

THE OHIO POWER SITING BOARD

IN THE MATTER OF COLUMBIA GAS OF
OHIO, INC.'S LETTER OF NOTIFICATION
FOR THE MARYSVILLE CONNECTOR
PIPELINE PROJECT.

CASE NO. 19-2148-GA-BLN

ENTRY

Entered in the Journal on June 8, 2020

{¶ 1} Columbia Gas of Ohio, Inc. (Columbia) is a person as defined in R.C. 4906.01. R.C. 4906.04 provides that no person shall construct a major utility facility in the state without obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 2} R.C. 4906.03 instructs the Board to adopt rules providing for an accelerated review of a construction certificate under certain circumstances.

{¶ 3} The rules regarding an accelerated review of various applications were codified by the Board as Ohio Adm.Code Chapter 4906-6.

{¶ 4} On December 20, 2019, pursuant to Ohio Adm.Code Chapter 4906-6, Columbia filed a letter of notification (LON) application seeking Board approval, on an accelerated review timeline, for the proposed Marysville Connector Pipeline Project (Project) near Marysville, Union County, Ohio. The proposed Project will be approximately 4.78 miles in length and will provide natural gas service to new industries and residential development along the route.

{¶ 5} On December 24, 2019, Columbia filed an amendment to Appendix C, reflecting revisions to the Wetland and Waterbody Delineation Report, originally filed with the LON.

{¶ 6} On December 27, 2019, Columbia filed its notice of compliance with the service requirements under Ohio Adm.Code 4906-6-07.

{¶ 7} Pursuant to Ohio Adm.Code 4906-6-08(A), on January 6, 2020, Columbia filed its proof of publication of notice of the proposed Project made in the *Marysville Journal-*

Tribune on December 23, 2019.

{¶ 8} On March 9, 2020, the governor signed Executive Order 2020-01D (Executive Order), declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. As described in the Executive Order, state agencies are required to implement procedures consistent with recommendations from the Department of Health to prevent or alleviate the public health threat associated with COVID-19. Additionally, all citizens are urged to heed the advice of the Department of Health regarding this public health emergency in order to protect their health and safety. The Executive Order was effective immediately and will remain in effect until the COVID-19 emergency no longer exists. The Department of Health is making COVID-19 information, including information on preventative measures, available via the internet at coronavirus.ohio.gov/.

{¶ 9} By Entry issued on March 17, 2020, in *In re the Proper Procedures and Process for the Board's Operations and Proceedings During the Declared State of Emergency and Related Matters*, Case No. 20-601-GE-UNC , Entry (March 17, 2020) at ¶4 and in response to the Executive Order, the administrative law judge (ALJ) ordered that any time period prescribed by order, statute, or rule for the Board to act upon a pending application or other filing should be tolled during the state of emergency and also during the 14 days thereafter. Pursuant to the Entry of May 20, 2020, the tolling directive was modified with its termination effective June 1, 2020. As a result, the automatic approval date of the LON application was June 3, 2020, unless otherwise suspended.

{¶ 10} Pursuant to the Entry of April 21, 2020, the ALJ granted the motions to intervene of the Board of Trustees of Millcreek Township in Union County, the Board of Trustees of Jerome Township in Union County, the Union County Board of County Commissioners, the Madison County Board of County Commissioners, the Logan County Board of County Commissioners, as well as the Ohio Gas Access Partnership. The motions to intervene of Suburban Gas Company and the Delaware County Board of Commissioners were denied.

{¶ 11} Due to the Board's offices being closed from June 1, 2020, through June 5, 2020, filing deadlines occurring while the offices were closed were extended in accordance with R.C. 1.14.

{¶ 12} The Board Staff (Staff) filed a letter dated June 1, 2020, recommending a suspension of the automatic LON approval process in this case. In support of its request, Staff submits that additional time will provide stakeholders with the opportunity to resolve concerns in a manner that will result in an amicable and expeditious resolution of the matter. Additionally, Staff states that the suspension of the automatic approval date will provide Columbia with the ability to provide further information relevant to the demonstration of need for the project pursuant to R.C. 4906.10(A)(1).

{¶ 13} Pursuant to Ohio Adm.Code 4906-6-09, upon good cause, the ALJ may suspend consideration of an accelerated certificate application for up to ninety days.

{¶ 14} Upon a review of the LON application filed by Columbia, as well as Staff's letter and the granted motions to intervene, the ALJ finds that additional investigation is necessary to complete a thorough review of the application. Therefore, the ALJ finds that good cause exists to suspend the application and the 90-day automatic approval process, pursuant to Ohio Adm.Code 4906-6-09, in order to allow for the Board and Staff to further review this matter.

{¶ 15} It is, therefore,

{¶ 16} ORDERED, That Columbia's LON application be suspended in accordance with Paragraph 14. It is, further,

{¶ 17} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE OHIO POWER SITING BOARD

/s/ Jay S. Agranoff

By: Jay S. Agranoff
Administrative Law Judge

JRJ/kck

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

6/8/2020 2:00:35 PM

in

Case No(s). 19-2148-GA-BLN

Summary: Administrative Law Judge Entry Suspending Columbia's LON application. Upon a review of the LON application filed by Columbia, as well as Staff's letter and the granted motions to intervene, the ALJ finds that additional investigation is necessary to complete a thorough review of the application. Therefore, the ALJ finds that good cause exists to suspend the application and the 90-day automatic approval process, pursuant to Ohio Adm. Code 4906-6-09, in order to allow for the Board and Staff to further review this matter. electronically filed by Kelli C King on behalf of Jay S. Agranoff, Administrative Law Judge, Public Utilities Commission of Ohio