

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

In the Matter of the Construction Notice Application of)
Ohio Power Company, for the Beatty-Canal Street 138) Case No. 23-0011-EL-BNR
kV Transmission Line Re-Termination 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 July 26, 2023, unless suspended by the Board, an administrative law judge, or 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 July 26, 2023, which is the recommended automatic approval date.

Sincerely,



Michael Williams
Executive Director
Ohio Power Siting Board

OPSB STAFF REPORT OF INVESTIGATION

Case Number: 23-0011-EL-BNR
Project Name: Beatty-Canal Street 138 kV Transmission Line
Re--Termination Project
Project Location: Franklin County
Applicant: Ohio Power Company
Application Filing Date: April 26, 2023
Filing Type: Construction Notice
Inspection Date: May 12 and July 14, 2023
Report Date: July 19, 2023
**Recommended Automatic
Approval Date:** July 26, 2023
Applicant's Waiver Requests: None
Staff Assigned: T. Crawford, A. DeLong, M. Bellamy, A. Renick

Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions
Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

Project Description and Need

Ohio Power Company (Applicant) proposes to add a new transmission structure outside of the south entrance to the White Road Substation. The existing steel monopole supports the Beatty Station 138 kilovolt (kV) circuit and the Canal Street 138 kV circuit. The new steel monopole structure would be approximately 56 feet northeast of the existing steel monopole, which would remain in place. This new structure would allow the separation of the Canal Street 138 kV circuit from the existing monopole before entering the station. A new pole would be installed inside the station boundary to receive the Canal Street 138 kV circuit before it connects to the existing 138 kV bus. The existing double-circuit steel H-frame inside the station boundary would remain in place and would continue to support the Beatty Station 138 kV circuit before it connects to the existing 138 kV bus. The Applicant states that the project would be entirely located on property, which is owned by Columbus Southern Power, an affiliate of the Applicant, or within the road right-of-way. The realignment of the transmission line necessitates the acquisition of an overhang easement, and the Applicant has stated that this easement would be acquired before beginning construction.

The Applicant states that the project is necessary to accommodate work at the station and the addition of distribution equipment, such as circuit breakers and bus work, and reconfiguration of existing equipment to support existing and future distribution loads. A thorough review of the Application, the responses to data requests, and an in-person discussion with Applicant representatives, confirms that the two existing circuits would continue to feed the same 138 kV bus, which would continue to support the existing and any future distribution loads. There would be no change to the existing circuit topology with the addition of a new monopole outside the station and the separation of circuits going into the station terminating at the existing 138 kV bus.

Upgrades to the transmission system are part of PJM Interconnection, LLC's (PJM) Regional Transmission Expansion Planning (RTEP) process.¹ The need and solution for this project were presented to PJM stakeholders on July 22, 2022 and February 17, 2023, respectively at the PJM Sub-Regional RTEP-Western Meeting. The project has not yet been assigned a supplemental ID, and in response to a data request, the Applicant states that PJM will assign a project identification number after its Do No Harm analysis is complete. Supplemental projects or upgrades refer to transmission expansions or enhancements not needed to comply with PJM reliability, operational performance, FERC Form No. 715 criteria, economic planning, and public policy planning (State Agreement Approach).²

The project was not included in the Applicant's 2023 Long-Term Forecast Report because a solution had not been identified at the time of filing. (LTFR).³

The Applicant anticipates construction to begin during August 2023 with an in-service date planned for May 2024. The capital cost of the extension project, comprised of applicable tangible and capital costs, is estimated to be \$365,000.⁴

Nature of Impacts

Land Use

This project would be located in Jackson Township in Franklin County. The project would be located on parcels owned by the Applicant and occupied by a substation. The project vicinity is comprised of residential and commercial land uses as well as stormwater retention ponds and wooded stream corridors. There are residences adjacent to the project, however, due to the existing utility infrastructure in the project area, additional impacts would be minimal. No tree clearing is planned for this project. No agricultural land uses occur within the project area. The Applicant confirmed in April 2023 with the Franklin County Auditor's office the project would not occur on any Agricultural District Land parcels.

1. 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 system impacts.

2. PJM Manual 14B: PJM Region Transmission Planning Process, Revision 51, Effective Date: December 15, 2021.

3. Staff notes that Ohio Revised Code (R.C.) requires an LTFR to include "A description of proposed changes to the transmission system planned for the next five years." Since this project is a change to the transmission system, Staff recommends the Applicant include future changes of this sort to the transmission system within its LTFR.

4. The Applicant indicates that the cost of the installation project is a Class 4 estimate, and will be projected to be transmission plant, and pursuant to the PJM Open Access Transmission Tariff, the cost will be recovered in the Applicant's FERC formula rate (Attachment H-14 to the PJM OATT), and would be allocated to 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 did not identify any previously identified or newly identified archaeological sites within the project area. No historic resources were identified that would be eligible for listing in the National Register of Historic Places. 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 Waters*⁵

The Applicant's consultant conducted a wetland and stream delineation of the project area on November 14, 2022. The consultant identified one retention pond and two ditches. No streams or wetlands were identified. Project infrastructure is sited to avoid the ditches and retention pond, thus impacts to surface waters are not anticipated.

If ground disturbance exceeds one acre, the Applicant would file a Notice of Intent with the Ohio Environmental Protection Agency for authorization of construction storm water discharge under National Pollutant Discharge Elimination System general permit for Discharges of Storm Water Associated with Construction Activity OHC000005. The Applicant would implement and maintain best management practices as outlined in the project-specific Stormwater Pollution Prevention Plan to minimize erosion and sediment to project surface waters during storm events.

This project does not overlap with any Federal Emergency Management Agency 100-year floodplains.

*Threatened and Endangered Species*⁶

The Applicant received an environmental review of the project from the U.S. Fish and Wildlife Service (USFWS) and the Ohio Department of Natural Resources (ODNR) on September 28, 2022

5. 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, 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>).

6. 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

and October 21, 2022, respectively. This project is within range of several listed species. Due to lack of tree clearing, in-water work, and suitable habitat, impacts to these species are not anticipated.

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 July 26, 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.
- (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 provide to Staff the PJM Interconnection, LLC supplemental upgrade ID and the presentation submitted to the applicable PJM committee. The Applicant shall provide this information on the case docket within 30 days of receipt.

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/odnr/discover-and-learn/safety-conservation/about-ODNR/wildlife/stste-listed-species>).

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7/19/2023 1:46:38 PM

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Case No(s). 23-0011-EL-BNR

Summary: Staff Report of Investigation electronically filed by Mr. Thomas J.
Crawford on behalf of Staff of OPSB.