

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE CONSTRUCTION
NOTICE APPLICATION OF OHIO POWER
COMPANY FOR THE HARTMAN FARMS 138
KV EXTENSION PROJECT.

CASE NO. 21-1057-EL-BNR

ENTRY

Entered in the Journal on January 26, 2022

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

{¶ 2} Ohio Adm.Code 4906-6-10(A) provides that, for accelerated applications filed with the Ohio Power Siting Board (Board), an automatic approval date for an accelerated application shall be no sooner than seven calendar days after the filing of the written report of investigation and no later than 90 days after the filing date of the application.

{¶ 3} On October 28, 2021, Ohio Power filed an accelerated construction notice application with the Board seeking approval to construct two parallel double-circuit 138 kilovolt transmission lines connecting the new Cyprus Substation to a customer's new substation at the historic Hartman Farm.

{¶ 4} Pursuant to R.C. 4906.03(E) and Ohio Adm.Code 4906-6-10(A), Ohio Power's application will be automatically approved on January 27, 2022, unless suspended by the Board or an administrative law judge (ALJ).

{¶ 5} On January 21, 2022, Board Staff filed its report of investigation recommending automatic approval of this application on January 27, 2022.

{¶ 6} Staff also filed on that same date a motion for a partial waiver of Ohio Adm.Code 4906-6-10(A). Specifically, Staff requests a waiver of the requirement that the requested automatic approval date be no sooner than seven calendar days after the filing of the written report of investigation. Staff notes that it filed the report of investigation on January 21, 2022, which is only six days before the automatic approval date. Ohio Power, the only other party in this proceeding, does not oppose Staff's motion.

{¶ 7} Under the circumstances presented, the ALJ finds the Staff's request for a partial waiver of Ohio Adm.Code 4906-6-10(A) to be reasonable and therefore the motion is granted.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Staff's January 21, 2022, motion for partial waiver of Ohio Adm.Code 4906-6-10(A) be granted. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon all interested persons and parties of record.

THE OHIO POWER SITING BOARD

/s/ Jeffrey R. Jones

By: Jeffrey R. Jones
Administrative Law Judge

NJW/kck

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1/26/2022 2:49:22 PM

in

Case No(s). 21-1057-EL-BNR

Summary: Administrative Law Judge Entry granting Staff's January 21, 2022, motion for partial waiver of Ohio Adm.Code 4906-6-10(A). electronically filed by Kelli C. King on behalf of Jeffrey Jones, Administrative Law Judge, Ohio Power Siting Board