

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Expedited Construction Notice of)
Duke Energy Ohio for a Certificate of Environmental)
Compatibility and Public Need for the Maineville) Case No. 20-0347-EL-BNR
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 September 9, 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 September 9, 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: 20-0347-EL-BNR
Project Name: Maineville Substation Expansion Project
Project Location: Warren County
Applicant: Duke Energy Ohio
Application Filing Date: August 18, 2020
Filing Type: Expedited Construction Notice
Inspection Date: August 28, 2020
Report Date: September 2, 2020
Recommended Automatic Approval Date: September 9, 2020
Staff Assigned: A. Holderbaum, J. Cross

Summary of Staff Recommendations (see discussion below):

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

Project Description

Duke Energy Ohio (Applicant) proposes to expand the existing Maineville Substation by 0.12 acres, or approximately 19 percent. The proposed expansion consists of installing an expanded fence, new equipment within the substation, two steel transmission structures, and 0.2 miles of 138 kilovolt (kV) transmission line. One of the proposed transmission structures would be placed within the substation fence line and one would be placed outside of the fence line, just north of the project.

The equipment to be placed within the substation fence line will include a 22.4 MVA transformer and associated equipment to change voltage levels between high transmission voltages and lower distribution voltages. Two concrete foundations to accommodate the new steel H-frame structures will also be installed. One new steel monopole will be installed north of the project, replacing an existing wood monopole structure. The structure will be approximately 60 feet tall above ground and be placed within the existing transmission line easement.

The Applicant anticipates that construction of this project would begin in October 2020, and that the facility would be placed in service by December 2021.

Basis of Need

The Applicant proposes to expand and reconfigure the existing Maineville Substation. The substation would be expanded to add a second transformer bank, loop the 138 kV transmission line (circuit 5484) and replace structures.

The Applicant states Maineville transformer bank one and tie feeder park 44 are heavily loaded during summer peak energy usage, 100% and 94% respectively. The loss of transformer bank one may cause reliability problems, including low system voltages and overloading of equipment and customer outages. With the economic growth and need for continued service, this project provides resources for future growth and continued reliability.

This projects' need and solution was presented and reviewed with PJM Interconnection, LLC (PJM) stakeholders at the Subregional RTEP Committee on March 25, 2019 and May 20, 2019.^{1,2} Transmission owners plan supplemental projects in accordance with PJM's Open Access Transmission Tariff (OATT), Attachment M-3 process. The project has recently been issued supplemental PJM upgrade ID s1928, whereby the project status can be tracked on PJM's website.^{3,4}

The project was included in the Applicant's Long-Term Forecast, Specifications of Planned Transmission Lines, Table FE-T9.⁵

The capital cost of this transmission line project is estimated at \$7,300,000.⁶

Nature of Impacts

Land Use

The project is located on the west side of State Route 48 just north of Hildebrant Drive in Maineville, Warren County. The surrounding area is made up of open space, commercial properties and maintained lawns, woodlots, and agricultural fields. The project is not located within any agricultural district lands. No residential structures are located within 100 feet of the project, 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

¹. PJM Interconnection, "Subregional RTEP Committee - Western," March 25, 2019, DEOK Supplemental Upgrades, Need No. (DEOK-2019-006), available at: <https://pjm.com/-/media/committees-groups/committees/srtep-w/20190325/20190325-deok-supplementals.ashx> (Accessed August 31, 2020).

². PJM Interconnection, "Subregional RTEP Committee - Western," May 20, 2019, DEOK Supplemental Upgrades, Need No. (DEOK-2019-006), available at: <https://pjm.com/-/media/committees-groups/committees/srtep-w/20190520/20190520-deok-supplementals.ashx> (Accessed August 31, 2020).

³. A Supplemental Project is defined in the PJM Operating Agreement as a transmission expansion or enhancement that is not required for compliance with the following PJM criteria: system reliability, operational performance or economic criteria, pursuant to a determination by the Office of the Interconnection and is not a state public policy project pursuant to Operating Agreement, Schedule 6, section 1.5.9(a)(ii). See also, PJM Manual 14B: PJM Region Transmission Planning Process, Revision 46, effective August 28, 2019, available at: <https://www.pjm.com/-/media/documents/manuals/m14b.ashx>.

⁴. PJM Interconnection, "Transmission Construction Status," accessed August 31, 2019, <https://pjm.com/planning/project-construction.aspx>.

⁵. Duke Energy Ohio, Inc., "Long-Term Forecast Report to the Public Utilities Commission of Ohio," Public Utilities Commission of Ohio Case No. 20-0375-EL-FOR, July 1, 2020.

⁶. Applicant represents that approximately 97% of the project costs will be recovered through Duke Energy Ohio's Distribution Capital Investment (DCI) Rider, approved in Public Utilities Commission of Ohio (PUCO) Case No. 17-0032-EL-AIR, et al. The remainder of these costs, approximately \$200,000, will be included in the Applicant's formula rate (i.e. the annual transmission revenue applicable under PJM Interconnection, LLC's Open Access Transmission Tariff, Attachment H-22) and would be assessed on all transmission customers within PJM Zone DEOK.

of the project. All work to be performed for this project is located on existing easements and property owned by the Applicant.

Cultural Resources

The Applicant's cultural resources consultant performed a literature review for the project. The literature review identified one archaeological site, 10 historic structures (one of which is also listed as a cemetery), and two cemeteries within 1 mile of the project area. The consultant concluded that the project would not involve or impact any significant cultural resources or landmarks. Staff agrees with this assessment, as none of the listed resources are located within the project area, and most of the proposed construction for the project will take place within areas previously disturbed from the construction of the original substation in 2006.

Surface Waters

One Category 1 wetland and one intermittent stream are present in the project area. Both resources will be avoided during construction of the project and no structures will be placed within the boundaries of the resources. No surface waters will be impacted by the project. The project does not cross a 100-year floodplain and therefore no floodplain permit would be required.

Threatened and Endangered Species

The Applicant states 0.12 acre of tree clearing will be necessary for the 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 (ODNR) 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 has committed to abiding by the seasonal tree clearing restrictions in order to avoid impacts to these species.

Impacts to other state and federal listed species would not occur due to no proposed in-stream work or impacts to habitats of threatened or endangered wildlife within the range of the project.

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 September 9, 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.

- (3) Prior to the commencement of construction activities in areas that require permits or authorizations by federal or state laws and regulations, the Applicant shall obtain and comply with such permits or authorizations. The Applicant shall provide copies of permits and authorizations, including all supporting documentation, on the case docket prior to commencement of construction.

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Case No(s). 20-0347-EL-BNR

Summary: Staff Report of Investigation electronically filed by Mr. Jason Cross on behalf of Staff of OPSB