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March 17, 2021

The Honorable Jesse Davis
Ohio Power Siting Board
180 East Broad Street, 12th Floor
Columbus, OH 43215-3793

Re: Motion for Waiver,
Case No. 21-0199-EL-BTX

Dear Judge Davis:

On March 3, 2021, AEP Ohio Transmission Company, Inc. (Applicant) filed a motion requesting that the Ohio Power Siting Board (Board) grant a waiver from the requirement in Ohio Administrative Code (Ohio Adm.Code) 4906-5-08(B) to provide results of a field survey of the vegetation and surface waters within 100 feet of the potential disturbance area for a 1.6-mile portion of the facility.

Specifically, the proposed project contains 1.6 miles of route that runs parallel to a railroad corridor, with the railroad corridor bisecting the area that would be within the 100-foot field survey area. Staff notes that the 100-foot field survey area required by Ohio Adm.Code 4906-5-08(B) aids in both Staff and the Board's review of minimum adverse environmental impacts, pursuant to R.C. 4906.10(A)(3), since vegetation, wetlands, and streams can exist or extend onto this 100-foot survey area. However, in the present matter, the railroad corridor creates a physical barrier from such overlap and the Applicant confirmed that the project will not impact any vegetation or surface waters south of the railroad corridor or land associated with its waiver request. Therefore, Staff does not object to the limited requested waiver based on the specific situation presented in this case.

Though the Staff does not object to the requested waiver, the Staff reserves the right to require information from the Applicant in areas covered by the requested waiver if the information becomes necessary to the Staff's investigation. The Staff also reserves the right to investigate and contest all other issues presented in the application.

Respectfully submitted,

/s/ Chelsea R. Fletcher

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**On Behalf of the Staff of the
Ohio Power Siting Board**

cc: Parties of Record

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Summary: Correspondence Regarding Motion for Waiver electronically filed by Mrs. Kimberly M Naeder on behalf of OPSB