

October 3, 2022

Ms. Tanowa M. Troupe, Secretary
Ohio Power Siting Board
Docketing Division
180 East Broad Street, 11th Floor
Columbus, OH 43215-3716

Re: OPSB Case No. 22-725-EL-BNR / Fairfield Transmission Pole Project
Letter Accepting Staff's Conditions

Dear Ms. Troupe:

Duke Energy Ohio, Inc. (Duke Energy Ohio), filed a Construction Notice, pursuant to O.A.C. Chapter 4906-6, on September 13, 2022, concerning a proposed project known as the Fairfield Transmission Pole Project. The Ohio Power Siting Board (OPSB) Staff issued its report recommending approval by the OPSB, provided that the following conditions are satisfied:

- (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) The Applicant shall contact Staff, the ODNR, and the USFWS within 24 hours if state or federal listed species are encountered during construction activities. Construction activities that could adversely impact the identified plants or animals shall be immediately halted until an appropriate course of action has been agreed upon by the Applicant, Staff, and the appropriate agencies.
- (3) Prior to the commencement of construction activities in areas that require permits or authorizations by federal, state, or local 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, to Staff within seven days of issuance or receipt by the Applicant and shall file such permits or authorizations on the public docket. The Applicant shall provide a schedule of construction activities and acquisition of corresponding permits for each activity prior to construction. Any permit violation received by the Applicant from the permitting agency shall be provided on the case docket within seven days of receipt.

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Duke Energy Ohio adopts and accepts these required conditions and agrees to satisfy them.

Respectfully submitted,

/s/ Jeanne W. Kingery

Jeanne W. Kingery
Associate General Counsel

cc: Theresa White

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in

Case No(s). 22-0725-EL-BNR

Summary: Correspondence OPSB Case 22-725-EL-BNR Letter Accepting Staff's
Conditions electronically filed by Mrs. Debbie L. Gates on behalf of Duke Energy
Ohio Inc. and D'Ascenzo, Rocco O. Mr. and Kingery, Jeanne W