

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of **REPUBLIC WIND, LLC** for a Certificate of Environmental Compatibility and Public Need to Build and Operate a 138 kV Electric Transmission Line in Seneca County, Ohio)
Case No. 19-1066-EL-BTX

MOTION FOR WAIVER

Applicant, Republic Wind, LLC (“Republic” or “Applicant”), pursuant to Ohio Administrative Code (“OAC”) Rule 4906-2-27(C), respectfully moves the Ohio Power Siting Board (“Board”) to grant: (1) a waiver from the requirement OAC Rule 4906-3-05 which requires that the alternate route have no more than twenty percent (20%) in common with the preferred route; and (2) a waiver from OAC Rule 4906-5-04(A) which requires submittal of a formal route selection study. The reasons for these waiver requests are set forth below in the attached memorandum in support.

Respectively submitted on behalf of,
REPUBLIC WIND, LLC



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**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of **REPUBLIC**)
WIND, LLC for a Certificate of Environmental)
Compatibility and Public Need to Build and) Case No. 19-1066-EL-BTX
Operate a 138 kV Electric Transmission Line in)
Seneca County, Ohio)

MEMORANDUM IN SUPPORT

I. Introduction

Republic proposes to construct a 7.2-mile 138 kV Transmission Line with a point of interconnection (“POI”) Switchyard, collectively referred to as “the Facility”. The Facility is located in rural Pleasant and Adams Townships in Seneca County, Ohio. The Switchyard will be located along the existing American Electric Power (“AEP”) Freemont Center-Tiffin Center 138 kV circuit. The primary purpose of the Republic Transmission Line is to deliver electricity generated by the Republic Wind Farm Project (Case No. 17-2295-EL-BGN) from the collection substation to the Republic POI Switchyard.

The Applicant has identified Preferred and Alternate Transmission Routes and a POI Switchyard location, which are set forth in the Application. PJM has completed its initial studies (System Impact Study, Feasibility Study, and Facilities Study) based on the POI Switchyard location. As such, shifting to an alternate interconnection point would result in PJM requiring the Applicant to submit a new interconnection queue request that would add significant delay to the project. Further, because the transmission line is proposed to facilitate transmission of electricity from the Republic Wind Farm Project, there are limited alternate routes available when considering necessary land rights, construction costs, and potential environmental impacts.

Because of the constraint on alternative routes, Republic request a waiver from OAC Rule 4906-3-05.

In addition, Republic requests a waiver of OAC Rule 4906-05-04(A) due to the limitation on various siting alternatives discussed above. Although Republic has not performed a formal route selection study, it has engaged in a thorough process of analyzing possible routes for this project which will allow the Board to analyze the alternate routes.

II. A waiver of the requirement for formal route selection study is justified.

Pursuant to OAC Rule 4906-5-04(A), the applicant is required to conduct a formal route selection study prior to submitting its application. As discussed above, PJM has completed its initial studies based on the POI Switchyard location. Shifting to an alternate interconnection point at this stage would result in significant delay for the project and result in an unnecessary burden for Republic. Further, because the Facility is intended to serve the Republic Wind Farm Project, there are limited options for modifying the location of the starting point of the transmission line, which is the Republic Wind Farm Project collection substation. Because the area for potential routes is limited due to the particular nature and purpose of this Facility, Republic has not performed a formal route selection study.

Although Republic has not performed a formal route selection study, it has engaged in a thorough process of analyzing possible routes for this project, and also submitted detailed information in the Application regarding this route selection process. For example, the Application provides a comparison of the estimated capital and intangible costs of the Preferred and Alternate Routes. In addition, the Application addresses the calculated electric and magnetic field strength; hydrogeology information in the vicinity of the Facility; anticipated sound contours and acoustic assessment; land use and acreage impacts; and potential impacts on radio

and television signals. The Application further addresses potential cultural resource impacts and potential impacts on wetlands. This information will allow the Board's Staff to conduct its review of the proposed routes and make any necessary findings on the routes.

Accordingly, although Republic will not be providing a formal route selection study, it will provide sufficient information for the Board to make the necessary determinations under Ohio Revised Code Section 4906.10.

III. A waiver of the "20% in common" rule is justified.

Republic also requests a waiver of OAC Rule 4906-3-05, which provides that the preferred and alternate route shall not be more than 20% in common. The Preferred and Alternative Routes proposed in the Application exceed this "20% rule" because of the limitation on potential alternate paths for this particular project discussed above. The transmission line is being constructed to serve the Republic Wind Farm Project, which confines the potential Facility to a defined area that will serve the goals of the wind farm project while also minimizing potential impacts to landowners and the environment. Because of the logistical constraints related to the POI Switchyard and siting the Facility to serve the Republic Wind Farm Project, the only realistic alternate routes available were more than 20% in common with the Preferred Route.

Republic performed a site selection process which is described in the Application. Based upon this process, Republic designated three routes for the project: the Preferred and two Alternate Routes. In determining the preferred location for the transmission line, the Applicant worked closely with landowners and stakeholders. Understanding the requirement to provide an alternate route for review and consideration by the Board, the Applicant provided the best possible alternatives to the Preferred Route, while keeping in mind the design goals for the

transmission line and the fact that the location of the transmission line route needs to be in close proximity to the POI Switchyard.

Republic's request for a waiver of the "20% requirement" is supported by Board precedent. *AEP Ohio Transmission Company*, Case No. 11-4505-EL-BTX, Entry (December 21, 2011) (waiver granted where the alternate route shared 83% of the right-of-way); *American Transmission Systems Inc.*, Case No. 11-4884-EL-BTX, Entry (November 5, 2012) (waiver granted for an 80% shared overlap); *Dominion East Ohio Gas Company*, Case No. 08-289-GA-BTX, Entry (February 5, 2009) (waiver granted a waiver of 50% overlap); *Columbia Gas of Ohio, Northern Columbus Loop, Phases IV and V* Case No. 04-1620-GA-BTX, Entry (February 4, 2005) (granted a shared overlap of 80%); *American Transmission Systems, Inc. Beaver-Greenfield*, Case No. 01-207-EL-BTX, Entry (June 7, 2001) (waiver granted where the alternate route shared 81% of the right-of-way with the preferred route). Therefore, Republic request a waiver of the requirement of OAC Rule 4906-3-05.

IV. Conclusion

Based on the forgoing, Republic requests a waiver of OAC Rules 4906-3-05 and 4906-5-04(A).

Respectively submitted on behalf of,
REPUBLIC WIND, LLC



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Summary: Motion of Republic Wind, LLC for Waiver and Memorandum in Support
electronically filed by Teresa Orahoad on behalf of Devin D. Parram