

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 TO REBUILD THE ROSS-
GINGER SWITCH 138kV TRANSMISSION
LINE IN ROSS COUNTY, OHIO.**

CASE NO. 17-637-EL-BTX

OPINION, ORDER, AND CERTIFICATE

Entered in the Journal on August 16, 2018

I. SUMMARY

{¶ 1} The Ohio Power Siting Board approves and adopts the stipulation and recommendation between AEP Ohio Transmission Company, Inc. and Staff and directs that a certificate be issued to AEP Ohio Transmission Company, Inc. for construction of the Ross-Ginger Switch 138 kilovolt Transmission Line Rebuild Project.

II. PROCEDURAL BACKGROUND

{¶ 2} All proceedings before the Ohio Power Siting Board (Board) are conducted according to the provisions of R.C. Chapter 4906 and Ohio Adm.Code Chapter 4906.

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

{¶ 4} On August 30, 2017, AEP Ohio Transmission Company, Inc. (AEP Ohio Transco or Applicant) filed a pre-application notification letter with the Board regarding its Ross-Ginger Switch 138 kilovolt (kV) Transmission Line Rebuild Project (the Project). In the letter, AEP Ohio Transco explained that the Project is part of its overall Ross-Jackson Area Improvements Project, which the Company has implemented to improve the reliability of the electric transmission grid in Ross and Jackson counties, Ohio. The Project involves

rebuilding approximately 4.8 miles of the existing Berlin-Ross 69 kV transmission line to 138 kV standards.

{¶ 5} On September 13 and October 3, 2017, AEP Ohio Transco filed affidavits of publication demonstrating its compliance with the notice requirements of Ohio Adm.Code 4906-3-03(B)(1). On September 18, 2017, AEP Ohio Transco held a public information meeting to discuss the proposed Project with interested persons and landowners.

{¶ 6} On December 13, 2017, AEP Ohio Transco filed its application with the Board for a certificate of environmental compatibility and public need for the Project. On January 3, 2018, the Applicant filed supplemental application information. In these documents, AEP Ohio Transco states that construction of the Project is anticipated to begin in fall 2018 and end in fall 2019. Upon completion of the new line, AEP Ohio Transco states that the existing Berlin-Ross 69 kV transmission line will be removed.

{¶ 7} By letter dated February 12, 2018, the Board notified AEP Ohio Transco that its application was compliant and provided sufficient information to permit Staff to commence its review and investigation, pursuant to Ohio Adm.Code 4906-1, et seq. On February 21, 2018, AEP Ohio Transco filed certificates of service of its accepted and completed applications on appropriate government officials and public agencies in accordance with the requirements of Ohio Adm.Code 4906-3-06 and 4906-3-07.

{¶ 8} On March 7, 2018, AEP Ohio Transco filed a proof of notification pursuant to Ohio Adm.Code 4906-3-03(B)(2), noting that it had sent correspondence regarding the Project to each property owner and affected tenant.

{¶ 9} By Entry issued March 8, 2018, the administrative law judge (ALJ) set the effective date of the application as March 8, 2018. The ALJ scheduled a local public hearing for June 4, 2018 at the Chillicothe and Ross County Public Library in Chillicothe, Ohio 45601. The ALJ also scheduled an evidentiary hearing on June 19, 2018, at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215.

{¶ 10} On March 27, 2018, AEP Ohio Transco filed proof of notification of the public hearing. As proof of notification, the Applicant provided copies of the letters that it distributed by first class mail on March 20, 2018, to all affected landowners.

{¶ 11} On May 18, 2018, pursuant to R.C. 4906.07(C), Staff filed a report of its investigation in this matter (Staff Report).

{¶ 12} The ALJ presided over the local public hearing on June 4, 2018. One public witness testified.

{¶ 13} On June 6, 2018, AEP Ohio Transco filed a motion for an extension of the deadlines set by the March 8, 2018 Entry to allow the parties to continue settlement negotiations to resolve one or more issues in this matter. The ALJ granted AEP Ohio Transco's motion and modified the procedural schedule such that AEP Ohio Transco's testimony was due on June 12, 2018 and Staff and intervenor testimony was due on June 15, 2018.

{¶ 14} On June 11, 2018, AEP Ohio Transco and Staff jointly filed a stipulation and recommendation (Stipulation) intended by the parties to resolve all matters pertinent to the Project.

{¶ 15} The ALJ presided over the adjudicatory hearing on June 19, 2018. At the hearing, AEP Ohio Transco presented the testimony of Ronald M. Howard, Jr. and Staff presented the testimony of Jon C. Pawley in support of the Stipulation.

{¶ 16} On July 30, 2018, AEP Ohio Transco filed a motion for waiver of Ohio Adm.Code 4906-3-09(A)(1)(h), which requires the public notice to include the deadline for filing a notice of intervention. The Board finds the motion reasonable and grants the waiver. As noted in the motion, no landowner or tenant has filed a motion to intervene or attempted to do so in this case, whether timely or untimely, despite AEP Ohio Transco not including the deadline to do so in its notice letter to landowners and tenants. Consequently, good cause exists to waive the requirement.

III. PROJECT DESCRIPTION

{¶ 17} As noted above, the Project involves rebuilding approximately 4.8 miles of the existing Berlin-Ross 69 kV transmission line, a single circuit line, to 138 kV standards. According to AEP Ohio Transco, the Berlin-Ross line was constructed in 1926 and replacing this aging equipment with modern structures and wires will result in faster recovery of service after outages; fewer service interruptions; capability of energizing the line at 138 kV in an expedited fashion when necessary; and overall improved service to customers. The Project will be constructed as a single 138 kV circuit, comprised of conductors staged vertically on several structure types, primarily steel H-frames, averaging 100 feet in height. Due to the potential inability to de-energize long stretches of the Berlin-Ross line during construction, it is preferable to construct the Project generally parallel to the existing right-of-way, where feasible, to avoid potential outage constraints. Consequently, AEP Ohio Transco proposes a 100-foot permanent right-of-way for the new transmission line that will utilize a portion of the existing right-of-way for the Berlin-Ross line. The Project starts at the existing Ginger Switch Station located just west of C.R. 213A (Ginger Hill Road) and continues approximately 4.8 miles northwest to the interconnection with the Poston-Ross 138 kV transmission line. The Project is entirely located within Springfield Township, in Ross County, Ohio. The transmission line will be owned, operated, and maintained by AEP Ohio Transco. (Applicant Ex. 4 at 1; Appendix 4-1 at 2.)

{¶ 18} AEP Ohio Transco has identified a preferred and alternate route after conducting a rebuild siting study. The preferred route begins at the existing Ginger Switch station and continues northwest, paralleling the southern edge of the existing Berlin-Ross line right-of-way through agricultural and forested land for approximately 3.8 miles. The line then jogs north briefly, spanning the existing right-of-way, to avoid an existing electric transmission line not related to the Project. After avoiding this structure, AEP Ohio Transco intends to rebuild the remaining one mile of the Project utilizing the existing centerline and right-of-way for the Berlin-Ross 69 kV transmission line until reaching the interconnect location with the Poston-Ross 138 kV transmission line. This last one mile portion is also

common to the alternate route. AEP Ohio Transco indicates that this portion can be excluded from the calculation of percentage in common because it is entirely within the existing transmission right-of-way. (Applicant Ex. 4 at 2.)

{¶ 19} The alternate route was designed to utilize the existing centerline and right-of-way for the Berlin-Ross 69 kV transmission line by rebuilding on the centerline for the entirety of the 4.8 mile alignment (Applicant Ex. 4 at 2).

IV. CERTIFICATION CRITERIA

{¶ 20} Pursuant to R.C. 4906.10(A), the Board shall not grant a certificate for the construction, operation, and maintenance of a major utility facility, either as proposed or as modified by the Board, unless it finds and determines all of the following:

- (1) The basis of the need for the facility if the facility is an electric transmission line or gas or natural gas transmission line.
- (2) The nature of the probable environmental impact.
- (3) The facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations.
- (4) In the case of an electric transmission line or generating facility, such facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems, and that the facility will serve the interests of electric system economy and reliability.

- (5) The facility will comply with R.C. chapters 3704, 3734, and 6111 and all rules and standards adopted under those chapters and under R.C. 1501.33, 1501.34, and 4561.32.
- (6) The facility will serve the public interest, convenience, and necessity.
- (7) The impact of the facility on the viability as agricultural land of any land in an existing agricultural district established under R.C. Chapter 929 that is located within the site and alternate site of the proposed major facility.
- (8) The facility incorporates maximum feasible water conservation practices as determined by the Board, considering available technology and the nature and economics of various alternatives.

V. SUMMARY OF THE EVIDENCE

{¶ 21} The Board will review the evidence presented with regard to each of the eight criteria by which we are required to evaluate these applications. Any evidence not specifically addressed has nevertheless been considered and weighed by the Board in reaching its final determination.

A. *Local Public Hearing*

{¶ 22} At the local public hearing held on June 4, 2018, one witness, Joe Janes, provided testimony. Mr. Janes testified that the existing line goes through his property and another property his father owns. He stated that each time there is an upgrade to the transmission line, it causes an immense amount of havoc with agricultural fields and consequently he objects to any additional power lines or any larger power lines going through his and his father's property. Furthermore, he stated that he favors the course of the proposed alternate route. (June 4, 2018, Tr. 9-10.)

B. Staff Report

{¶ 23} Pursuant to R.C. 4906.07(C), Staff completed an investigation into the application, which included recommended findings regarding R.C. 4906.10(A). The following is a summary of Staff's findings.

1. BASIS OF NEED-R.C. 4906.10(A)(1)

{¶ 24} R.C. 4906.10(A)(1) specifies that, if the proposed facility is an electric transmission line or a gas pipeline, the need for the proposed project must be demonstrated.

{¶ 25} Staff notes that the existing Berlin-Ross 69 kV transmission line was constructed in 1926. According to Staff, the 92-year-old line has a very poor performance history and extended outage times. The Project would improve reliability with less service interruptions, improved service to customers, and faster recovery times during outages. Staff also notes that the Project is not expected to adversely impact the existing transmission grid. As such, Staff concludes that the Applicant has demonstrated the basis of need due to the reliability issues caused by the age of the existing 1926 transmission line. (Staff Ex. 1 at 13.)

2. NATURE OF PROBABLE ENVIRONMENTAL IMPACT-R.C. 4906.10(A)(2)

{¶ 26} R.C. 4906.10(A)(2) requires that the Board determine the nature of the probable environmental impact of the proposed facility. As a part of the investigation, Staff reviewed the nature of the probable environmental impact of the Project. The following is a summary of Staff's findings regarding the nature of the probable environmental impacts of the Project:

a. Socioeconomic Impacts

{¶ 27} The proposed routes would traverse land in Ross County. The population of Ross County increased approximately six percent between 2000 and 2010 and is projected to continue to rise slightly over the next 20 years. Because the proposed Project includes the

existing right-of-way for a large portion of the Project, the Project should not limit future development or population growth in the region. (Staff Ex. 1 at 14.)

{¶ 28} Moreover, using the current right-of-way reduces additional right-of-way needed for the proposed transmission line. The existing 69 kV line has a right-of-way ranging from 50 feet wide to blanket easement. AEP Ohio Transco requests an additional 50 feet of right-of-way, for a total 100-foot right-of-way for the proposed 138 kV transmission line. In both cases, the predominant existing land use for the proposed Project (33 percent for the preferred route and 53 percent for the alternate route) is the existing transmission line right-of way. The alternate route almost exclusively follows the existing 69 kV transmission centerline, while the preferred route follows the existing 69 kV transmission line, offset by 25-50 feet, and then diverts from the existing right-of-way in one location in order to avoid existing electric utility structures. (Staff Ex. 1 at 14.)

{¶ 29} There are 29 residences within 1,000 feet of the preferred route centerline, none of which are located within the potential disturbance area. Only four structures are located within 200 feet of the preferred route centerline. There are 28 residences within 1,000 feet of the alternate route centerline, none of which are located within the potential disturbance area, with the same four structures located within 200 feet. Residents would experience temporary ambient noise increases during facility construction. Both routes cross 25 properties, and include 58 acres of proposed right-of-way area. Approximately 41 percent of the preferred route and 40 percent of the alternate route cross agricultural land and open land or pasture. As the purpose of this Project is to rebuild an existing transmission line, permanent additional impacts to agricultural fields will be minimal. There are no commercial facilities or industrial buildings within 1,000 feet of either the preferred or alternate routes. No negative impacts to commercial or industrial land uses are anticipated as a result of the Project. (Staff Ex. 1 at 14.)

{¶ 30} Both routes cross a portion of the Ross Lake Wildlife Area, with 18 linear feet of the preferred route and 145 linear feet of the alternate route crossing it. The preferred

route is located on less acreage of the Ross Lake Wildlife Area due to the southerly shift of the preferred route from the existing centerline. No schools, hospitals, churches, or civic buildings were identified as being within 1,000 feet of the routes. Consequently, no negative impacts to institutional and recreational land uses are expected from the construction, operation, or maintenance of either route for the Project. (Staff Ex. 1 at 15.)

{¶ 31} AEP Ohio Transco conducted a cultural resources literature review, Phase I fieldwork, and a history/architectural study of the Project. The western portion of the Project extends through the Great Seal Archaeological District and through a National Register of Historic Places (NRHP) site (Site 33RO0025 - Hill Works), based on feature boundaries provided by the National Park Service. The Phase I fieldwork identified eight archaeological sites dated from the prehistoric period. AEP Ohio Transco's cultural resources consultant determined that these sites are not considered eligible for NRHP listing because they are isolated findings. No further archaeological work was recommended by the Applicant's cultural resources consultant for these sites. The Project is located over three miles east of the Adena National Historic Landmark. The Project would not be visible from this resource. Nine individual properties 50 years of age or older were identified within the Project's area of potential effect, which is defined as being within 1,000 feet of the Project. None of these properties were determined eligible for listing in the NRHP. The Applicant has been coordinating its findings with the Ohio Historic Preservation Office (OHPO) and Staff is aware that the Applicant conducted geophysical remote sensing surveys in the area of the NRHP Site 33RO0025 and potential mound locations to determine if the Project is located on or within these sites. The geophysical surveys produced no evidence of mounds or earthen enclosures at the Project. The Applicant's cultural resources consultant recommended to the OHPO that the Project would have no adverse effects on historic properties. In a letter dated May 9, 2018, the OHPO concurred with these findings and stated that no further coordination with OHPO was necessary unless the Project changes or additional historic properties are discovered during implementation of the Project. Having

undergone extensive testing, and being located south of the existing line, the OHPO has expressed a preference for the preferred route. (Staff Ex. 1 at 15.)

{¶ 32} While permanent visual impacts would result from the introduction of a new manmade element to the landscape, these impacts would vary with the viewer and setting. Because the new transmission line would be constructed where existing aboveground utilities are located, the aesthetic impact will be lessened. (Staff Ex. 1 at 15.)

{¶ 33} AEP Ohio Transco estimates the applicable intangible and capital costs for the preferred route at \$10,105,861 and the alternate route at \$10,313,827. Both routes are located within Springfield Township, Ross County; consequently, the projected tax revenue generated from the Project will benefit the local school district, park, and fire department. Based on 2016 tax rates, AEP Ohio Transco estimates the preferred route would generate approximate annual property taxes of \$365,890 over the first year of operation, while the alternate route would generate \$413,650. (Staff Ex. 1 at 16.)

b. Ecological Impacts

{¶ 34} The Project spans the central part of Ross County east of the city of Chillicothe. Ross County is underlain by sedimentary rocks of Devonian, Mississippian, and Pennsylvanian age. Bedrock consists primarily of shales and sandstones, with a lesser amount of limestone. Ross County lies within two distinct physiographic regions, the Central Lowland (or Mississippian Plain) and the Allegheny Plateau. The two regions are separated by the Allegheny escarpment, a northeast to southwest trending irregular line, that crosses central Ross County. The escarpment rises several hundred feet from the Central Lowlands to the Allegheny Plateau. (Staff Ex. 1 at 16.)

{¶ 35} Both the preferred and alternate routes are located within the Allegheny Plateau region. Construction work will likely follow along the existing utility corridor. The Allegheny Plateau occupies the southern two-thirds of Ross County and rises 200 to 300 feet above the lowlands. Much of this area is considered unglaciated. The plateau was once

continuous, but is now dissected by streams that have eroded the unglaciated sandstone bedrock into steep hillsides. The Ohio Department of Natural Resources' (ODNR) Division of Geological Survey reported one seismic event that occurred in the county in 1899, which took place just southwest of the city limits of Chillicothe in central Ross County. The magnitude of the seismic event was 3.1 on the Richter scale. No other seismic events have been recorded in Ross County. No limitations are posed on the construction of either route by the area's geology. (Staff Ex. 1 at 16-17.)

{¶ 36} The soils in this area consist of loams, silt loams or silty clay loams originating from parent material of glacial till, glacial outwash, glacial drift, and loess or combinations of these materials. Erosion and severe slopes are noted along both routes. The Applicant stated it will perform a geotechnical investigation and test borings along portions of both routes as needed to design and construct foundations for the steel poles supporting the proposed transmission line where soil conditions warrant such testing. Although some limitations related to erosion and slope exist, these limitations should not adversely affect or restrict the construction of either route. (Staff Ex. 1 at 17.)

{¶ 37} The preferred right-of-way contains 21 streams, including 4 perennial streams, 12 intermittent streams, and 5 ephemeral streams, totaling 3,225 linear feet of streams. The alternate route right-of-way contains 25 streams, including 4 perennial streams, 13 intermittent streams and 8 ephemeral streams, totaling, 3,422 linear feet of streams. The proposed transmission line would aerially span all streams, and no in-water work is expected. AEP Ohio Transco has committed not to conduct mechanized clearing within 25 feet of any stream, and will only clear trees which are tall enough to have the potential to interfere with safe construction and operation of the line. The Applicant has proposed temporary culvert stream crossings and temporary access bridge crossing methods to minimize impacts to any streams. (Staff Ex. 1 at 17.)

{¶ 38} The preferred route right-of-way contains 8 wetlands with 0.42 acre of the wetland within the right-of-way. The alternate route right-of-way contains 7 wetlands, with

0.53 acre of wetland within the right-of-way. All delineated wetlands are category 1 and category 2 wetlands. While fill within wetlands is not anticipated, AEP Ohio Transco will obtain an Army Corps of Engineers Nationwide 12 Permit if fill within wetlands becomes necessary. Timber matting will be utilized in areas where access through wetlands is necessary. Selective non-mechanized clearing will be utilized to remove woody vegetation in wetlands that would otherwise interfere with the operation of the proposed transmission line. No lakes, reservoirs, or ponds were observed along the construction corridor of the routes. AEP Ohio Transco will obtain coverage under the Ohio EPA General National Pollutant Discharge Elimination System (NPDES) Permit. Sedimentation that may occur as a result of construction activities would be minimized through best management practices (BMP), such as silt fences. BMP would be outlined in the Applicant's Stormwater Pollution Prevention Plan (SWPPP) required as part of the NPDES Permit. According to Federal Emergency Management Agency's National Flood Hazard online mapping system neither the preferred route nor alternate route would cross within 100-year floodplain areas. (Staff Ex. 1 at 17-18.)

{¶ 39} AEP Ohio Transco requested information from the ODNR and the U.S. Fish and Wildlife Service (USFWS) regarding state- and federally-listed threatened and endangered plant and animal species. Staff gathered additional information through field assessments and review of published ecological information. The Project area is within the range of the 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 these bat species, Staff recommends the Applicant adhere to seasonal tree cutting dates of October 1 through March 31 for all trees over 3 inches in diameter. The Project would not disturb any hibernacula, including caves or abandoned mines. Due to the lack of suitable habitat and no proposed in-water work, impacts to state and federal listed species are not anticipated for the Project. (Staff Ex. 1 at 18, 20.)

{¶ 40} Impacts on vegetation for the Project area is limited to the initial clearing within the 100-foot right-of-way, and along access roads and for operational maintenance. The alternate route would require less clearing as it is proposed on the centerline of the existing 50-foot right-of-way, while the preferred route is proposed near the edge of right-of-way. Trees adjacent to the proposed transmission line right-of-way, which are significantly encroaching or prone to failure, may require clearing to allow for safe operation of the transmission line. Vegetative wastes generated during construction would be windrowed or chipped and disposed of appropriately depending on landowner requests. The Applicant does not anticipate the use of herbicides during construction or operation. (Staff Ex. 1 at 20-21.)

c. Public Services, Facilities, and Safety

{¶ 41} Road access to the Project is by U.S. Route 23, State Route 35, and State Route 50. The principal impact on public services is an increase in truck traffic during the construction phase of the Project for equipment access and delivery and workers arriving and departing the area. Some traffic management during the construction phase may be necessary in the immediate vicinity of the Project area to ensure safe and efficient maintenance of existing traffic patterns and usages. AEP Ohio Transco will coordinate with local officials to ensure that shift times and travel routes are optimized to the extent possible. Access roads during construction will require landowner's input and approval. No upgrades to local roads and bridges are anticipated. Staff recommends a requirement for the Applicant to develop a final transportation management plan, including a road use agreement. The Applicant, under the guidance of the appropriate regulatory agency, will restore any damaged public roads and bridges promptly to their previous condition. Any temporary improvements would be removed unless the appropriate regulatory agency requests that they remain in place. (Staff Ex. 1 at 21.)

{¶ 42} AEP Ohio Transco will confine most noise impacts to the proposed construction period. The Applicant will mitigate noise impacts by using standard

construction techniques and limiting construction activities to daylight hours, to the extent feasible. (Staff Ex. 1 at 21.)

{¶ 43} AEP Ohio Transco will comply with all applicable safety standards set by the Occupational Safety and Health Administration, PUCO safety standards, and the North American Electric Reliability Corporation (NERC) Reliability Standards. It will administer a contractor safety program, under which contractors will be required to maintain internal safety programs and provide safety training. The Applicant will also design the facility to meet the requirements of the National Electric Safety Code (NESC). (Staff Ex. 1 at 21.)

{¶ 44} AEP Ohio Transco does not expect radio or television interference to occur from the operation of the proposed transmission line along the preferred or alternate route. Any likely source of radio or television interference would be a localized effect primarily from defective hardware that can be easily detected and replaced. (Staff Ex. 1 at 22.)

{¶ 45} Based on its investigation, Staff recommends that the Board find that the AEP Ohio Transco has determined the nature of the probable environmental impact for the proposed facility, and therefore complies with the requirements specified in R.C. 4906.10(A)(2), provided that any certificate issued by the Board for the proposed facility include the conditions specified in the Staff Report (Staff Ex. 1 at 22).

3. MINIMUM ADVERSE ENVIRONMENTAL IMPACT – R.C. 4906.10(A)(3)

{¶ 46} Pursuant to R.C. 4906.10(A)(3), the proposed facility must represent the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, along with other pertinent considerations (Staff Ex. 1 at 23).

{¶ 47} AEP Ohio Transco conducted a route selection study to identify potential electric transmission line routes that avoid or limit impacts to sensitive land uses, ecological resources, and cultural features, while taking into consideration the engineering and construction needs of the Project. The route study primarily focused on the existing right-

of-way for the 69 kV transmission line, as this Project is a rebuild of that line. At the public informational meeting held September 18, 2017, the Applicant presented a preferred route that was offset from the existing centerline of the 69 kV transmission line and as necessary to avoid ecological and sociological features such as wetlands and encroaching structures. The Applicant chose this route, because it could be offset 25 to 50 feet from the existing centerline, which allows the existing transmission line to remain in service during construction, for safety and reliability factors. It also presented an alternate route that mirrored the centerline of the existing 69 kV transmission line, regardless of encroachments or other features within the existing right-of-way. Of note, AEP Ohio Transco has been filing expedited cases known as Letters of Notification for other rebuild projects in the state, but because this Project requires some new right-of-way, it filed this case as an Application. However, the rebuild nature of the Project and AEP Ohio Transco's utilization of a large percentage of the existing right-of-way reduced the need for traditional evaluation of multi-disciplinary siting criteria. (Staff Ex. 1 at 23.)

{¶ 48} Again, because this Project is a rebuild of an existing 69 kV line, potential impacts are generally limited to those associated with the existing right-of-way and any expansion of it. While both routes are viable, each has unique issues, and no route is without impact. Staff has analyzed each route independently of one another and concluded that potential impacts are expected to be similar for both routes; including the number of residences within 1,000 feet, agricultural land crossed, total number of parcels crossed, cost, tree clearing and potential wetland and stream impacts. (Staff Ex. 1 at 23.)

{¶ 49} The primary factor differentiating these routes is that the preferred route would allow AEP Ohio Transco to construct the Project while keeping the existing 69 kV transmission line in service, relieving safety and reliability concerns. The alternate route, though buildable, would require a much longer timeframe to construct. This is because, due to outage constraints, AEP Ohio Transco will only be able to construct smaller segments of the route during shorter windows of time. This would more than double the timeline for the

Project, potentially increasing the cost and taking longer to alleviate the need for the rebuild transmission Project. (Staff Ex. 1 at 23.)

{¶ 50} Accordingly, Staff concludes that the preferred route represents the minimum adverse environmental impact when compared to the alternate route, and therefore complies with the requirements specified in R.C. 4906.10(A)(3). Any certificate issued by the Board for the proposed line should include the conditions specified in the Staff Report. (Staff Ex. 1 at 23-24.)

4. ELECTRIC POWER GRID - R.C. 4906.10(A)(4)

{¶ 51} Pursuant to R.C. 4906.10(A)(4), the Board must determine that the proposed electric facilities are consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems, and that the facilities will serve the interests of electric system economy and reliability.

{¶ 52} NERC is responsible for the development and enforcement of the federal government's approved reliability standards, which are applicable to all owners, operators, and users of the bulk power system. The Staff Report indicates that AEP Ohio Transco follows internal transmission planning criteria to plan the transmission line and the applicable criteria complies with NERC Reliability Standards and PJM planning and operating manuals for the bulk electric system. AEP Ohio Transco has also submitted the proposed Project to PJM Interconnection, LLC (PJM)¹ as a supplemental project. Once PJM assigns the Project an upgrade ID number, the construction status of the Project can be tracked on PJM's website. (Staff Ex. 1 at 24-25.)

{¶ 53} The existing 69 kV transmission line is not required to have load flow or contingency analysis conducted because the proposed line would be required to meet all PJM planning standards. Without the proposed Project, a contingency event would load the

¹ PJM is the regional transmission organization charged with planning for upgrades to the regional transmission system in Ohio.

only 138 kV transmission line to 90 percent of its emergency rating at the Waverly Substation. The proposed Project would alleviate this loading by providing a second 138 kV source to southern Ohio. Without the proposed Project, AEP Ohio Transco would be unable to maintain system reliability and violate internal system planning criteria. Furthermore, AEP Ohio Transco reported that during the years 2013 through 2017, the existing 69 kV line was responsible for 478,000 customer minutes of interruption. Many of the outage causes, including rotten cross arms and cracked insulators, are attributable to the age of the equipment. (Staff Ex. 1 at 26.)

{¶ 54} Based on the details provided by AEP Ohio Transco, including that the proposed Project would improve reliability by decreasing customer interruptions; speed recovery time during outages; and alleviate contingency concerns at the Ross Substation, Staff recommends that the Board find that the proposed facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving Ohio and interconnected utility systems, and that the facility would serve the interests of electric system economy and reliability. Therefore, Staff recommends that the Board find that the facility complies with the requirements specified in R.C. 4906.10(A)(4), provided that any certificate issued by the Board for the proposed facilities include the conditions specified in the Staff Report. (Staff Ex. 1 at 26.)

5. AIR, WATER, SOLID WASTE, AND AVIATION – R.C. 4906.10(A)(5)

{¶ 55} Pursuant to R.C. 4906.10(A)(5), the facility must comply with Ohio law regarding air and water pollution control, withdrawal of waters of the state, solid and hazardous wastes, and air navigation.

{¶ 56} Air quality permits are not required for construction of the proposed facility. However, fugitive dust rules adopted under R.C. Chapter 3704 may be applicable to the construction of the proposed facility. AEP Ohio Transco will control fugitive dust through dust suppression techniques such as irrigation, mulching, or application of tackifier

resins. These methods of dust control are sufficient to comply with fugitive dust rules. (Staff Ex. 1 at 27.)

{¶ 57} Neither construction nor operation of the proposed transmission line will require the use of significant amounts of water. Therefore, the requirements under R.C. 1501.33 and 1501.34 are not applicable to this Project. If needed, AEP Ohio Transco will seek coverage under the U.S. Army Corps of Engineers Nationwide Permit 12 for Utility Line Activities for surface water impacts associated with the proposed transmission line. The Applicant also intends to submit a Notice of Intent for coverage under the Ohio EPA's NPDES general permit for stormwater discharges associated with construction activities. The Applicant will submit a SWPPP to the Ohio EPA as part of the NPDES permit, which will include a detailed construction access plan and indicate BMP for construction activities that minimize erosion-related impacts to streams and wetlands. The Applicant has also stated that no construction or access would be permitted in wetlands, streams, and other environmentally sensitive areas unless clearly specified in the construction plans and specifications, thus minimizing any clearing-related disturbance to surface water bodies. With these provisions, construction of the line would comply with the requirements set forth under R.C. Chapter 6111. (Staff Ex. 1 at 27.)

{¶ 58} Debris generated during construction will consist of items such as conductor scrap; construction material packaging, including cartons, boxes, insulator crates, conductor reels, wrapping; and used stormwater erosion control materials. Materials with reuse or salvage value includes clearance poles and conductor reels. All construction-related debris will be disposed of in accordance with state and federal requirements. Any contaminated soils discovered or generated during construction will be handled in accordance with applicable regulations. The Applicant intends to have a Spill Prevention Plan in place and would follow the Spill Prevention Plan for any spill cleanup. AEP Ohio Transco's solid waste disposal plans comply with solid waste disposal requirements set forth in R.C. Chapter 3734. (Staff Ex. 1 at 27.)

{¶ 59} The height of the tallest above ground structure of the transmission line and construction equipment will be approximately 100 feet. According to the Federal Aviation Administration (FAA), the closest public-use airports are Ross County (RZT), Pike County (EOP), Pickaway County Memorial (CYO), and Vinton County (221), which are all between 6 and 20 miles from the proposed transmission line. The closest heliports are the VA Hospital and Ohio Department of Transportation (ODOT)-District 9, which are located between 1.6 and 4.5 miles away. Upon completion of the final design, the Applicant will consult with the FAA and the ODOT Office of Aviation to determine if a Notice of Construction or Alteration or other permitting is required. In accordance with R.C. 4906.10(A)(5), Staff contacted the ODOT Office of Aviation during the review of this application in order to coordinate review of potential impacts of the facility on local airports and no concerns were identified. (Staff Ex. 1 at 27-28.)

{¶ 60} Based on the information discussed above, Staff recommends that the Board find that the proposed transmission line complies with the requirements specified in R.C. 4906.10(A)(5), provided that any certificate issued by the Board include the conditions specified in the Staff Report. (Staff Ex. 1 at 28.)

6. PUBLIC INTEREST, CONVENIENCE, AND NECESSITY – R.C. 4906.10(A)(6)

{¶ 61} Pursuant to R.C. 4906.10(A)(6), the Board must determine that the facility will serve the public interest, convenience, and necessity.

{¶ 62} AEP Ohio Transco hosted a public informational open house for the Project on September 18, 2017. Attendees were provided the opportunity to speak with AEP Ohio Transco representatives regarding the Project, view proposed route maps, and to provide feedback regarding potential routes. AEP Ohio Transco served copies of the complete application on officials representing Ross County, Scioto and Springfield townships, the city of Chillicothe, and the Ross County Soil and Water Conservation District. It also sent hard copies to the Chillicothe and Ross County Public Library's Main Library and Richmond Dale Branch. Copies of the complete application are available for public inspection at the offices

of the Commission and online at <http://opsb.ohio.gov>, and are available upon request from the Applicant. (Staff Ex. 1 at 29.)

{¶ 63} AEP Ohio Transco maintains a website at <http://aeptransmission.com/ohio/Springfield/index.php>, which provides details about the Project. Members of the public may contact the Applicant's project outreach specialist with questions or concerns during any phase of the Project. The Applicant stated that it will log all contacts and share them with Staff. The Applicant has committed to notify affected landowners or tenants by mail, telephone, or in person, at least seven days prior to the start of any construction activities. (Staff Ex. 1 at 29.)

{¶ 64} Electric transmission lines, when energized, generate electric and magnetic fields or electromagnetic fields (EMF). AEP Ohio Transco has computed the EMF associated with the new circuit to be less than 99.76 milligauss at the right-of-way edge, which is comparable to common household appliances. This was computed based on the maximum loadings of the lines, which would lead to the highest EMF values that might exist along the proposed transmission line. Daily current load levels normally operate below the maximum load conditions, thereby further reducing the nominal EMF values. AEP Ohio Transco has also stated that the transmission line will be designed according to the requirements of the NESC. (Staff Ex. 1 at 29.)

{¶ 65} Staff recommends the Board find the proposed facility will serve the public interest, convenience, and necessity and believes it will comply with the requirements specified in R.C. 4906.10(A)(6), provided the certificate issued includes Staff's recommendations. (Staff Ex. 1 at 30.)

7. AGRICULTURAL DISTRICTS – R.C. 4906.10(A)(7)

{¶ 66} Pursuant to R.C. 4906.10(A)(7), the Board must determine the facility's impact on the agricultural viability of any land in an existing agricultural district within the area of the proposed utility facility.

{¶ 67} The preferred and alternate routes include 23.6 acres and 23.8 acres, respectively, of agricultural and pasture land. Both routes would cross the same 10 parcels with the agricultural district designation. AEP Ohio Transco will take measures to minimize impacts to field operations, irrigation, and field drainage systems associated with agricultural district lands that would occur as a result of construction, operation, and maintenance of the Project. Construction will only interrupt operations for a portion of the growing season or dormant season. Damage to field drainage systems is not anticipated, but AEP Ohio Transco will resolve any disturbances. AEP Ohio Transco will also coordinate with the landowners to mitigate any impact to irrigation systems. Due to existing infrastructure in the vicinity of the Project, the viability of agricultural district land is not expected to be impacted. AEP Ohio Transco has stated that mitigation procedures and compensation for damage to crops and the compaction of soils are outlined in the individual easement agreements. AEP Ohio Transco indicates that excavated top soil will be segregated and stockpiled. Unless otherwise specified by affected landowners, AEP Ohio Transco will restore top soil to its original condition. One barn is located in the existing right-of-way and AEP Ohio Transco plans to negotiate the barn's removal with the landowner. (Staff Ex. 1 at 31.)

{¶ 68} Staff recommends that the Board find that the impact of the proposed facility on the viability of existing agricultural land in an agricultural district has been determined, and therefore complies with the requirements specified in R.C. 4906.10(A)(7), provided that any certificate issued by the Board for the proposed facility include Staff's recommendations (Staff Ex. 1 at 31).

8. WATER CONSERVATION PRACTICE – R.C. 4906.10(A)(8)

{¶ 69} Pursuant to R.C. 4906.10(A)(8), the proposed facilities must incorporate maximum feasible water conservation practices, considering available technology and the nature and economics of the various alternatives.

{¶ 70} The proposed transmission line may require the use of minimal amounts of water for dust control and for concrete foundations during construction. However, it will not require the use of any water during operation. Therefore, the facility complies with water conservation practice as specified under R.C. 4906.10(A)(8). Consequently, Staff recommends that the Board find that the proposed facility would incorporate maximum feasible water conservation practices, and therefore complies with the requirements specified in R.C. 4906.10(A)(8). (Staff Ex. 1 at 32.)

9. RECOMMENDATIONS

{¶ 71} In addition to making various findings throughout its report, Staff recommended that 21 conditions be made part of any certificate issued by the Board for the proposed facility (Staff Ex. 1 at 33-36). With some slight differences, the recommended conditions found within the Staff Report were adopted and re-enumerated in the parties' June 11, 2018 Stipulation. The conditions are discussed below.

VI. STIPULATIONS AND CONDITIONS

{¶ 72} At the adjudicatory hearing on July 3, 2018, counsel for AEP Ohio Transco presented a Stipulation and Recommendation (Joint Ex. 1). During the hearing, AEP Ohio Transco witness, siting specialist Howard, offered testimony in support of the Stipulation. As part of the Stipulation, the signatory parties agree and recommend that the Board issue the certificates requested by AEP Ohio Transco, subject to certain conditions. (Joint Ex. 1 at 3.) The following is a summary of the conditions agreed to by the stipulating parties and is not intended to replace or supersede the Stipulation.

- (1) The facility shall be installed on the Applicant's preferred route, utilizing the equipment, construction practices, and mitigation measures as presented in the Application filed on December 13, 2017, and supplemented January 3, 2018, and further clarified by recommendations in the Staff Report.

- (2) The Applicant shall conduct a preconstruction conference prior to the start of any construction activities. Staff, the Applicant, and representatives of the prime contractor and/or subcontractors for the Project shall attend the preconstruction conference. The conference shall include a presentation of the measures to be taken by the Applicant and contractors to ensure compliance with all conditions of the certificate, and discussion of the procedures for onsite investigations by Staff during construction. Prior to the conference, the Applicant shall provide a proposed conference agenda for Staff review to ensure compliance with this condition. The Applicant may conduct separate preconstruction meetings for each stage of construction.
- (3) At least 30 days before the preconstruction conference, the Applicant shall submit to Staff one set of detailed engineering drawings of the final Project design, including the facility, temporary and permanent access roads, construction staging areas, and any other associated facilities and access points, so that Staff can determine that the final Project design is in compliance with the terms of the Certificate. The final Project layout shall be provided in hard copy and as geographically-referenced electronic data. The final design shall include all conditions of the Certificate and references at the locations where the Applicant and/or its contractors must adhere to a specific condition in order to comply with the Certificate.
- (4) Within 60 days after the commencement of commercial operation, the Applicant shall submit to Staff a copy of the as-built specifications for the entire facility. The Applicant shall

provide as-built drawings in both hard copy and as geographically referenced electronic data.

- (5) The certificate shall become invalid if the Applicant has not commenced a continuous course of construction of the proposed facility within five years of the date of journalization of the certificate.
- (6) As the information becomes known, the Applicant shall provide to Staff the date on which construction will begin, the date on which construction was completed, and the date on which the facility begins commercial operation.
- (7) Prior to the commencement of construction activities, the Applicant shall docket in the case file the PJM Interconnection supplemental upgrade ID number when it is assigned.
- (8) Prior to the commencement of construction activities, the Applicant shall docket their supplemental filing in their Long-Term Forecast Report to add this Project.
- (9) At least 30 days prior to the preconstruction conference, the Applicant shall provide to Staff a complaint resolution procedure to address potential public grievances resulting from Project construction and operation. The resolution procedure must provide that the Applicant will work to mitigate or resolve any issues with those who submit either a formal or informal complaint and that the Applicant will immediately forward all complaints to Staff.
- (10) At least 30 days prior to the preconstruction conference, the Applicant shall provide to Staff a copy of its public information

program that informs affected property owners and tenants of the nature of the Project, specific contact information of Applicant personnel who are familiar with the Project, the proposed timeframe for Project construction, and a schedule for restoration activities. The Applicant shall give notification to property owners and tenants at least 7 days prior to work on the affected property.

- (11) Prior to the commencement of construction activities in areas that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations, including any permits necessary for aviation clearance. 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. The Applicant shall provide a schedule of construction activities and acquisition of corresponding permits for each activity at the preconstruction conference.
- (12) The Applicant shall repair or replace agricultural field tiles damaged from this Project, and the Applicant shall segregate excavated topsoil in agricultural fields and restore in its proper position upon backfilling.
- (13) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than or equal to three inches in diameter, unless coordination efforts with the ODNR and the U.S. Fish and Wildlife Service (USFWS) allows a different course of action.

- (14) The Applicant shall contact Staff, the ODNR, and the USFWS within 24 hours if state or federal threatened or endangered species are encountered during construction activities. Construction activities that could adversely impact such 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 facility with respect to threatened or endangered species from exercising their legal authority over the facility consistent with law.
- (15) The Applicant shall not conduct mechanized clearing and shall not remove any stumps within 25 feet of any stream channel.
- (16) The Applicant shall provide a construction access plan for review prior to the preconstruction conference. The plan shall consider the location of streams, wetlands, wooded areas, and sensitive plant species, as identified by the ODNR Division of Wildlife, and explain how impacts to all sensitive resources will be avoided or minimized during construction, operation, and maintenance. The plan shall include the measures to be used for restoring the area around all temporary access points, and a description of any long-term stabilization required along permanent access routes.
- (17) Prior to commencement of construction activities that require transportation permits, the Applicant shall obtain all such permits. The Applicant shall coordinate with the appropriate authority regarding any temporary or permanent road closures, lane closures, road access restrictions, and traffic control

necessary for construction and operation of the proposed facility.

- (18) General construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., or until dusk when sunset occurs after 7:00 p.m. Impact pile driving, hoe ram, and blasting operations, if required, shall be limited to the hours between 10:00 a.m. to 5:00 p.m., Monday through Friday. Construction activities that do not involve noise increases above ambient levels at sensitive receptors are permitted outside of daylight hours when necessary. The Applicant shall notify property owners or affected tenants of upcoming construction activities including potential for nighttime construction activities.
- (19) The Applicant shall remove all temporary gravel and other construction staging area and access road materials after completion of construction activities, as weather permits, unless otherwise directed by the landowner. Impacted areas shall be restored to preconstruction conditions in compliance with the Ohio EPA NPDES permit(s) obtained for the Project and the approved SWPPP created for this Project.
- (20) The Applicant shall not dispose of gravel, or any other construction material, during or following construction of the facility by spreading such material on agricultural land. All construction debris and all contaminated soil shall be promptly removed and properly disposed of in accordance with Ohio EPA regulations.
- (21) The Applicant shall re-coordinate with the FAA and the ODOT once final pole locations and heights are determined for this

Project. Additionally, the Applicant shall provide Staff with completed FAA 7460-1 forms. If the proposed pole locations and heights constitute a hazard to air navigation then further coordination with Staff is required.

(Joint Ex. 1 at 9-14.)

VII. CONCLUSION

{¶ 73} Ohio Adm.Code 4906-2-24 authorizes parties to Board proceedings to enter into stipulations concerning issues of fact, the authenticity of documents, or the proposed resolution of some or all of the issues in a proceeding. Although not binding on the Board, pursuant to Ohio Adm.Code 4906-2-24(D), the terms of such an agreement are accorded substantial weight. The standard of review for considering the reasonableness of a stipulation has been discussed in a number of prior Board proceedings. *See, e.g., In re American Transm. Systems Inc.*, Case No. 12-1727-EL-BSB (Mar. 11, 2013); *In re Rolling Hills Generating, LLC*, Case No. 12-1669-EL-BGA (May 1, 2013); *In re Northwest Ohio Wind Energy, LLC*, Case No. 13-197-EL-BGN (Dec. 16, 2013); *In re AEP Transm. Co., Inc.*, Case No. 12-1361-EL-BSB (Sept. 13, 2013); *In re Hardin Wind LLC*, Case No. 13-1177-EL-BGN (Mar. 17, 2014). The ultimate issue for the Board's consideration is whether the agreement, which embodies considerable time and effort by the signatory parties, is reasonable and should be adopted. In considering the reasonableness of a stipulation, the Board has used the following criteria:

- (1) Is the settlement a product of serious bargaining among capable, knowledgeable parties?
- (2) Does the settlement, as a package, benefit ratepayers and the public interest?
- (3) Does the settlement package violate any important regulatory principle or practice?

{¶ 74} The parties note that all the parties to the Stipulation regularly participate in proceedings before the Board, are knowledgeable in regulatory matters, and were

represented by experienced and competent counsel. According to the Stipulation, each party engaged in the settlement negotiations, were provided a copy of the draft Stipulation, and given an opportunity to further engage in settlement discussions. Consequently, the parties state that the Stipulation represents a product of serious bargaining among capable, knowledgeable parties. (Joint Ex. 1 at 2; AEP Ohio Transco Ex. 8 at 4.)

{¶ 75} Upon review, the Board finds that the Stipulation appears to be the product of serious bargaining among capable, knowledgeable parties. Consequently, we find that, based upon the record, the first prong is satisfied.

{¶ 76} AEP Ohio Transco witness Howard testified that the Stipulation benefits consumers and the public interest because the Project will meet the increased electric demands in the future. He testified that the Project will strengthen and enhance existing service reliability in the region. Furthermore, he testified that the Project will also produce tax revenues for the local community and will benefit the public by requiring AEP Ohio Transco to comply with numerous conditions to minimize environmental, sociological, cultural, and other impacts to the area. The Board recognizes that one individual, Mr. Janes, testified regarding his preference for the alternate route, during the public hearing held on June 4, 2018. However, the Board finds that the preferred route is the ideal route because citizens in the geographic area of the Project will receive uninterrupted service during the rebuild through the existing Berlin-Ross 69 kV line, which will remain operational during the construction of the proposed transmission line. (June 19, 2018 Tr. at 9-10; AEP Ohio Transco Ex. 8 at 5.)

{¶ 77} Upon review, the Board finds that the Stipulation benefits the public interest by resolving the issues raised in this matter without resulting in litigation. The Board recognizes that the Stipulation essentially includes Staff's recommendations as set forth in the Staff Report. We find that, based on the evidence, the proposed transmission line is required to improve and maintain the quality of service in southern Ohio, where AEP Ohio Transco has identified a critical need to reinforce its transmission system in order to

maintain and improve the quality and reliability of electric service in the area which is currently served by an aging 69 kV system. Rebuilding the existing Berlin-Ross line to 138 kV capability will both mitigate issues associated with the deterioration of the existing line and allow the new line to be built to current design standards. The approved Project will improve local service for customers, decrease power interruptions, improve resiliency of the systems, and speed up the recovery time of local service when outages occur. (AEP Ohio Transco Ex. 8 at 3-4.) Furthermore, the Project is part of AEP Ohio Transco's Ross-Jackson Area Improvements Project, the goal of which is to modernize and improve reliability of AEP Ohio Transco's transmission system in Ross and Jackson counties. (AEP Ohio Transco Ex. 8 at 3).

{¶ 78} The parties also indicate that the Stipulation does not violate any important regulatory principle or practice. Moreover, it is designed to comply with the requirements of R.C. 4906.10, which provides the basis for a decision granting or denying a certificate. (Joint Ex. 1 at 2; AEP Ohio Transco Ex. 8 at 5.)

{¶ 79} The Board finds that the Stipulation does not violate any important regulatory principle or practice. Based upon the record in these proceedings, the Board finds that all of the criteria established in accordance with R.C. Chapter 4906 are satisfied for the construction, operation, and maintenance of the proposed transmission line as described in the AEP Ohio Transco's application filed in this case, subject to the conditions set forth in the Stipulation and this Order. Accordingly, based upon all of the above, the Board approves and adopts the Stipulation and hereby issues a certificate to AEP Ohio Transco in accordance with R.C. Chapter 4906.

VIII. FINDINGS OF FACT AND CONCLUSIONS OF LAW

{¶ 80} AEP Ohio Transco is a person under R.C. 4906.01(A) and is licensed to do business in the state of Ohio.

{¶ 81} The proposed Ross-Ginger Switch 138 kV Transmission Line Project is a “major utility facility,” as that term is defined in R.C. 4906.01(B)(1).

{¶ 82} On August 30, 2017, the Applicant filed a pre-application notification letter for a certificate to rebuild a portion of the existing Berlin-Ross 69 kV electric transmission line in Springfield Township, Ross County, Ohio as a 138 kV line, initially energized at 69 kV, pursuant to Ohio Adm.Code 4906-3-03(A).

{¶ 83} On September 18, 2017, AEP Ohio Transco held a public information meeting to discuss the proposed Project with interested persons and landowners. On September 13 and October 3, 2017, AEP Ohio Transco filed affidavits of publication demonstrating its compliance with the notice requirements of Ohio Adm.Code 4906-3-03(B)(1).

{¶ 84} On December 13, 2017, AEP Ohio Transco filed its application with the Board for a certificate of environmental compatibility and public need for the Project.

{¶ 85} On January 3, 2018, the Company filed supplemental application information for the Project.

{¶ 86} On February 12, 2018, the Board notified AEP Ohio Transco that its application was compliant and provided sufficient information to permit Staff to commence its review and investigation, pursuant to Ohio Adm.Code 4906-1, et seq. On February 21, 2018, AEP Ohio Transco filed certificates of service of its accepted and completed applications on appropriate government officials and public agencies in accordance with the requirements of Ohio Adm.Code 4906-3-06 and 4906-3-07.

{¶ 87} On March 7, 2018, AEP Ohio Transco filed a proof of notification pursuant to Ohio Adm.Code 4906-3-03(B)(2), noting that it had sent correspondence regarding the Project to each property owner and affected tenant.

{¶ 88} On March 8, 2018, the ALJ issued an Entry setting the effective date of the application as March 8, 2018, scheduling a local public hearing and an evidentiary hearing, ordering AEP Ohio Transco to notice the hearings, and establishing a procedural schedule for the filing of lists of issues and testimony.

{¶ 89} On March 27, 2018, AEP Ohio Transco filed proof of notification and notice regarding the date, time, and location of the public hearing and adjudicatory hearing, including proof of notice of the public hearing and adjudicatory hearing to affected property owners and elected officials, in compliance with Ohio Adm.Code 4906-3-09(A).

{¶ 90} On May 18, 2018, pursuant to R.C. 4906.07(C), Staff filed its Report of its investigation in this matter.

{¶ 91} The ALJ presided over the local public hearing on June 4, 2018, in Chillicothe, Ohio. One public witness testified.

{¶ 92} On June 11, 2018, AEP Ohio Transco and Staff filed a Stipulation intended by the parties to resolve all matters pertinent to the Project.

{¶ 93} An adjudicatory hearing was held on June 19, 2018. At the hearing, AEP Ohio Transco presented the testimony of Ronald M. Howard, Jr. and Staff presented the testimony of Jon C. Pawley in support of the Stipulation.

{¶ 94} Adequate data on the proposed transmission line has been provided to make the applicable determinations required by R.C. 4906.10(A).

{¶ 95} The record evidence in these matters provides sufficient factual data to enable the Board to make an informed decision.

{¶ 96} The Stipulation satisfies the criteria established by the Board for review and consideration of stipulations.

{¶ 97} Based on the record, the Board finds that AEP Ohio Transco's application should be approved and a certificate should be issued, pursuant to R.C. Chapter 4906, for the construction, operation, and maintenance of the transmission facilities along the preferred route, subject to the conditions set forth in the Stipulation and this Order.

IX. ORDER

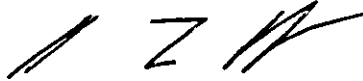
{¶ 98} It is, therefore,

{¶ 99} ORDERED, That the Stipulation be approved and adopted. It is, further,


{¶ 100} ORDERED, That a certificate be issued to AEP Ohio Transco for the construction, operation, and maintenance of the transmission facility along the preferred route, subject to the conditions set forth in the Stipulation and this Order. It is, further,

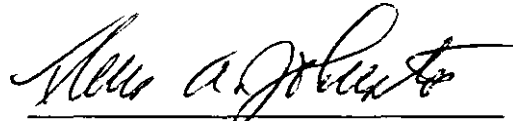
{¶ 101} ORDERED, That a copy of this Opinion, Order, and Certificate be served upon all interested persons and parties of record.


THE OHIO POWER SITING BOARD

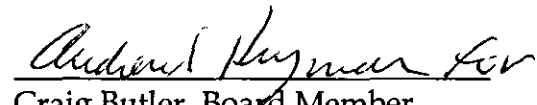


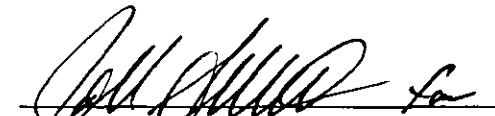
Asim Z. Haque, Chairman
Public Utilities Commission of Ohio

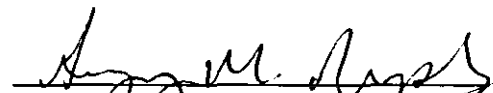
 For
David Goodman, Board Member
and Director of the Ohio
Development Services Agency


James Zehringer, Board Member
and Director of the Ohio
Department of Natural Resources


Lance Himes, Board Member
and Director of the Ohio
Department of Health

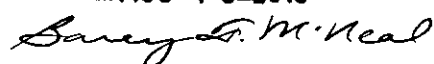
 For
Craig Butler, Board Member
and Director of the Ohio
Environmental Protection Agency

 For
David Daniels, Board Member
and Director of the Ohio
Department of Agriculture


Gregory Murphy, Board Member
and Public Member

AS/mef

Entered in the Journal

AUG 16 2018

Barcy F. McNeal
Secretary