obtain and comply with all applicable permits and authorizations as required by federal and state entities. Copies of such permits and authorizations, including all supporting documentation, shall be provided to Staff to ensure compliance with this condition.
- (2) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for the removal of trees three inches or greater in diameter to avoid impacts to Indiana bats and northern long-eared bats, unless coordination with the Ohio Department of Natural Resources (ODNR) and the U.S. Fish and Wildlife Service (USFWS) allows a different course of action.
- (3) The Applicant shall contact Staff, the ODNR, and the USFWS, within 24 hours if state or federal species are encountered during construction activities. Construction activities that could adversely impact the identified plants or animals shall be halted until an appropriate course of action has been agreed upon by the Applicant, Staff, and the ODNR in coordination with the USFWS. Nothing in this condition shall preclude agencies having jurisdiction over the construction activities with respect to wildlife from exercising their legal authority over the facility consistent with law.
- (4) Construction in northern harrier preferred nesting habitat types shall be avoided during the species' nesting period of May 15 through August 1, unless coordination with the ODNR allows a different course of action.
- (5) The Applicant shall not conduct mechanized clearing within 25 feet of streams.
- (6) Prior to construction, the Applicant shall submit to Staff a streamside vegetation restoration plan, which incorporates the planting of native low-growing shrubs, as mitigation for the clearing of any riparian vegetation adjacent to Wills Creek.

- (7) The Applicant shall coordinate with the USFWS to determine if fall or spring portal surveys are warranted for potential impacts to caves or abandoned mines.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 17-2363-EL-BLN**

Summary: Staff Report of Investigation electronically filed by Adam Bargar on behalf of Staff of OPSB