

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Letter of Notification Application     )  
of Devola-Mill Creek 138 kV Transmission Line Project    )   Case No. 18-1800-EL-BLN**

Members of the Board:

Chair, 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.

Staff recommends the application for automatic approval on March 19, 2019 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 March 19, 2019, which is the recommended automatic approval date.

Sincerely,



Raymond W. Strom  
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## OPSB STAFF REPORT OF INVESTIGATION

**Case No.:** 18-1800-EL-BLN  
**Project Name:** Devola-Mill Creek 138 kV Transmission Line Project  
**Project Location:** Washington County  
**Applicant:** AEP Ohio Transmission Company  
**Application Filing Date:** December 18, 2018  
**Filing Type:** Letter of Notification  
**Inspection Date:** February 28, 2019  
**Report Date:** March 12, 2019  
**Recommended Automatic Approval Date:** March 19, 2019  
**Applicant's Waiver Requests:** None  
**Staff Assigned:** D. Collins, J. Cross

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

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

### Project Description

American Electric Power Ohio Transmission Company, Inc. (AEP Ohio Transco or Applicant) proposes to construct approximately 0.41 mile of a new single-circuit 138 kilovolt (kV) electric transmission line in Muskingum Township, Washington County. The Devola-Mill Creek 138 kV Transmission Line Project will connect the future Devola Substation and the existing Mill Creek Substation.

The project would require a 100-foot-wide right-of-way on property owned by AEP Ohio Transco and across five parcels owned by one private landowner. The Applicant is working with the private landowner to secure the necessary easements for the right-of-way for the proposed project. The project would also include two custom monopole steel structures with concrete foundations, and two delta-braced post configuration structures with direct firm fitted foundations. The Applicant would install three wood skip-span poles for the primary distribution. The Applicant proposes to begin construction in March 2019 and place the line in service during the second quarter of 2020. The Applicant estimates the total cost of the project at \$1.2 million.

### Site Description

The transmission line is located in Muskingum Township, Washington County. The proposed transmission line starts at the Devola Substation on an upland area above Mill Creek Road and trends approximately 0.41 mile southeast along a corridor to the Mill Creek Substation on property owned by the Applicant and one other private landowner. The surrounding land use is a mix of

upland forest, brush, existing utility right-of-way, maintained lawn, and identified waterbodies. The entire length of the transmission line will be maintained within a 100 feet wide right-of-way.

## **Basis of Need**

The proposed transmission line would compliment the overall new construction of the Devola Substation and coincide with the overall upgrade of the existing transmission and distribution line(s) of operation from the existing aged 23 kV infrastructure into the modern 138 kV network. The project aligns itself with the implementation of the long-range plan for electrical service reliability and increased capacity for future economic growth in southeast Ohio.

This Project is integral to the overall plan that will ultimately connect the Mill Creek, South Caldwell, and Devola substations. The Applicant would be able to meet system demand by improving service reliability, enhancing customer service, decreasing the number of power interruptions throughout the area, providing for more efficient and effective service recovery when outages occur, and supporting local economic growth.

The planned project was included in the Applicant's most recent Long-Term Forecast Report filing, Case No. 17-1501-EL-FOR. This project was submitted to PJM Interconnection, LLC (PJM) as a supplemental project. PJM assigned the project upgrade ID No. S1125. The construction status of transmission project can be tracked on PJM's website.<sup>1, 2</sup>

## **Nature of Impacts**

### *Socioeconomic Impacts*

The proposed transmission line trends northwest across vacant land on a hillside. An industrial site is situated approximately 346 feet east of the project's centerline. The closest residential property is located approximately 860 west of the project's centerline. Staff did not find any cemeteries, churches, schools, or other community facilities within 1,000 feet of the transmission line. The Applicant does not anticipate any permanent impacts to local roads or residences.

### *Agricultural Land*

The proposed transmission line would be constructed on privately own land that is not listed by the Washington County Auditor's Office as part of a registered agricultural district. The Applicant has indicated that there are no agricultural lands impacted by the construction of this transmission line. Staff review confirms this analysis.

### *Cultural Resources*

The Applicant completed a cultural resources literature review for the area of potential effects for the project in October 2018. The literature review identified no previously recorded archaeological sites at the proposed transmission line project. The review did not identify any previously recorded archaeological sites at the project location. The consultant determined that the project would not

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1. AEP Ohio Transmission Company, "Long-Term Forecast Report to the Public Utilities Commission of Ohio," *Public Utilities Commission of Ohio No. 17-1501-EL-FOR*, April 17, 2017.

2. PJM Interconnection, "Transmission Construction Status," accessed March 4, 2019, <http://pjm.com/planning/rtep-upgrades-status/construct-status.aspx>.

involve or impact any cultural resources or historic properties, and that no further cultural resource management work is necessary. Staff concurs with this analysis.

#### *Surface Waters*

The project area contains one perennial stream, one intermittent stream, and three ephemeral streams. These five streams are all unnamed tributaries to the Muskingum River and fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE). The perennial stream flows through a culvert that serves as a permanent bridge providing access to the industrial facility. The Applicant does not propose any in-water work associated with the project. Therefore, no impacts to any streams are anticipated.

The project falls in an area ineligible for Nationwide Permit authorization without an Individual 401 Water Quality certification. Staff recommends the Applicant continue coordination with the Ohio Environmental Protection Agency (Ohio EPA) and the USACE in the event that stream impacts occur.

No wetlands would be impacted as a result of this project. No floodplain permit would be required for this project.

The Applicant plans to submit a Notice of Intent for coverage under the Ohio EPA general National Pollutant Discharge Elimination System Permit.

#### *Threatened and Endangered Species*

No suitable habitat were found in the project area. Impacts to federal and state listed aquatic, reptile, bird, and amphibian species are not anticipated.

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. Staff recommends the Applicant to 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 Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service reflects a different remedy.

#### **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 application on March 19, 2019.

#### **Conditions:**

- (1) Prior to construction in area 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 provide 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 and the U.S. Fish and Wildlife Service allows a different course of action.

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

**Commission of Ohio Docketing Information System on**

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**Case No(s). 18-1800-EL-BLN**

Summary: Staff Report of Investigation electronically filed by Mr. Matt Butler on behalf of Staff of OPSB