

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)
Bixby-Shannon 138 kV Transmission Line Rebuild) Case No. 21-0850-EL-BNR
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 December 17, 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 December 17, 2021, which is the recommended automatic approval date.

Sincerely,



Theresa White
Executive Director
Ohio Power Siting Board

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 21-0850-EL-BLN
Project Name: Bixby-Shannon 138 kV Transmission Line Rebuild Project
Project Location: Franklin County
Applicant: AEP Ohio Transmission Company, Inc.
Application Filing Date: September 17, 2021
Filing Type: Letter of Notification
Inspection Date: November 2, 2021 and November 17, 2021
Report Date: December 10, 2021
Recommended Automatic Approval Date: December 17, 2021
Staff Assigned: G. Zeto, T. Crawford, J. Pawley

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, Incorporated (Applicant) proposes to rebuild the entire 4.4 miles of the existing Bixby-Shannon 138 kilovolt (kV) transmission line between the existing Bixby Substation and the existing Shannon Substation by replacing wood monopole structures with steel monopole structures. The entire project would be rebuilt within existing right-of-way. However, approximately 0.4 mile along Hamilton Road, would be rebuilt slightly off-centerline but within existing right-of-way. Additionally, a portion of the project between Williams Road and Venture Place would be rebuilt slightly off-centerline to move a structure outside of road right-of-way and minimize impacts to existing buildings along Hamilton Road. Construction of the project is planned to begin in December 2021 with an anticipated in-service date of December 2022. The estimated capital cost for the project is \$13,000,000.¹

The Applicant claims the project is needed to replace older wood monopoles having a number of open conditions indicative of deterioration, damage and age, with new steel monopoles. Applicant also points to the building of telecommunication lines between the Bixby and Shannon stations and the resulting increased weight as need to replace the wood poles. The NESC heavy loading conditions and the estimate of 45 percent of the structures failing, resulting in additional outages, were also cited by the Applicant. The detailed analysis of the entirety of the poles along the Bixby-Shannon transmission line was also provided in response to a data request. It provided

1. Applicant indicates that the projected costs, approximately \$13,000,000 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, Attachment H-20), and would be assessed on all users of the AEP Zone.

support for the large number of poles and guy lines that would be overloaded in conditions of high winds and heavy ice. The Applicant would replace 78 existing wood monopoles with 76 steel monopoles.

Upgrades to the transmission system are part of the PJM Regional Transmission Planning Process (RTEP).² The Applicant submitted the statement of need to the PJM Subregional RTEP Committee—Western on November 29, 2018 and submitted the solution on June 19, 2020. The project was assigned the supplemental ID number s2282.³ Supplemental projects or upgrades 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.⁴ The project was included in the Applicant's 2021 Long-Term Forecast Report, PUCO Form FE-T9, page 87, which may be accessed through the Ohio Public Utilities Commission Docketing Information System website and entering 21-1501 in the 'Case Lookup'.⁵

Nature of Impacts

Land Use

The project is located in Madison Township, Franklin County, Ohio. Land use in the project area is predominantly residential, commercial, or undeveloped farmland. Three schools, including Groveport Madison High School, Imagine Groveport Community School, and Eastland Vocational School are located adjacent to Hamilton Road within the project area. The Blacklick Creek Greenway Trail and Robert Brobst Park would be crossed by the project. However, no impacts to these areas are anticipated as the project would be rebuilt within existing right-of-way. There are no churches, cemeteries, wildlife management areas, or nature preserve lands located within 1,000 feet of the centerline of the project. One parcel registered as agricultural district land would be crossed by the project. The Applicant states the project would not impact this parcel's designation as an agricultural district land and Staff notes this parcel is currently being crossed by the existing Bixby-Shannon transmission line.

Cultural Resources

A cultural resource survey and report was conducted for the project in January 2020, October 2020 and August 2021. Correspondence from the State Historic Preservation Office (SHPO) were received in February 2020 and October 2020. Field work noted the presence of a small cemetery, the Kile Whims Cemetery, near existing structure 41. SHPO requested in their October 2020 correspondence that an avoidance plan be implemented for the area near the Kile Whims Cemetery. The Applicant has developed the avoidance plan and is in the process of coordinating with SHPO for approval of the plan. Staff finds that through the implementation of a SHPO approved avoidance plan for the Kile Whims Cemetery, no impacts to cultural resources would occur.

2. 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.

3. <https://www.pjm.com/-/media/committees-groups/committees/srrtep-w/postings/aep-local-plan-submission-of-the-supplemental-projects-for-2020-rtep.ashx> (Accessed November 1, 2021).

4. PJM Manual 14B: PJM Region Transmission Planning Process, Revision 50, Effective Date: July 1, 2021.

5. <https://dis.puc.state.oh.us> (Accessed November 1, 2021).

Surface Waters

The survey area contains six streams, including three perennial streams and three intermittent streams. No in-stream work is proposed.

The survey area contains 15 wetlands.⁶ All delineated wetlands are category 1 and category 2 wetlands. Structure replacement is proposed within one Category 1 wetland (wetland BS-1). Impacts would be less than 0.5 acres and would be covered under either the US Army Corps of Engineers (USACE) Nationwide 12 Permit or the Ohio EPA's General Permit for Filling an Isolated Wetland, depending on a final jurisdictional determination to be made by the USACE.

The Applicant would obtain coverage under the Ohio EPA General National Pollutant Discharge Elimination System (NPDES) permit. Sedimentation which may occur as a result of construction activities would be minimized through best management practices (BMP) such as silt fences. BMPs would be outlined in the Applicant's Stormwater Pollution Prevention Plan, which is required as part of the NPDES permit. Structure replacement is proposed within 100-year floodplain areas.⁷ The Applicant would coordinate with the appropriate local floodplain administrators, including the City of Groveport and the City of Columbus.

Listed Species^{8,9}

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 Ohio Department of Natural Resources 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

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. A floodplain area is any land area susceptible to being inundated by water from any source. See, 44 CFR 59.1. FEMA designates flood zones into moderate to low risk areas or high risk areas (i.e. 100-year floodplain areas). See, e.g. https://efotg.sc.egov.usda.gov/references/public/NM/FEMA_FLD_HAZ_guide.pdf. Pursuant to the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), states or local communities, as a condition of federal financial assistance via participation in the flood insurance program, must adopt adequate floodplain regulations ordinances. (See also, 44 CFR 59.2.).

8. 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.).

9. 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.”

mines, also known as hibernacula. Construction of the project is not expected to impact any bat hibernacula.

Recommended Findings

Staff's review of the application included consideration of the requirements listed in Ohio Revised Code Section 4906.10. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff recommends automatic approval of this application on December 17, 2021, subject to the conditions below. 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) Prior to commencement of construction, the Applicant shall obtain any floodplain permit required for construction of this project. The Applicant shall provide copies of permits and authorizations, including all supporting documentation, or a copy of correspondence with the floodplain administrator showing that no permit is required, on the case docket prior to commencement of construction.
- (4) 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.
- (5) The Applicant shall finalize coordination with the SHPO regarding the avoidance of the Kile-Whims Cemetery. Prior to construction the Applicant shall file SHPO correspondence providing approval of the Kile-Whims Cemetery avoidance plan.

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

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in

Case No(s). 21-0850-EL-BLN

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