

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Construction Notice Application of)
Duke Energy Ohio, Inc. for a Certificate of)
Environmental Compatibility and Public Need for the) Case No. 20-0262-EL-BNR
Pierce Substation Expansion Project)

Members of the Board:

Chairman, 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 4906-6.

Staff recommends the application for automatic approval June 8, 2020, 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 June 8, 2020, which is the recommended automatic approval date.

Respectfully submitted,



Theresa White
Executive Director
Ohio Power Siting Board

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 20-0262-EL-BNR
Project Name: Pierce Substation Expansion Project
Project Location: Clermont County
Applicant: Duke Energy Ohio, Inc.
Application Filing Date: March 4, 2020
Filing Type: Construction Notice
Report Date: June 1, 2020
Recommended Automatic Approval Date: June 8, 2020
Staff Assigned: A. Holderbaum, S. Halter

Summary of Staff Recommendations (see discussion below):

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

Project Description

Duke Energy Ohio, Inc. (Applicant) proposes to expand the northwest corner of the existing Pierce Substation fence line by 275 feet to add and upgrade equipment and infrastructure within the station. The existing station would expand by approximately 0.37 acre, or by approximately 19 percent.

The Applicant anticipates that construction of this project would begin in June 2020, and that the facility would be placed in service by August 2020. The total cost of the substation equipment upgrades and the fence expansion is estimated at \$250,000.

Basis of Need

This project is needed to allow for installation of an electrical control structure and for the installation and reconfiguration of equipment inside Pierce Substation. The Applicant states the project will increase the reliability of the surrounding grid and will allow Duke Energy Ohio to meet regulatory standards.

Upgrades to the transmission system are part of PJM Interconnection, LLC's (PJM) Regional Transmission Expansion Planning (RTEP) process.¹ Staff verified the need for this project through consultation of PJM's baseline projects. Baseline projects include projects planned for (1) reliability, (2) operational performance, (3) FERC Form No. 715 criteria, (4) economic planning,

1. PJM Interconnection, LLC is the regional transmission organization charged with planning for upgrades to the regional transmission system in Ohio. Significant alterations to the transmission system located in the PJM control area are required to submit planned projects for review of system impacts.

and (5) public policy planning (State Agreement Approach).² This project is from the 2017 RTEP study. It eliminates the NERC criteria violations found for certain contingencies at the Pierce Substation, by stakeholders to resolve a system reliability criteria violation. This project was given PJM baseline number b2977. Its progress can be tracked on PJM's website.

Nature of Impacts

Land Use

The existing substation is located adjacent to State Highway 52 in Pierce Township, Clermont County and is surrounded by open space, forested land, and gravel road. There are numerous utility lines and two generating stations located in the area. The project is not located within any agricultural district lands. No residential structures are located within 100 feet of the substation, and no structures would need to be removed to construct this project. There are no parks, churches, cemeteries, wildlife management areas, or nature preserve areas located within 500 feet of the project.

All work to be performed for this project including the expanded fence line is located on property owned by the Applicant and an existing Duke Energy Ohio right-of-way within Ohio Valley Electric Corporation property. No additional property easements or approvals from landowners would be needed for the proposed project.

Cultural Resources

The Applicant's cultural resources consultant performed a literature review for the project. No cultural or historic resource were identified in the project area. The project would not involve or impact any significant cultural resources or landmarks. Staff agrees that no further cultural resource management work is necessary.

Surface Waters

The survey area contains one ephemeral stream that is located outside of the proposed expansion area. No in-water work is proposed.

The survey area contains three wetlands, all of which are located outside of the proposed expansion footprint. No work is proposed within or adjacent to these resources.

Threatened and Endangered Species

Some tree clearing would be required for this project. 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 would be impacted by the project. In order to avoid impacts to the Indiana bat and northern long-eared bat, the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service recommend seasonal tree cutting dates of October 1 through March 31 for all trees three inches or greater in diameter. The Applicant's consultant states 0.7 acres of tree clearing is required for the project. Staff recommends the Applicant follow the seasonal tree clearing guidelines in order to avoid impacts to these species.

2. PJM Manual 14B: PJM Region Transmission Planning Process.

Impacts to other state and federal listed species are not anticipated, due to no proposed in-water work and a lack of suitable habitats.

Recommended Findings

Staff's review of the application included consideration of the requirements listed in Ohio Revised Code Section 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 June 8, 2020, subject to the conditions below. Staff notes that its recommendation for approval of this application should not be construed as a recommendation for approval of cost recovery in any ratemaking proceeding.

Conditions:

- (1) The certificate authority provided in this case shall not exempt the facility from any other applicable and lawful local, state, or federal rules or regulations nor be used to affect the exercise of discretion of any other local, state, or federal permitting or licensing authority with regard to areas subject to their supervision or control.
- (2) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than three inches in diameter, 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

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Case No(s). 20-0262-EL-BNR

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