

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) Case No. 21-0819-EL-BNR
Adjustment to Viking 138 kV Switch Project)

Members of the Board:

Chair, Public Utilities Commission	Ohio House of Representatives
Director, Department of Development	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 November 5, 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 objections you or your designee may have with this case to my office at least four business days prior to November 5, 2021, which is the recommended automatic approval date.

Sincerely,



Theresa White
Executive Director
Ohio Power Siting Board

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 21-0819-EL-BNR
Project Name: Adjustment to Viking 138 kV Switch Project
Project Location: Lawrence County
Applicant: AEP Ohio Transmission Company, Inc.
Application Filing Date: August 6, 2021
Filing Type: Construction Notice
Inspection Date: September 14, 2021
Report Date: October 29, 2021
Recommended Automatic Approval Date: November 5, 2021
Applicant's Waiver Requests: None
Staff Assigned: G. Zeto, T. Crawford

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 the Adjustment to Viking 138 kilovolt (kV) Switch Project. The project involves the construction of a new 138 kV switch structure along the existing Buckeye Co-Op Extension-Windsor 138 kV transmission line, near the intersection with the Sporn-South Point 138 kV transmission line. The project requires constructing a bypass pole to temporarily reroute power and de-energize the Viking Switch during maintenance activities. Typically, a switch pole has the capability to include the bypass function on the switch structure; however, due to the configuration of the Viking Switch, including the bypass function on the switch structure was not feasible. Therefore, a new freestanding bypass pole is required.

The Applicant notes that hard taps limit operational ability to sectionalize the system during an outage of a planned or unplanned nature, and may lead to over tripping, affecting customers served by the line. Applicant further claims that not replacing the hard taps with the new phase-over-phase switch would result in continued reliability issues. Applicant concedes that portions of the customer's loads may be transferrable to other sources, such as the Scottown and Bradrick delivery points, but perhaps not during periods of heavy loading. Replacement of the hard taps with the switch would also allow maintenance to take place without significant interruptions to customers along the line.

Upgrades and modifications to the transmission system are part of PJM Interconnection, LLC's (PJM) Regional Transmission Expansion Planning (RTEP) process.¹ The need and solution were presented and reviewed with stakeholders at the May 20, 2019 and the December 18, 2019 PJM Subregional RTEP (SRRTEP) Western meeting.² The PJM number assigned for this project is s2159.2, and its progress can be tracked on PJM's website. It should be noted that PJM has assigned s2159.1 through s2159.4 to the four components of the solution proposed by the Applicant, replacing hard taps with three-way, phase-over-phase switches.³

The Applicant states that the project was not identified in the company's most recent Long-Term Forecast Report (LTFR) to the Public Utilities Commission of Ohio because a new transmission asset is not being created.⁴

The Applicant proposes to begin construction in November 2021, and expects to place the project in-service in January 2022. The capital cost estimate of the new switch is approximately \$1,069,330 using a Class 4 estimate.⁵

Nature of Impacts

Land Use

The project would be located in Windsor Township, Lawrence County, Ohio. The Applicant currently has existing easement rights on two properties impacted by the project; however, the Applicant states it would need to secure supplemental easements on both of these properties. The bypass pole would be located within existing right-of-way. The project area is primarily utility right-of-way and woodlot with nearby agricultural and scattered residential land uses. The nearest residence is located approximately 550 feet from the proposed project. No Agricultural District Land parcels are located within the footprint of the project.

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 their system impacts.

PJM's RTEP identifies transmission system additions and improvements needed to keep electricity flowing to the millions of customers throughout PJM's region. See PJM Regional Transmission Expansion Plan, <https://www.pjm.com/library/reports-notice/rtep-documents.ashx> (Accessed August 12, 2021).

2. The SRRTEP reviews and provides input on subregional RTEP projects and provides recommendations to the Transmission Expansion Advisory Committee (TEAC) concerning regional RTEP projects. See PJM Submission of Supplemental Projects for Inclusion in the Local Plan, <https://www.pjm.com/-/media/committees-groups/committees/teac/2020/20201104/20201104-teac-info-only-aep-local-plan-submission-of-the-supplemental-projects-for-2020-rtep.ashx> (Accessed August 20, 2021).

3. PJM Manual 14B: PJM Region Transmission Planning Process, Rev. 49, Effective Date: June 23, 2021 states that Supplemental Projects refer to transmission expansion or enhancements not needed to comply with PJM reliability, operational performance, FERC Form No. 715, economic criteria or State Agreement Approach projects. Page 19/164. See <https://www.pjm.com/-/media/documents/manuals/m14b.ashx> (Accessed August 20, 2021).

4. Staff notes Ohio Revised Code (R.C.) 4935.04 requires an LTFR to include a: "description of the proposed changes in the transmission system planned for the next five years." This project being a "change" to the transmission system, Staff recommends the Applicant include future changes to the transmission system, even those that do not involve the "creation of a new transmission asset" within its LTFR.

5. The Applicant indicates the costs of the project are projected to be transmission plant and included in the Applicant's FERC formula rate (Attachment H-20 to the PJM Open Access Transmission Tariff), and would be allocated to all customers in the AEP Zone.

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 project. As a result of the survey, the consultant determined that the project would not involve or impact any significant cultural resources or landmarks, and that no further cultural resource management work was considered to be necessary. The findings were submitted to the Ohio Historic Preservation Office (OHPO). The OHPO responded to the consultant in concurrence that this project would not affect historic properties, and that no additional cultural resources studies are needed. Staff agrees with these findings.

Surface Waters

The Applicant identified one perennial stream and one ephemeral stream within the project area. No in-water work or direct impacts are proposed to these streams. No wetlands were delineated within the project area. A Notice of Intent would be filed with the Ohio Environmental Protection Agency for coverage under a General Permit OHC000005 and a Stormwater Pollution Prevention Plan (SWPPP) would be prepared prior to the start of construction. The project is not within a 100-year floodplain and therefore no floodplain permitting would be required.

Listed Species⁶

Some tree clearing would be required for this project. The project area is within the range of state and federal endangered Indiana bat (*Myotis sodalis*), the state endangered and federal 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 species, the Ohio Department of Natural Resources 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 following these seasonal tree clearing guidelines. The project is not expected to impact any bat hibernacula.

Impacts to other state and federal listed species are not anticipated, due to no proposed in-water work and a lack of suitable habitats

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 November 5, 2021 subject to the following conditions.

6. Based on agency coordination with the USFWS and ODNR, identified listed species of concern are generally defined as including those species that are protected under the federal Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531-1544), and/or according to the Conservation of Natural Resources within RC Title XV (§ 1518.01-1518.99; 1531.25, 1531.99, etc.).

One of the missions of the 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. (ODNR, *State Listed Species*, <https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/safety-conservation/about-ODNR/wildlife/state-listed-species>). 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."

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.

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

10/29/2021 10:03:20 AM

in

Case No(s). 21-0819-EL-BNR

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