

# Supplement to the Staff Report of Investigation

Dowling-Fulton 345 kV Tap to Melbourne Substation  
American Transmission Systems, Incorporated

Case No. 22-0248-EL-BTX

March 11, 2024



Power Siting  
Board

Mike DeWine, Governor | Jenifer French, Chair

**In the Matter of the Application of American Transmission )  
Systems, Incorporated for a Certificate of Environmental )  
Compatibility and Public Need for the Dowling-Fulton 345 )  
kV Transmission Line Tap to Melbourne Substation in )  
Fulton County, Ohio. )**

**Case No. 22-0248-EL-BTX**

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Submitted to the  
OHIO POWER SITING BOARD

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Application of American Transmission )  
Systems, Incorporated for a Certificate of Environmental )  
Compatibility and Public Need for the Dowling-Fulton 345 )  
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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:

In accordance with the Ohio Revised Code (R.C.) 4906.07(C) and rules of the Ohio Power Siting Board (Board), the staff of the Public Utilities Commission of Ohio (Staff) completed its investigation in the above matter and submitted its findings and recommendations in its Staff Report on November 21, 2023, for consideration by the Board. On February 6, 2024, the Applicant presented new information regarding a Preferred Route modification, which Staff has reviewed. This supplemental staff report contains the Staff's revised findings and recommendations.

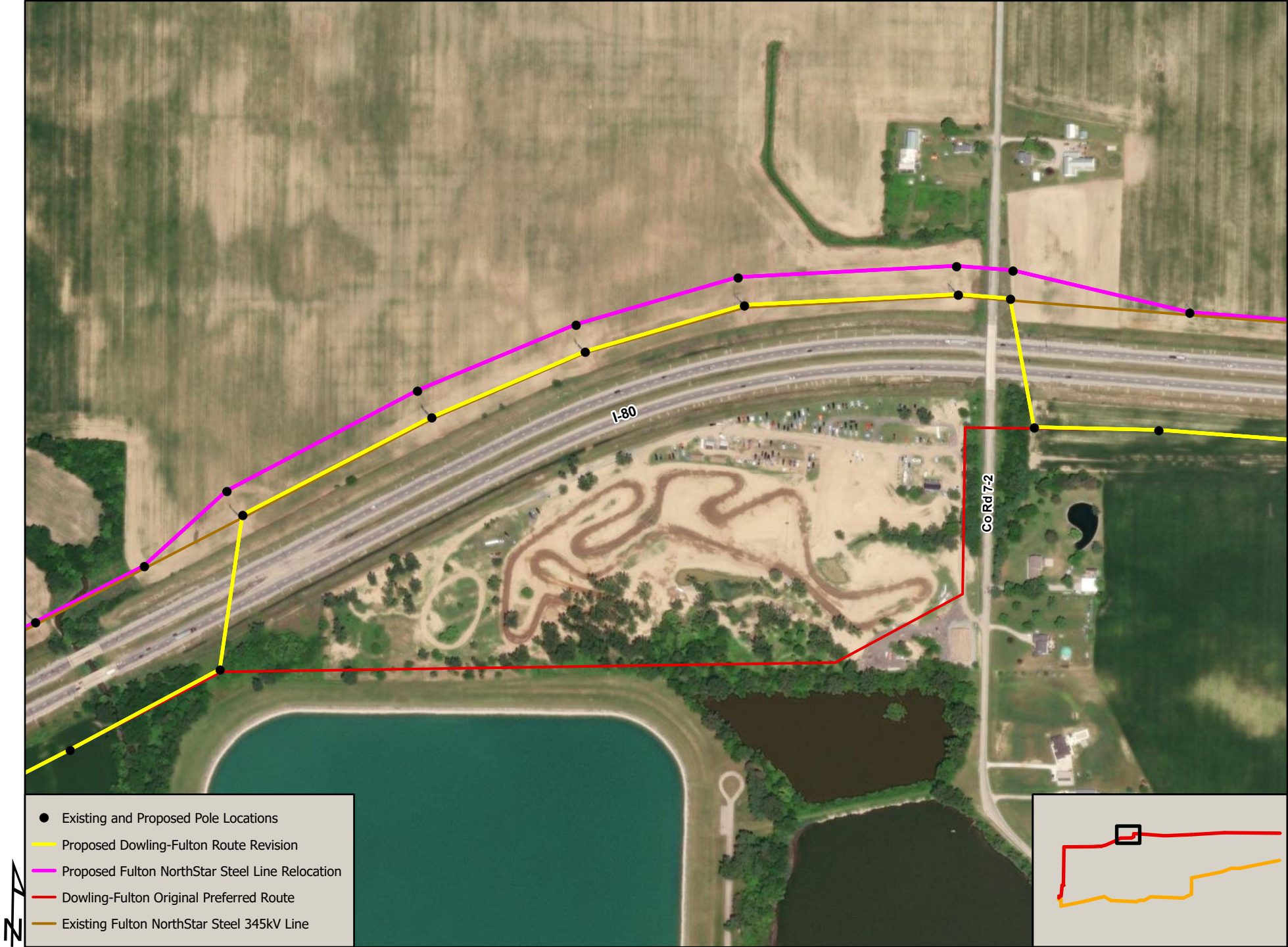
In accordance with R.C. 4906.07(C) and 4906.12, copies of this supplement to the Staff Report have been filed with the Docketing Division of the Public Utilities Commission of Ohio and served upon the Applicant or its authorized representative, the parties of record, and pursuant to Ohio Administrative Code 4906-3-06, the main public libraries of the political subdivisions in the project area.

This Supplement to the Staff Report presents the results of the Staff's investigation conducted in accordance with R.C. Chapter 4906 and the rules of the Board. The Staff Report does not purport to reflect the views of the Board, nor should any party to the instant proceeding consider the Board in any manner constrained by the findings and recommendations set forth herein.

Sincerely,



Michael Williams  
Executive Director



Dowling-Fulton 345kV Transmission Line - Supplemental Route Revision

## **Background**

On March 7, 2023, American Transmission Systems, Inc. (Applicant or ATSI) filed an application to: construct, operate, and maintain a 345 kilovolt (kV) four-breaker ring bus substation (the Melbourne Substation), approximately nine miles of 345 kV electric transmission line to connect the Melbourne Substation with ATSI's existing 345 kV electric transmission system, and two approximately 0.5-mile-long 345 kV electric transmission tie lines to connect an existing customer-owned substation to the new Melbourne Substation. On March 20, 2023, the Applicant supplemented the application to include an Archaeological Survey Report, Architectural History Report, and analysis by the State Historical Preservation Office. Staff investigated the application and supplements, then issued its Staff Report of Investigation (Staff Report) on November 21, 2023. Staff recommended that the Applicant be issued a Certificate of Environmental Compatibility and Public Need subject to 29 conditions.

After issuance of the initial Staff Report, Rocky Conley filed a motion to intervene in the case on December 8, 2023. In his motion, he describes that current and planned structures at the Delta Raceway, a motocross facility, impede the planned Preferred Route as described in the application. In response to the motion to intervene, ATSI filed a letter on February 6, 2024, which outlines a proposed modification to the Preferred Route in the vicinity of the Delta Raceway property. This letter and modification did not change any other information as submitted in the original application. This current supplement to the original Staff Report of Investigation is Staff's review of that proposed route modification.

## **Purpose and Scope**

The purpose of this Supplemental Staff Report is to analyze the Applicant's proposed modification to the preferred route in the vicinity of the Delta Raceway property.

### *Delta Raceway*

The Delta Raceway appears to be a motocross racing facility with multiple racetracks that held approximately 23 events last year, from April to October. Since the Applicant filed its original application with the Board, a large outbuilding structure was constructed within the proposed electric transmission corridor. The Applicant indicated that it subsequently made efforts to survey the Delta Raceway property and propose a transmission line route adjustment to the property owner. However, those efforts were unsuccessful. On December 8, 2023, a representative of Delta Raceway moved to intervene in this matter on behalf of Delta Raceway.

### *Preferred Route Change*

The Applicant has investigated a route modification that would bypass the Delta Raceway property. The proposed Preferred Route modification would consist of a simultaneous, two-step construction.

The first step would include the construction of an approximately 0.8-mile-long 345 kV transmission line paralleling and to the north of the existing Fulton-North Star Steel 345 kV electric transmission line. This parallel electric transmission line will physically connect on the eastern and western ends to the existing Fulton-North Star Steel 345 kV electric transmission line.

Second, the proposed Preferred Route modification would be constructed by installing a structure east of the intersection of the Preferred Route and County Road 72. At this point, the proposed



Preferred Route modification would travel north cross the Ohio Turnpike to a structure that ties in with the existing Fulton-North Star Steel 345 kV electric transmission line. The proposed Preferred Route modification would connect to the existing electrically vacated structures of the Fulton-North Star Steel 345 kV transmission line. At the western end of the vacated section of transmission structures, the proposed Preferred Route modification would turn south, cross the Ohio Turnpike, and rejoin the Preferred Route alignment on the Village of Delta Reservoir property.

This Preferred Route modification would avoid the Delta Raceway. This route segment north of the Ohio Turnpike was considered in the Applicant's original route selection study; however, it was not advanced at that time because prior iterations would have had to cross over the existing 345 kV line and necessitate extensive outages of that line. The solution presented in the letter dated February 6, 2024, avoids those crossings and outages.

The proposed Preferred Route modification and new 0.8-mile-long 345 kV electric transmission line are shown in the map of this report.

### **Application Supplemental Review**

Staff reviewed the application supplemental filing for any increased adverse environmental impacts. Land use including agricultural land, public services, facilities, cultural resources, and safety-related impacts remain comparable to the initial application case. Ecological impacts are lessened and continue to constitute minimal adverse environmental impact, as described below.

#### *Surface Waters<sup>1</sup>*

The proposed changes to the preferred route will result in an overall reduction of impacts to wetlands. Temporary impacts to wetlands would total 0.20 acres, resulting in a reduction of 1.83 acres of wetland impacts. No additional impacts to streams would occur.

#### *Threatened and Endangered Species*

No additional impacts to threatened and endangered species would occur.

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<sup>1</sup> 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>.)

**Recommended Findings**

Staff recommends that the Board accept this supplement to Staff Report originally filed on November 21, 2023. In addition, Staff also recommends adding a new condition, to be included as applicable to this facility.

**Condition**

- (30) That the supplemental modification proposed by the Applicant be subject to all applicable conditions recommended in the original Staff Report filed in this case on November 21, 2023.

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**Case No(s). 22-0248-EL-BTX**

Summary: Staff Report of Investigation Staff Report of Investigation electronically  
filed by Mr. James S. O'Dell on behalf of Staff of OPSB.