

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Ohio Power Siting)
Board’s Review of Ohio Adm. Code) Case No. 21-902-GE-BRO
Chapters 4906-1, 4906-2, 4906-3, 4906-4,)
4906-6, and 4906-7.)

**AMERICAN TRANSMISSION SYSTEMS, INCORPORATED’S SUPPLEMENTAL INITIAL
COMMENTS REGARDING FURTHER PROPOSED MODIFICATIONS TO THE
PROPOSED REVISION OF OHIO ADMINISTRATIVE CODE CHAPTERS 4906-1, ET SEQ.**

American Transmission Systems, Incorporated (“ATSI”), a FirstEnergy company, provides the following supplemental initial comments (“Comments”) to Staff’s further proposed modifications to the proposed revision of Ohio Adm.Code Chapter 4906. ATSI interprets the Board’s Entry inviting these Comments as cumulative with the Board’s prior Entry inviting comments to the draft rules issued on June 16, 2022. Therefore, in submitting these Comments, ATSI has assumed that the remainder of the draft rules, along with all prior comments regarding those draft rules, are still under consideration by the Board. ATSI also notes that these Comments are in harmony with and do not supersede its initial and reply comments filed on August 5, 2022, and September 2, 2022, respectively, which ATSI incorporates by reference to the extent necessary.

I. Supplemental Initial Comments In Support of Proposed Modifications

A. Proposed Admin. Code Rule 4906-1-01(F)

ATSI wholly supports Staff’s course correction regarding the proposed definition for “Associated facility” or “associated facilities” in Rule 4906-1-01(F). ATSI previously noted its concurrence with other stakeholders concerned that the prior proposed definition would have

impeded economic development through unduly burdensome regulation of transmission customers, including rural electric cooperatives and industrial end-users, by the Board. ATSI thus supports the Board's adoption of Rule 4906-1-01(F)(2)(b) as herein proposed:

4906-1-01 Definitions.

(F) "Associated facility" or "associated facilities" is defined as follows:

(2) For an electric power transmission line:

(b) Transmission voltage switching substations and substations that change electricity line voltage from one transmission voltage to another transmission voltage shall be classified as transmission substations and are considered associated facilities of transmission lines. Pole-mounted transmission switching substations are excluded. Those stations that change electricity from transmission voltage to distribution voltage shall be classified as distribution substations, and are not considered associated facilities of transmission lines. Those stations that change electricity from transmission voltage to distribution voltage shall be classified as distribution substations and are not considered associated facilities of transmission lines.

B. Proposed Admin. Code Rule 4906-3-05

ATSI wholly supports Staff's further proposed modification for Rule 4906-3-05, which adds welcomed clarity to the field survey information required for standard certificate applications. Adoption of this proposed modification would also bring the text of Rule 4906-3-05 in line with the Board's predominant practice.

II. Supplemental Initial Comment Requesting Additional Modifications

A. Proposed Admin. Code Rule 4906-1-01(NN)

ATSI was pleased to see that Staff proposes to define "Route" as a corridor and ATSI only suggests minor additional modifications for the purpose of accommodating unforeseen field conditions, property-owner-specific requests, and engineering adjustments during construction of a certificated transmission project:

“Route” means, in the case of a proposed electric transmission line or gas pipeline, a proposed corridor, consisting of a centerline and a proposed distance from each side of the centerline, with such total distance not to exceed either 200 feet in width or the proposed right-of-way width plus 100 feet, whichever is greater. Route width may vary along the proposed electric transmission line or gas pipeline, as specified in the application.

With this proposed definition, the Board would certificate a “Route” rather than a centerline, such that an approved project could be constructed anywhere within the corridor specified in the application.¹ If the Board were to grant this flexibility with a corridor siting approach, ATSI would be able to make minor transmission line shifts during construction of certificated projects without triggering the need for an amendment application, which in turn reduces transmission costs and in-service delays. Further, as ATSI already noted in its Initial Comments (docketed August 5, 2022), the Board’s adoption of a transmission corridor concept would both improve the efficiency of the siting process and bring Ohio in line with other States.

¹ ATSI notes that AEP’s comments, docketed this same date, propose an alternative means to the same end (corridor siting): rules that allow an applicant to construct a certificated project anywhere within an approved Route. If the Board were to adopt AEP’s proposed modification to the definition of “Route,” however, ATSI suggests one further revision intended to clarify that the right-of-way area necessary for the project would not be delineated by the specific bounds of the “Route”:

Route means, in the case of a proposed electric transmission line or gas pipeline, a proposed distance ~~from each side of the centerline, with such total distance not to exceed~~ having a width that is equivalent to that of the proposed right-of-way width. Route width may vary along the proposed electric transmission line or gas pipeline, as specified in the application.

Respectfully submitted,

/s/ Devan K. Flahive

Devan K. Flahive (0097457)
PORTER, WRIGHT, MORRIS & ARTHUR LLP
41 South High Street, Suite 2900
Columbus, Ohio 43215
Telephone: (614) 227-1989
Facsimile: (614) 227-2100
Email: dflahive@porterwright.com

Anne M. Rericha (0079637)
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
Email: arericha@firstenergycorp.com

*Attorneys for American Transmission Systems,
Incorporated*

CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned hereby certifies that a copy of the foregoing document is also being served via electronic mail on the 30th day of January, 2023, upon the parties listed below:

Office of the Ohio Consumers' Counsel

Alana.noward@occ.ohio.gov
Tracy.greene@occ.ohio.gov
ambrosia.wilson@occ.ohio.gov
william.michael@occ.ohio.gov

Duke Energy Ohio, Inc.

Rocco.DAscenzo@duke-energy.com
Jeanne.Kingery@duke-energy.com
Elyse.Akhbari@duke-energy.com
Debbie.gates@duke-energy.com

Ohio Energy Group

mkurtz@BKLLawfirm.com

One Energy Enterprises Inc.

kjohnson@oneenergyllc.com
jdunn@oneenergyllc.com

Plus Power

mmcdonnell@dickinsonwright.com

Ohio Conservative Energy Forum

sarah@ohcef.org

Ohio Chamber of Commerce

flong@ohiochamber.com
skromer@ohiochamber.com

National Audubon Society

garry.george@audubon.org
adam.forrer@audubon.org

Ohio Power Company and AEP Transmission Company, Inc.

Hgarcial1@aep.com

The Dayton Power and Light Company dba AES Ohio

Randall.griffin@aes.com

National Grid Renewables Development, LLC, Generation Pipeline LLC

aasanyal@vorys.com
mjsettineri@vorys.com

Ohio Manufacturers' Association Energy Group

bojko@carpenterlipps.com
wygonski@carpenterlipps.com

The American Clean Power Association, MAREC Action, and the Utility Scale Solar Energy Coalition of Ohio

todonnell@dickinsonwright.com
cpirik@dickinsonwright.com

Buckeye Power, Inc.

khelfrich@ohioec.org
lkaleps@ohioec.org
talexander@beneschlaw.com
slessor@beneschlaw.com

The Ohio Economic Development Association

torahood@bricker.com

Data Center Coalition

josh@datacentercoalition.org

Columbia Gas of Ohio

josephclark@nisource.com
mlthompson@nisource.com
johnryan@nisource.com
mstemma@porterwright.com
dflahive@porterwright.com

**International Brotherhood of Electrical
Workers, Natural Resources Defense Council,
Ohio Partners for Affordable Energy**

rdove@keglerbrown.com

Union Neighbors United

julie@ohiolandmatters.com

Chain Link Fence Manufacturers Institute

clfmihq@aol.com

Ohio Gas Association

admin@ohiogasassoc.org
dparram@bricker.com

smith@carpenterlipps.com

SD23@ohiosenate.gov

mfleisher@dickinsonwright.com

Public Utilities Commission of Ohio

Mary.fischer@puco.ohio.gov
Heather.chilcote@puco.ohio.gov
Donielle.hunter@puco.ohio.gov
docketing@puco.ohio.gov

Ohio Environmental Council

ctavenor@theoec.org
knordstrom@theoec.org
nrutschilling@theoec.org
mleppla@theoec.org

Ohio Oil and Gas Association

rbrundrett@ohiomfg.com

Seneca County Park District

jclark@senecapros.org

Ohio Farm Bureau Federation

lcurtis@ofbf.org
cendsley@ofbf.org

sbloomfield@bricker.com

jstock@beneschlaw.com

tdougherty@theoec.org

/s/ Devan K. Flahive

Devan K. Flahive (0097457)

Attorney for
**AMERICAN TRANSMISSION SYSTEMS,
INCORPORATED**

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Summary: Comments Supplemental Initial Comments electronically filed by Ms.
Devan K. Flahive on behalf of American Transmission Systems Incorporated