

**BEFORE THE  
OHIO POWER SITING BOARD**

<b>IN THE MATTER OF THE APPLICATION OF</b>	:	
<b>AMERICAN TRANSMISSION SYSTEMS, INC.</b>	:	
<b>FOR A CERTIFICATE OF ENVIRONMENTAL</b>	:	<b>CASE NO. 18-1335-EL-BTX</b>
<b>COMPATIBILITY AND PUBLIC NEED FOR THE</b>	:	
<b>CONSTRUCTION OF THE WOOD COUNTY</b>	:	
<b>138 KV REINFORCEMENT PROJECT</b>	:	

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**JOINT MOTION TO SUSPEND PROCEDURAL ORDER AND**  
**MEMORANDUM IN SUPPORT**

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The Parties to this proceeding, American Transmission Systems, Incorporated, a FirstEnergy company, (“Applicant” or “ATSI”) and the staff of the Ohio Power Siting Board (“Staff”) jointly request that the Procedural Order issued in this case on April 11, 2019 be suspended. During the review of the application in this matter, Staff has requested, and ATSI has agreed to provide, additional information related to the Project. As the requested information involves a review by the Ohio Department of Transportation, Office of Aviation, additional time is needed to respond because the Staff will not have the requested information before May 29, 2019, the date currently set for the Staff Report in the Procedural Order. The Parties anticipate that an addition thirty (30) days will be adequate to provide this information to Staff and they would anticipate filing a request to re-initiate the procedural schedule no later than June 30, 2019.

ATSI further requests that the Administrative Law Judge include in any Order suspending these proceedings instructions for issuing public notice of the cancellation of the public hearing, currently scheduled to begin on June 13, 2019, and the adjudicatory hearing,

currently scheduled to begin on June 27, 2019. ATSI understands that once the Procedural Order is reinstated, it will need to issue additional public notices, as required by Admin. Code Rule 4906-3-09, once the dates for the public and adjudicatory dates are rescheduled.

Pursuant to Administrative Code Rule 4906-2-27(C), the parties jointly request expedited review and decision on this joint motion. The Parties request an expedited decision to ensure that the Parties do not fail to meet the existing deadlines in this matter, as set in the original Procedural Order.

Respectfully submitted,

s/ Robert J. Schmidt

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*\*by Robert Schmidt pursuant to email authorization*

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**MEMORANDUM IN SUPPORT**

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Applicant, American Transmission Systems, Incorporated, a FirstEnergy company, (“Applicant” or “ATSI”) filed an application for a Certificate of Environmental Capability and Public Need (“Certificate”) on December 19, 2018 for the Wood County 138 kV Reinforcement Project. In this Project, ATSI proposed the construction of a new 138 KV transmission line to provide improvements to the electric transmission system in the Project area near Bowling Green, Ohio in Wood County. The application was deemed complete on February 19, 2019, proof of service of the accepted and complete Application was docketed on March 1, 2019, proof of payment of the Application Fee was docketed on April 2, 2019, and on April 11, 2019, the Administrative Law Judge issued the Procedural Order required by Admin. Code Rule 4906-3-08. The Procedural Order set May 29, 2019 as the deadline for the filing of the Staff Report of Investigation, and the public and adjudicatory hearings on June 13 and June 27, 2019, respectively.

Since the filing of the application, Applicant and Staff have had continuing discussions regarding the Project. Staff has requested, and ATSI has agreed to provide, additional information related to the Project’s compliance with Federal Aviation Administration (FAA)

requirements, and the related review of the Project by the Ohio Department of Transportation's Office of Aviation. Because this additional information will require additional time to prepare, the information will not be available before the Staff Report filing date of May 29, 2019. In order to avoid not meeting the requirements of the Procedural Order, and in order to ensure that the Staff, the Applicant, and the public, have the information necessary to evaluate the application, the Parties are jointly requesting a suspension of the Procedural Order to allow the Staff additional time to review this information once it is obtained from the Ohio Department of Transportation's Office of Aviation.

Further, although the Procedural Order set the dates for the public hearing date on June 13, 2019 and the Adjudicatory Hearing on June 27, 2019, the Parties understand that both the public and adjudicatory hearings will need to be suspended. Revised Code §4906.07 provides that the Staff Report of Investigation must be issued at least fifteen (15) days prior to the public and adjudicatory hearings. Consequently, the rescheduled dates for the public and adjudicatory hearings cannot be set until a final date for the issuance of the Staff Report of Investigation is also set. The Parties anticipate in their joint motion to reinstate the procedural schedule providing this information to the Board.

Finally, because the procedural schedule in this case is short and the Staff Report of Investigation is due on May 29, 2019, the Parties jointly request that this Motion be considered expeditiously and that an Order be issued as quickly as possible. The Parties will continue to work cooperatively together on procedural issues and appreciate the willingness of the Administrative Law Judge to consider this motion on an expedited basis.

Respectfully submitted,

s/ Robert J. Schmidt

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*Counsel for Staff of the Power Siting Board*

*\*by Robert Schmidt pursuant to email authorization*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Joint Motion to Suspend Procedural Order and Memorandum in Support* was served upon the following persons by electronic filing and by emailing a copy on May 23, 2019 to:

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*Counsel for American Municipal Power, Inc.*

s/Robert J. Schmidt

Robert J. Schmidt

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**Case No(s). 18-1335-EL-BTX**

Summary: Motion to Suspend Procedural Order and Memorandum in Support (Joint Motion) electronically filed by Mr. Robert J Schmidt on behalf of American Transmission Systems Inc.