

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
KILOVOLT TRANSMISSION LINE
PROJECT.

CASE NO. 21-199-EL-BTX

ENTRY

Entered in the Journal on October 5, 2021

{¶ 1} AEP Ohio Transmission Company (AEP) is a person as defined in R.C. 4906.01.

{¶ 2} 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).

{¶ 3} On September 22, 2021, AEP filed a motion for a waiver of the requirement of Ohio Adm.Code 4906-3-03(B) that AEP hold an in-person Public Information Meeting (PIM) regarding its proposed reconstruction of approximately 5.4 miles of transmission lines in the City of Columbus, Franklin County, Ohio (Project). In its memorandum in support, AEP argues that, where the COVID-19 pandemic continues and the Mayor of the City of Columbus has declared a state of emergency, it cannot hold an in-person PIM. Instead, AEP states that it will conduct an alternative engagement plan, which AEP claims will be most effective in limiting the spread of the virus while adhering to the intent of Ohio Adm.Code 4906-3-03(B). Among other things, AEP's alternative plan provides that it will engage with the City of Columbus, other utilities, and stakeholders concerning the Project, and will hold a virtual open house in November 2021 and hold live question-and-answer sessions for all interested parties. According to AEP, all affected landowners would be notified by mail regarding the question-and-answer sessions.

{¶ 4} Upon review, the administrative law judge determines that the requested waiver should be denied. While the emergency declaration by the Mayor of Columbus requires that masks be worn in indoor areas accessible to the public, we are not aware of any state or local orders that prohibit indoor or outdoor gatherings. Although the requirements of Ohio Adm.Code 4906-3-03(B) will not be waived, this determination does not prevent AEP from going forward with the alternative informational plans outlined in its motion in addition to the in-person PIM, or any other necessary safety precautions.

{¶ 5} It is, therefore,

{¶ 6} ORDERED, That AEP's requested waiver of Ohio Adm.Code 4906-3-03(B) be denied in accordance with Paragraph 4. It is, further,

{¶ 7} ORDERED, That a copy of this Entry be served upon all parties of record.

THE OHIO POWER SITING BOARD

/s/Jesse M. Davis

By: Jesse M. Davis
Administrative Law Judge

GAP/mef

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Case No(s). 21-0199-EL-BTX

Summary: Administrative Law Judge Entry denying the motion for waiver. electronically filed by Ms. Mary E. Fischer on behalf of Jesse M. Davis, Administrative Law Judge, Ohio Power Siting Board