

BEFORE THE OHIO POWER SITING BOARD

**In the Matter of the Application of)
AEP Ohio Transmission Company, Inc.)
for a Certificate of Environmental)
Compatibility and Public Need for)
Construction of the Groves Road-)
Shannon 138 kV Transmission Line Project.)**

Case No. 21-199-EL-BTX

AEP OHIO TRANSMISSION COMPANY, INC.’S MOTION FOR WAIVER

Pursuant to Rules 4906-3-01(B) and 4906-2-27 of the Ohio Administrative Code, AEP Ohio Transmission Company, Inc. (“AEP Ohio Transco” or the “Company”) respectfully moves for a limited waiver of the requirement to provide results of a field survey of the vegetation and surface waters within 100 feet of the potential disturbance area of the facility as set forth in Ohio Adm. Code 4906-5-08(B). Specifically, for a portion of what is anticipated to be one of the Company’s submitted routes for the Groves Road-Shannon 138 kV Transmission Line Project (the “Project”), the potential disturbance area will be the entire right-of-way (“ROW”) north of a railroad corridor between Noe Bixby Road and Hinsel Drive in Columbus, Franklin County, Ohio. As a result, pursuant to Ohio Adm. Code 4906-5-08(B), the Company would be required to complete surveys and obtain survey permissions from approximately 120 landowners on the south side of the railroad corridor.

However, as the proposed Project area and the parcels south of the railroad corridor are split by the railroad corridor, the Company will not impact any vegetation or surface waters on the landowner’s parcels and, therefore, the Company requests that the Ohio Power Siting Board (the “Board”) grant the Company’s limited waiver of the requirement to complete a field survey on these residential parcels for this 1.6 mile portion of the route being developed for the Project. If granted, the Company will complete and provide survey results up to the property boundaries

of the residential parcels that are the subject to this waiver request. The grounds for this motion are set forth more fully in the accompanying memorandum in support.

Respectfully submitted,

/s/ Tanner S. Wolffram

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MEMORANDUM IN SUPPORT

The Company plans to submit a standard application (the “Application”) for the Project with the Board in January 2022. The Project involves rebuilding approximately 5.4 miles of the existing Refugee-Groves Road and Shannon-Astor transmission lines in Franklin County, Ohio. The Project will include approximately 3-5 miles of new greenfield line to connect the Groves Road Substation to the Shannon Substation, depending on the route selected for the Project. Pursuant to the requirements of Ohio Adm. Code 4906-5-08(B), the Company is developing alternate routes and will ultimately select a Preferred and Alternate Route for the Project. One of the routes that the Company is currently exploring extends approximately 5-6 miles from the Groves Road Substation to the Shannon Substation, depending on the final route design selected for the Project (the “Route”). A portion of the Route’s alignment will span the north side of an existing railroad corridor. This portion of the Route will include a 60-foot ROW, the entirety of which will need to be cleared. Less than 100 feet from the edge of the Company’s ROW for the Route along this portion of the Project, and on the south side of the railroad corridor, there is a densely populated housing development. A map of the parcels along the Route for which the Company seeks a waiver and the survey area required under Ohio Adm. Code 4906-5-08(B) is attached hereto as Attachment 1.

For standard applications, Ohio Adm. Code 4906-5-08(B) requires an applicant to provide the results of a field survey of the vegetation and surface waters within 100 feet of the potential disturbance area of the facility for each of the route alternatives. Given that the residential parcels along this portion of the Route are within 100 feet of the planned ROW, the Company would be required to complete a field study for any vegetation and surface waters located on these residential parcels. To complete these field surveys, the Company would be

required to obtain rights to enter the backyards of each of these parcels from each of the property owners.

However, as the disturbance area for the Route and the residential parcels are separated by the railroad corridor, the Project will not impact these parcels or any vegetation or surface waters features that may occur thereon. As such, completing the surveys required under the rules for this Route would require the Company to allocate resources and incur the costs to complete the required survey without any commensurate benefit. This is especially true for any survey rights the Company would need to secure through a litigated process. Additionally, absent this waiver, the Company would be required to approach landowners to secure surveying rights to enter their backyards for the Project. Approaching landowners about securing surveying rights for their property is likely to lead to confusion about the impacts of the Project on their property, which, for the parcels subject to this waiver request, there is none.

Even with this waiver request, the property owners will be provided with information regarding the Project. Specifically, these landowners were invited to an initial virtual public open house in November 2020 and will receive further notice of this Project through the Company's public information program required by Ohio Adm. Code 4906-3-03 and via the public notice requirements in Ohio Adm. Code 4906-3-09.

Finally, granting this waiver would carry the additional benefit of limiting in-person contact with the respective landowners, which is especially important in light of the ongoing COVID-19 pandemic, and avoids potential employee and/or contractor safety concerns that may be present on the residential properties, including but not limited to trip hazards, confrontation with landowners, and/or animal contact.

Ohio Adm. Code 4906-3-01(B) authorizes the Board to waive any requirement of that chapter other than a requirement mandated by statute. Here, there is good cause to grant the Company's requested waiver. First and foremost, the Project will not impact any vegetation or surface waters on the parcels for which the Company seeks a waiver. Thus, the Company's proposed field survey meets the spirit of Ohio Adm. Code Ohio Adm. Code 4906-5-08(B) because the Company would still be providing the results of the field survey for any areas that may be impacted by the Project. Additionally, the waiver would reduce Project costs, avoid the need for litigation to secure surveying rights for this portion of the Route, eliminate confusion about the Project's impacts on residential properties, and reduce health and safety risks associated with in-person contact with the landowners and entering onto residential properties.

Therefore, for the foregoing reasons, good cause exists to support granting AEP Ohio Transco's requested waiver of Ohio Adm. Code 4906-5-08(B) and AEP Ohio Transco respectfully requests that the Board waive the requirements of Ohio Adm. Code 4906-5-08(B) for the identified portion of the Project in this case.

Respectfully submitted,

/s/ Tanner S. Wolffram

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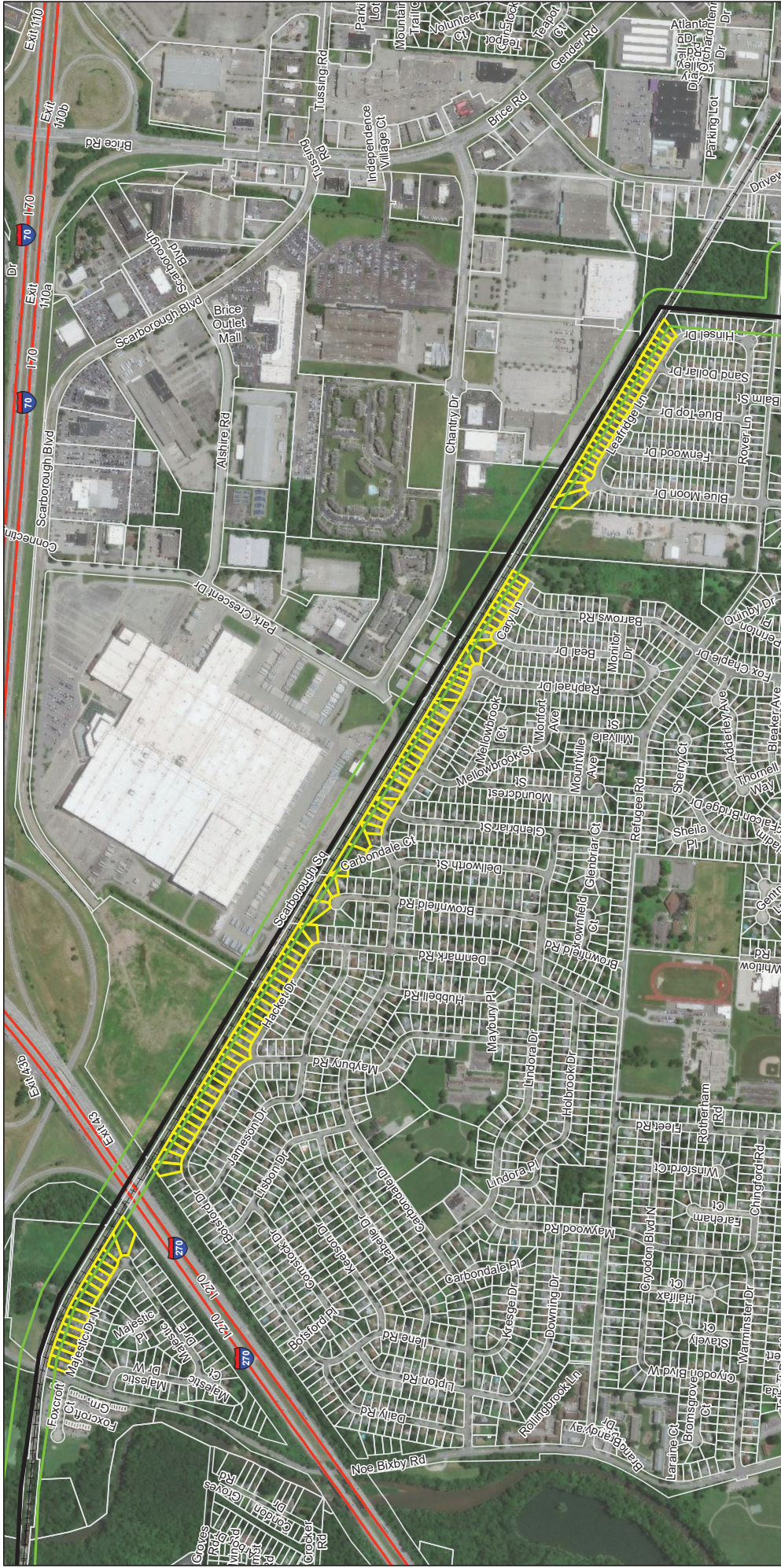
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	GROVES ROAD - SHANNON REBUILD PROJECT	
	Waiver Request Parcel Map	
	<p>Sources: Imagery (ESRI), Parcels and Railroads (Franklin County), Roads (ESRI)</p> <p>Coordinate System: Ohio State Plane South NAD 1983</p> <p>January 22, 2020</p>	

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Summary: Motion Motion for Waiver and associated exhibit for the Groves Road-Shannon 138 kV Transmission Line Project electronically filed by Tanner Wolfram on behalf of AEP Ohio Transmission Company, Inc.