

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Letter of Notification Application)
of Ohio Power Company for the Shannon-Astor 138 kV) **Case No. 23-0040-EL-BLN**
Transmission Line Rebuild 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 April 21, 2023, unless suspended by the Board, an administrative law judge, 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 April 21, 2023, which is the recommended automatic approval date.

Sincerely,



Michael Williams
Executive Director
Ohio Power Siting Board

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 23-0040-EL-BLN
Project Name: Shannon-Astor 138 kV Transmission Line Rebuild Project
Project Location: Franklin County
Applicant: AEP Ohio Transmission Company, Inc.
Application Filing Date: January 20, 2023
Filing Type: Letter of Notification
Inspection Date: February 15, 2023
Report Date: April 14, 2023
Recommended Automatic Approval Date: April 21, 2023
Applicant's Waiver Requests: None
Staff Assigned: A. Conway, T. Crawford, J. Patmon, A. Delong

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, Inc. ("Applicant") has proposed rebuilding approximately 2.2 miles of the existing Shannon-Astor 138 kilovolt (kV) transmission line in southeast Franklin County. The proposed rebuilt transmission line would be between the existing Astor Substation and a point of intersection where the existing Shannon-Astor 138 kV line and the Groves Road-Shannon 138 kV transmission line meet.¹ Some short portions of the project would be rebuilt off-center to move structures outside of residential parcels and to minimize impacts to buildings along Astor Avenue. Most of the rebuilding of the project would be within the existing transmission line's right-of-way. The Applicant states that the easements needed for the project would be obtained by May 2023. Approximately 35 wood poles would be replaced by 43 steel monopoles. The portion of the Shannon-Astor line that crosses over Interstate 70 has already been constructed and placed in service.²

The Applicant indicates there is a need to address asset renewal and open conditions associated with this line, including split and rotted wood poles originally constructed in the 1950s, missing

1. The Staff Report for Groves Road-Shannon 138-kV Rebuild, 21-0199-EL-BTX, was filed on October 3, 2022, and was approved on February 16, 2023 in Case No. 21-0199-EL-BTX.

2. The Shannon-Astor 138 kV Transmission Line Extension Project, 18-1170-EL-BLN, was approved by the Board on October 30, 2018, and was placed in service on January 24, 2020.

or broken guy wires and ground leads, and encroachments of the right-of-way. Staff agrees with the need for the replacement of aging and rotted wood poles with steel monopole structures. The Applicant also cites an engineering analysis which identified 42 percent of the existing line structures to be physically overloaded when compared to the National Electrical Safety Code heavy loading conditions. The Applicant further states that rebuilding the line would enable the Applicant to install telecommunications fiber for Supervisory Control and Data Acquisition (SCADA), fiber networking, and relaying requirements.

Upgrades and modifications to the transmission system are part of PJM Interconnection, LLC's (PJM) Regional Transmission Expansion Planning (RTEP) process.³ The need and solution for the project were presented and reviewed with stakeholders at the PJM Subregional RTEP Western meetings of November 29, 2018 and June 19, 2020, respectively. The project was assigned the supplemental project ID s2282.⁴ Supplemental projects or upgrades refer to transmission expansions or enhancements not needed to comply with PJM reliability, operational performance, Federal Energy Regulatory Commission (FERC) Form No. 715 criteria, economic planning, and public policy planning (State Agreement Approach).⁵

The Applicant stated and Staff confirmed that the project was included in the Applicant's 2022 Long-Term Forecast Report submitted to the Public Utilities Commission of Ohio.⁶

The Applicant proposes to begin construction in March 2024, and expects to place the project in service in April 2025. The capital cost estimate of the rebuild construction is approximately \$16,500,000.⁷

Nature of Impacts

Land Use

This project would be located in the cities of Columbus and Reynoldsburg and the village of Brice, within Truro Township, Franklin County. The primary land uses in the project area are commercial and residential. The project would not cross any agricultural land and the Applicant confirmed with the Franklin County Auditor's office in January 2023 no Agricultural District Land parcels occur within the project footprint. Because this project is a rebuild of an existing transmission line within existing right-of-way, the Applicant states no new impacts to land use would be anticipated.

3. 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 their system impacts.

4. <https://www.pjm.com/-/media/committees-groups/committees/teac/2020/20201104/20201104-teac-info-only-aep-local-plan-submission-of-the-supplemental-projects-for-2020-rtep-.ashx> (Accessed January 31, 2023).

5. PJM Manual 14B: PJM Region Transmission Planning Process, Revision 50, Effective Date: December 15, 2021.

6. AEP Ohio Transmission Company, Inc. "Long-Term Forecast Report", Public Utilities Commission of Ohio Case No. 22-1501-EL-FOR, April 12, 2022, Form FE-T9, Specification of Planned Transmission Lines, page 53 and 54.

7. The Applicant indicates that the cost of the rebuild project is a Class 4 estimate, and would be projected as transmission plant, and pursuant to the PJM Open Access Transmission Tariff, the cost would be recovered in the Applicant's FERC formula rate (Attachment H-20), and would be allocated to the customers in the AEP Zone.

Cultural Resources

The Applicant's cultural resources consultant performed a literature review and Phase I cultural resource management investigation (archaeology and history/architecture) for the project. The consultant found no previously identified archaeological sites within the project area in the literature review. The consultant did, however, identify one new archaeological site within the project area. The consultant recommended that the new archaeological site is not eligible for listing in the National Register of Historic Places (NRHP). Two properties older than fifty years of age were identified within the area of potential effect. The consultant recommended that the properties are not eligible for listing in the NRHP. The findings were submitted to the Ohio Historic Preservation Office (OHPO). The OHPO responded to the consultant in concurrence that this project would not affect archaeological or historic properties, and that no additional cultural resources studies are needed. Staff agrees with these findings.

Surface Waters⁸

The Applicant's consultant, WSP USA Inc., completed wetland and stream delineation surveys of the approximately 69.2-acre survey corridor area in January 2020 and in February and May 2021. Five Category 1 wetlands were identified within the survey area.⁹ Two of these wetlands are proposed to be crossed by the project. Four streams, including three intermittent and one perennial, were identified within the survey area. One intermittent stream and one perennial stream are proposed to be crossed by the project. One pond was also identified. No temporary or permanent impacts to these surface waters are anticipated by the Applicant.

The Applicant would file a Notice of Intent with the Ohio Environmental Protection Agency for authorization of construction stormwater discharges under General Permit OHC000005. The Applicant would also implement and maintain best management practices as outlined in the project specific Storm Water Pollution Prevention Plan to minimize erosion and control sediment during storm events as well as coordinate stormwater permitting needs with the City of Columbus.

The project is not located within any Federal Emergency Management Agency's 100-year floodplains. No floodplain permitting would therefore be required for the project.

8. The Ohio EPA website states: "The Division of Surface Water ensures compliance with the federal Clean Water Act and works to increase the number of water bodies that can be safely used for swimming and fishing. The division issues permits to regulate wastewater treatment plants, factories, and storm water runoff; develops comprehensive watershed plans aimed at improving polluted streams; and samples streams, lakes and wetlands — including fish, aquatic insects and plants — to determine the health of Ohio's water bodies." (Ohio EPA, *About Us: Surface Water*, <https://www.epa.ohio.gov/About#127147228-surface-water>); The U.S. Army Corps of Engineers website states: "The U.S. Army Corps of Engineers (USACE) Regulatory Program involves the regulating of discharges of dredged or fill material into waters of the United States and structures or work in navigable waters of the United States, under section 404 of the Clean Water Act and section 10 of the Rivers and Harbors Act of 1899." (USACE, *Obtain a Permit*, <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/>); The Ohio Department of Natural Resources (ODNR) website states: "The Division of Water Resources manages statewide oversight of dams & levees, floodplains, and the collection and management of data related to the state's water resources." (ODNR, *Division of Water Resources*, <https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/safety-conservation/about-odnr/water-resources/water-resources>).

9. 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.

*Threatened and Endangered Species*¹⁰

In February 2019, the Applicant submitted coordination letters to the United States Fish and Wildlife Service (USFWS) and the Ohio Department of Natural Resources (ODNR) requesting an environmental review of the project for potential impacts to threatened or endangered species. Additional coordination with the USFWS and the ODNR was completed in February and March 2023, respectively.

The responses indicated that the project is within range of the state and federally endangered Indiana bat (*Myotis sodalis*) and the state endangered and federally threatened northern long-eared bat (*Myotis septentrionalis*). The ODNR recommends that tree cutting only occur between October 1 and March 31 to avoid potential impacts to these species. Approximately 0.05 acre of tree clearing is proposed for the project. The Applicant completed a desktop hibernaculum study and found no potential hibernaculum within the project area. The updated agency coordination specified that the wooded areas within the project area are not considered suitable habitat for the listed bat species, therefore no impacts are anticipated.

The project is also within range of several aquatic species as well as the state endangered upland sandpiper (*Bartramia longicauda*). Impacts to these species are not anticipated due to lack of suitable habitat and no proposed in water work.

Conclusion

Staff's review of the application included consideration of the requirements listed in R.C. 4906.10. Based on Staff's review, the application meets the necessary criteria for granting a certificate. Staff recommends approval of this application on April 21, 2023, subject to the following conditions. 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.

10. Based on agency coordination with the USFWS and ODNR, identified species of concern are, in general, defined as 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 R.C. 1518.01-1518.99; 1531.25; and 1531.99. *See also e.g.*, R.C. 1531.08 states, in part: "In conformity with Section 36 of Article II, Ohio Constitution, providing for the passage of laws for the conservation of the natural resources of the state, including streams, lakes, submerged lands, and swamplands, and in conformity with this chapter and Chapter 1533. of the Revised Code, the chief of the division of wildlife has authority and control in all matters pertaining to the protection, preservation, propagation, possession, and management of wild animals and may adopt rules under section [1531.10](#) of the Revised Code for the management of wild animals."

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>).

- (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. 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 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.
- (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 allow 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.

**This foregoing document was electronically filed with the Public Utilities
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Case No(s). 23-0040-EL-BLN

Summary: Staff Report of Investigation electronically filed by Mr. Andrew S.
Conway on behalf of Staff of OPSB.