

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Construction Notice Application of)
AEP Ohio Transmission Company, Inc. for the Harmar) Case No. 21-0266-EL-BNR
Hill 138-kV Switch Install Project)

Members of the Board:

Chair, 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 (Ohio Adm.Code) 4906-6.

Staff recommends the application for automatic approval July 27, 2021, 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 July 27, 2021, which is the recommended automatic approval date.

Please present any concerns you or your designee may have with this case to my office.

Sincerely,



Theresa White
Executive Director
Ohio Power Siting Board

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 21-0266-EL-BNR
Project Name: Harmar Hill 138 kV Switch Project
Project Location: Washington County
Applicant: AEP Ohio Transmission Company, Inc.
Application Filing Date: April 27, 2021
Filing Type: Construction Notice
Inspection Date: June 29, 2021
Report Date: July 20, 2021
Recommended Automatic Approval Date: July 27, 2021
Applicant's Waiver Requests: None
Staff Assigned: T. Crawford, J. Pawley, G. Zeto

Summary of Staff Recommendations (see discussion below):

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

Project Description and Need

AEP Ohio Transmission Company, Inc. (AEP Ohio Transco or Applicant) proposes to remove and replace an existing, but inoperable, one-way, 138 kilovolt (kV) switch on the Mill Creek-Riverview 138 kV Transmission Line and located near the Harmar Hill Substation. The existing lattice frame switch will be replaced with a steel three-way, phase-over-phase switch which will also be located near the Harmar Hill Substation. The realignment and rebuilding of the 138 kV line to accommodate the new switch position is the subject of another application, Case No. 21-0267-EL-BLN.

The Harmar Hill Substation is served by a radial line that is a hard tap on the Gorsuch-Mill Creek 138 kV line. The hard tap limits the ability of the transmission operator to isolate or sectionalize loads during planned or unplanned service outages resulting in service interruptions. Replacement of the one-way switch will improve reliability to customers served from the Harmar Hill Substation, as the new three-way switch will help eliminate outages to customers served by the substation when maintenance is being done on the 138 kV line between the Gorsuch and Mill Creek Substations.

Upgrades to the transmission system are part of PJM Interconnection, LLC's (PJM) Regional Transmission Expansion Planning process.¹ The need and solution for this project were presented to PJM on October 28, 2018 and February 20, 2019, respectively. The project was assigned the supplemental project ID s1858.² Supplemental projects or upgrades refer to transmission expansions or enhancements not needed to comply with PJM reliability, operational performance, Federal Energy Regulatory Commission (FERC) Form No. 715 criteria, economic planning, and public policy planning (State Agreement Approach).³

The proposed replacement was included in form FE-T8 in the Applicant's 2021 Long-Term Forecast Report to the Public Utilities Commission of Ohio, filed in Case No. 21-0501-EL-FOR.⁴

The Applicant anticipates construction to begin during August 2021 with an in-service date planned for October 2021. The capital cost of the replacement project is estimated to be \$630,000.⁵

Nature of Impacts

Land Use

The project is located in Warren Township, Washington County. Existing land use in the area consists of residences, open space, State Route 676, and electric utility infrastructure. There are no known parks or recreational areas within 1,000 feet of the switch project. No residential structures are located within 100 feet of the switch structure, and no structures would need to be removed to construct this project. There are adjacent residences from the existing substation and switch structure, and on June 24, 2021, the Applicant filed a supplement to the project adjusting the proposed location of the switch structure approximately nine feet west of the location as proposed in the original filing. This adjustment would place the switch structure further away from the parcel and residence to the east. The switch structure would remain on the parcel associated with the substation. Finally, there is no active agricultural row crop land in the project area, and the project is not located on registered agricultural district land.

Cultural Resources

The Applicant's cultural resources consultant performed a literature review and Phase I cultural resource management investigation (archaeology and history/architecture) for the switch structure project. The consultant determined that the project would neither involve nor impact any significant cultural resources or landmarks, and that no further cultural resource management work

1. PJM 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.

2. <https://www.pjm.com/-/media/committees-groups/committees/teac/20191114/20191114-teac-informational-only-aep-local-plan-submissionof-the-supplemental-projects-for-2019-rtep.ashx> (Accessed May 3, 2021)

3. PJM Manual 14B: PJM Region Transmission Planning Process, Revision 48, Effective Date: October 1, 2020.

4. AEP Ohio Power Company, Inc. "Long-Term Electric Forecast Report", Public Utilities Commission of Ohio Case No. 21-0501-EL-FOR, April 14, 2021, page 68.

5. Applicant indicates that the projected costs, approximately \$630,000 composed of applicable tangible and capital costs, were obtained using a Class 4 estimate. The costs will be recovered in the Applicant's FERC Formula Rate (i.e. the annual transmission revenue applicable under PJM Open Access Transmission Tariff formula rate, Attachment H-20), and would be allocated to the AEP Zone.

was necessary. The findings were submitted to the Ohio Historic Preservation Office (OHPO). The OHPO responded to the consultant in concurrence that this switch structure project would not affect historic properties, and that no additional cultural resources studies are needed for the project. Staff agrees that no further cultural resource management work is necessary.

Surface Waters

The Applicant identified four intermittent streams within the route's survey corridor. These streams would be avoided during construction activities. No in-water work is planned for this project.

The Applicant identified one Category 1 wetland within the proposed route's survey corridor totaling 0.05 acres.⁶ No impacts are anticipated to wetlands.

The Applicant would submit a Notice of Intent for coverage under the Ohio Environmental Protection Agency National Pollutant Discharge Elimination System General Permit. Staff does not anticipate issues with the Applicant's procurement of this permit. As part of this permit, erosion control measures including silt fencing and other best management practices would be used where appropriate to minimize runoff impacts to nearby streams. The project would not overlap with any 100-year floodplain areas.

Threatened and Endangered Species

One of the missions of the Ohio Department of Natural Resources (ODNR) is to "conserve and improve the fish and wildlife resources and their habitats and promote their use and appreciation by the public so that these resources continue to enhance the quality of life for all Ohioans." In carrying out this mission, the ODNR considers the "status of native wildlife species [to be] very important" and therefore lists wildlife species needing protection.⁷ In addition to endangered species, those species classified as "threatened" are considered during OPSB project planning and approval because these species are those "whose survival in Ohio is not in immediate jeopardy, but to which a threat exists. Continued or increased stress will result in it becoming endangered."⁸

Tree clearing would be required for this project. The project area is within the range of state and federally endangered Indiana bat (*Myotis sodalis*), the federally threatened northern long-eared bat (*Myotis septentrionalis*), the state endangered little brown bat (*Myotis lucifugus*), and the state endangered tricolored bat (*Perimyotis subflavus*). 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 these listed bat species, the ODNR and the U.S. Fish and Wildlife Service (USFWS) recommend seasonal tree cutting dates of October 1 through March 31 for all trees that are three inches or greater in diameter. The Applicant has committed to following these seasonal tree clearing guidelines. During the winter months, bats hibernate in caves and abandoned mines, also known as hibernacula. The proposed project is not expected to impact any bat hibernacula.

6. Wetlands falling within the purview of the Clean Water Act are regulated within Ohio by R.C. 6111, et seq. and Ohio Adm.Code 3745-1-50, et seq. Ohio Adm.Code 3745-1-54 establishes wetland categories.

7. Ohio Department of Natural Resources, Division of Wildlife, "Ohio's Listed Species," Publication 5356 (R0520), <https://ohiodnr.gov/static/documents/wildlife/state-listed-species/Ohio's%20Listed%20Species%20pub356.pdf>, accessed June 3, 2021.

8. Id.

The blunt-leaved milkweed (*Asclepias amplexicaulis*), a state species of concern, has been documented near the proposed project. Due to the possible disruption of this species and possibly other rare species in the area, the ODNR recommended that a preconstruction survey of the proposed project site be conducted to ensure that plants are not impacted. The Applicant has committed to performing the ODNR recommended surveys.

Conclusion

Staff's review of the application included consideration of the requirements listed in R.C. 4906.10. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff recommends approval of this application on July 27, 2021 subject to the following conditions. 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) 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.
- (3) The Applicant shall adhere to seasonal cutting dates of October 1 through March 31 for removal of any trees greater than or equal to three inches in diameter unless coordination efforts with the ODNR and the USFWS allows a different course of action. If coordination with these agencies allows clearing between April 1 and September 30, the Applicant shall docket proof of completed coordination on the case docket prior to clearing trees.
- (4) The Applicant shall conduct a presence/absence survey for the blunt-leaved milkweed. Survey efforts and findings shall be coordinated with ODNR. If the species is found to be present, the Applicant shall coordinate with ODNR to determine and implement the recommended avoidance measures. Proof of completed surveys and coordination shall be filed in the case docket prior to construction.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/20/2021 12:46:02 PM

in

Case No(s). 21-0266-EL-BNR

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