

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
AEP OHIO TRANSMISSION COMPANY, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE PINE RIDGE SWITCH-HEPPNER 138 kV
TRANSMISSION LINE PROJECT.

CASE NO. 18-31-EL-BTX

ENTRY

Entered in the Journal on July 25, 2018

{¶ 1} Pursuant to R.C. 4906.04, no person shall construct a major utility facility without first having obtained a certificate from the Ohio Power Siting Board (Board). In seeking a certificate, applicants must comply with the filing requirements outlined in R.C. 4906.06, as well as Ohio Adm.Code Chapter 4906-5 and 4906-2.

{¶ 2} On January 4, 2018, AEP Ohio Transmission Company, Inc. (AEP Ohio Transco or Company) filed with the Board a pre-application notification letter for a certificate of environmental compatibility and public need to rebuild to 138 kilovolt (kV) standards 3.6 miles of the Berlin-Ross 69 kV transmission line located between the Pine Ridge Switch and the proposed Heppner Station in Jackson County, Ohio. Initially, the line will be energized at 69 kV but will have the capacity for 138 kV transmission when customers are ready. On January 25, 2018, AEP Ohio Transco held a public information meeting to discuss the project with interested persons and landowners.

{¶ 3} Thereafter, on March 29, 2018, AEP Ohio Transco filed its application in this proceeding. AEP Ohio Transco states that the proposed rebuild of the existing 69 kV transmission line to 138 kV standards will provide the benefit of faster recovery of service after outages, fewer service interruptions, and overall improved service to customers.

{¶ 4} Pursuant to Ohio Adm.Code 4906-3-06, within 60 days after receipt of an application for a major utility facility, the Chairman of the Board shall notify an applicant of the acceptance or rejection of the application as complete. By letter filed on May 29, 2018, the Board notified AEP Ohio Transco that its application was sufficiently complete

to permit the Staff to commence its review and investigation of the application. The letter directed AEP Ohio Transco, pursuant to Ohio Adm.Code 4906-3-06 and 4906-3-07, to serve appropriate government officials and public agencies with copies of the complete, certified application and to file proof of service with the Board. Further, the letter directed AEP Ohio Transco, pursuant to R.C. 4906.06(F) and Ohio Adm.Code 4906-3-12, to submit the application fee.

{¶ 5} On June 29, 2018, AEP Ohio Transco filed its certificate of service of its accepted and complete application, in accordance with the requirements of Ohio Adm.Code 4906-3-07. AEP Ohio Transco also submitted the application fee to the Board, pursuant to Ohio Adm.Code 4906-3-12. The effective date of the filing of the application shall be July 18, 2018.

{¶ 6} R.C. 4906.07(A) provides that, upon receipt of an application complying with R.C. 4906.06, the Board must promptly fix a date for a public hearing not less than 60 nor more than 90 days after such receipt, and shall conclude the proceeding as expeditiously as practicable.

{¶ 7} Accordingly, the administrative law judge (ALJ) finds that a local public hearing in the matter shall be held on October 10, 2018, at 6:00 p.m., at the Northview Elementary School Gymnasium located at 11507 Chillicothe Pike, Jackson, Ohio 45640. The evidentiary hearing shall commence on October 24, 2018, at 10:00 a.m., in Hearing Room 11-C at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 8} Additionally, the ALJ finds that petitions to intervene in this proceeding will be accepted by the Board up to 30 days following service of the notices required by Ohio Adm.Code 4906-3-09.

{¶ 9} AEP Ohio Transco should issue public notices of the application and the hearings, in accordance with Ohio Adm.Code 4906-3-09. As part of the information to be included in the notices, as required by Ohio Adm.Code 4906-3-09, AEP Ohio Transco shall include a statement that the public hearing in this case shall consist of two parts:

- (a) A local public hearing, pursuant to R.C. 4906.08(C), where the Board shall accept written or oral testimony from any person on October 10, 2018, at 6:00 p.m., at Northview Elementary School Gymnasium located at 11507 Chillicothe Pike, Jackson, Ohio 45640.
- (b) An evidentiary hearing commencing on October 24, 2018, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, Hearing Room 11-C, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 10} Further, regarding the initial notice required under Ohio Adm.Code 4906-3-09, AEP Ohio Transco shall include the following statement as part of the initial notice:

Petitions to intervene in the adjudicatory hearing will be accepted by the Board up to 30 days following service of the notice required by Ohio Adm.Code 4906-3-09. However, the Board strongly encourages interested persons who wish to intervene in the adjudicatory hearing to file their petitions as soon as possible. Petitions should be addressed to Docketing Division, the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215-3793 and cite the above listed case number.

{¶ 11} Ohio Adm.Code 4906-2-09 provides that the ALJ shall regulate the course of the hearing, including requiring that expert or factual testimony to be offered in Board

proceedings be reduced to writing and filed with the Board, according to a schedule established by the ALJ. Accordingly, the ALJ finds that the following procedural schedule and process should be implemented:

- (a) Pursuant to Ohio Adm.Code 4906-3-06(C), Staff shall file its report of investigation (Staff Report) on or before September 25, 2018.
- (b) On or before October 3, 2018, each party shall file a list of issue(s) citing specific concerns about which they may be interested in pursuing cross-examination of witnesses at the evidentiary hearing.
- (c) All expert and factual testimony to be offered by AEP Ohio Transco shall be filed by October 16, 2018.
- (d) All expert and factual testimony to be offered by intervenors and Staff shall be filed by October 19, 2018.
- (e) The parties are strongly encouraged to arrange for electronic service of testimony and other pleadings among themselves. If electronic service is agreed to, the parties are also directed to provide electronic copies to the ALJ assigned to this case.

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That hearings in this matter be scheduled at the times and places designated in Paragraph 7. It is, further,

{¶ 14} ORDERED, That notices of the application and hearings be issued by AEP Ohio Transco in accordance with Paragraphs 9 and 10. It is, further,

{¶ 15} ORDERED, That the parties file their issue lists of issues and testimony in accordance with Paragraph 11. It is, further,

{¶ 16} ORDERED, That Staff file its Staff Report pursuant to Paragraph 11. It is, further,

{¶ 17} ORDERED, That a copy of this Entry be served upon all interested persons and parties of record.

THE OHIO POWER SITING BOARD

L. Douglas Jennings

By: L. Douglas Jennings
Administrative Law Judge

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 18-0031-EL-BTX

Summary: Administrative Law Judge Entry setting procedural schedule and scheduling local public hearing and evidentiary hearing - electronically filed by Sandra Coffey on behalf of L. Douglas Jennings, Attorney Examiner, Public Utilities Commission of Ohio