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October 24, 2022

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

Re: *In the Matter of the Application of Duke Energy Ohio, Inc., for a Construction Notice for the Transmission Line Relocation at Newtown Substation Project*
OPSB Case No. 22-515-EL-BNR

Dear Ms. Troupe:

Duke Energy Ohio, Inc. (Duke Energy Ohio), filed a Construction Notice, pursuant to O.A.C. Chapter 4906-6, on July 27, 2022, concerning a proposed project known as the Transmission Line Relocation at Newtown Substation 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) 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, on the case docket prior to commencement of construction. Any permit violation received by the Applicant from the permitting agency shall be provided on the case docket within seven days of receipt.
- (3) 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.

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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

**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). 22-0515-EL-BNR

Summary: Correspondence Duke Energy Ohio, Inc.'s Letter Accepting Conditions -
Transmission Line Relocation at Newtown Substation Project electronically filed by
Mrs. Tammy M. Meyer on behalf of Duke Energy Ohio Inc. and D'Ascenzo, Rocco
and Kingery, Jeanne