

OHIO POWER SITING BOARD

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In the matter of the :
 Application of :
 American Transmission : Case No. 22-248-EL-BTX
 Systems, Inc., for a :
 Certificate of :
 Environmental :
 Compatibility and :
 Public Need to :
 Construct the :
 Dowling-Fulton 345 kV :
 Transmission Line Tap :
 to Melbourne :
 Substation Project. :

- - -

PROCEEDINGS

Before Jesse Davis, Administrative Law Judge,
 held at the offices of the Public Utilities
 Commission of Ohio, 180 East Broad Street,
 Hearing Room 11-C, Columbus, Ohio, on Thursday,
 March 21, 2024, at 1:00 P.M.

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ARMSTRONG & OKEY, INC.

222 East Town Street, Second Floor

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(614) 224-9481

- - -

1 APPEARANCES:

2 L. BRADFIELD HUGHES, Attorney at Law
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8
9 On behalf of American Transmission
10 Systems, Inc.

11 ASHLEY M. WNEK, Attorney at Law
12 Ohio Attorney General
13 30 East Broad Street, 26th Floor
14 Columbus, Ohio 43215
15 (614) 644-8754
16 Ashley.Wnek@OhioAGO.gov

17 On behalf of the Staff of the
18 Ohio Power Siting Board.

19 ALSO PRESENT:

20 Nataliya Bryksenкова, Transmission Engineer

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| WITNESS INDEX | | | |
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| STAFF'S WITNESS | | DIRECT | CROSS |
| James S. O'Dell | | 10 | -- |

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EXHIBIT INDEX

- - -

APPLICANT'S EXHIBITS IDENTIFIED ADMITTED

1 3-4-2023 Original 6 8
application

2 3-20-2023 Supplement to 6 8
application

3 2-6-2024 Modification to 7 8
preferred route regarding
Delta Raceway

4 3-14-2024 Direct testimony 7 8
of Nataliya Bryksenkova

5 3-19-2024 Supplemental 7 8
testimony of Nataliya
Bryksenkova

STAFF'S EXHIBITS IDENTIFIED ADMITTED

A Staff report of 8 12
investigation

B Supplement to staff 8 12
report of investigation

C Mr. O'Dell's testimony 8 12

JOINT EXHIBIT IDENTIFIED ADMITTED

1 3-19-2024 Joint 7 8
stipulation between Staff
and Applicant

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P R O C E E D I N G S

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ALJ DAVIS: Let's go ahead and go on the record. Good afternoon, everyone. Today is March 21, 2024. It's about 1:05 p.m. The Ohio Power Siting Board has scheduled for a hearing at this time and place Case No. 22-248-EL-BTX, which is captioned In the Matter of the Application of American Transmission Systems, Incorporated, for a Certificate of Environmental Compatibility and Public Need to Construct the Dowling-Fulton 345 Kilovolt Transmission Line Tap to Melbourne Substation. My name is Jesse Davis. I am the Administrative Law Judge assigned by the Board to hear this case.

And right now we'll start with appearances.

MR. HUGHES: Thank you, Judge Davis, Brad Hughes from Porter Wright Morris and Arthur on behalf of American Transmission Systems Incorporated. And I have with me here today Nataliya Bryksenkova, who is the Transmission Engineer for the project at issue.

MS. WNEK: Thank you. I'm Ashley Wnek from the Ohio Attorney General's Office representing

1 Staff of the Power Siting Board.

2 ALJ DAVIS: Okay. We'll go ahead and
3 start with the opening, Mr. Hughes.

4 MR. HUGHES: Thank you, Judge Davis.
5 Based on some communications earlier this week, I
6 believe that Counsel for Applicant and the Attorney
7 General have reached a stipulation as to the
8 admissibility of certain exhibits. So it's whatever
9 is your preference, I could identify those exhibits
10 for the record and then confirm the stipulation to
11 their admission. Or if you'd prefer, I can put
12 Ms. Bryksenkova on the stand to identify the ones
13 that she's sponsoring. It's really up to your
14 preference.

15 ALJ DAVIS: If Staff is willing to
16 stipulate to their admission, then --

17 MR. HUGHES: Okay.

18 ALJ DAVIS: -- you don't need to put
19 her on the stand.

20 MR. HUGHES: Okay. So then
21 Applicant's Exhibit 1 for the record is the original
22 application docketed on March 7, 2023, for the
23 transmission project at issue here.

24 Applicant's Exhibit 2 is a supplement
25 to that application that was docketed on March 20th

of 2023. For the record, I just wanted to note that there's a portion of Applicant's Exhibit 2 that was filed under seal with the Board's permission. And so that portion of Applicant's Exhibit 2 does not appear in the hard copy that I brought with me here today.

Applicant's Exhibit 3 is the modification to the preferred route to avoid impacts to the Delta Raceway. And that was docketed on February 6, 2024.

Applicant's Exhibit 4 is the prepared direct testimony of Ms. Bryksenkova in support of the application. And that was docketed on March 14, 2024.

And, finally, Applicant's Exhibit 5 is the supplemental testimony of Ms. Bryksenkova's in support of the joint stipulation between the Applicant and Staff. And that supplemental testimony was docketed on March 19th of 2024.

And then the last exhibit that I'll address is Joint Exhibit 1, which is the joint stipulation between Staff and the Applicant that was docketed on March 19, 2024.

And so at this time, the Applicant would respectfully move for the admission of those

1 exhibits into evidence.

2 ALJ DAVIS: Thank you.

3 Staff has stipulated to the admission
4 of those exhibits?

5 MS. WNEK: Yes, that is correct.

6 ALJ DAVIS: Applicant's exhibits are
7 marked as noted and named and are admitted to the
8 record.

9 - - -

10 And, thereupon, Applicant's Exhibit Nos.
11 1 through 5 were marked for purposes of
12 identification.

13 - - -

14 MR. HUGHES: Thank you.

15 ALJ DAVIS: Is that all?

16 MR. HUGHES: That's all for now.
17 Yeah.

18 ALJ DAVIS: Thank you.

19 Ms. Wnek.

20 MS. WNEK: Thank you, Your Honor. We
21 would like to enter Staff -- the Staff Report of the
22 Investigation and the supplement to that. The Staff
23 report is Exhibit A and the supplement as Exhibit B.

24 ALJ DAVIS: They are so marked.

25

1 And, thereupon, Staff's Exhibits A and B
2 were marked for purposes of identification.

3 - - -

4 MS. WNEK: Thank you. Would you like
5 for me to approach with those at this time or --

6 ALJ DAVIS: Yes. Go ahead.

7 MS. WNEK: Thank you.

8 ALJ DAVIS: Thank you.

9 MS. WNEK: Thank you. And, Your
10 Honor, we would also like to have Mr. O'Dell
11 testify. Okay. And we would like for Mr. O'Dell's
12 testimony to be marked as Exhibit C.

13 ALJ DAVIS: So marked.

14 - - -

15 And, thereupon, Staff Exhibit C was
16 marked for purposes of identification.

17 - - -

18 MS. WNEK: Thank you.

19 ALJ DAVIS: Do I have a copy of
20 Mr. O'Dell's testimony?

21 MS. WNEK: I do not have that --

22 ALJ DAVIS: That's okay.

23 MS. WNEK: -- with me, Your Honor.
24 But we can get you a copy of it.

25 ALJ DAVIS: That's fine. No. I just

1 didn't -- I just wanted to make sure I didn't miss
2 something. That's no problem. Thank you.

3 Will you be calling Mr. O'Dell?

4 MS. WNEK: Yes, Your Honor. Very
5 briefly.

6 (Witness sworn.)

7 ALJ DAVIS: Thank you. Please be
8 seated.

9 MS. WNEK: Thank you.

10 - - -

11 JAMES S. O'DELL,
12 being first duly sworn, as hereinafter certified,
13 testifies and says as follows:

14 - - -

15 DIRECT EXAMINATION

16 BY MS. WNEK:

17 Q. Could you please state your name?

18 A. James S. O'Dell.

19 Q. And what is your current position?

20 A. I am a Senior Siting Analyst for the
21 Ohio Power Siting Board.

22 Q. Thank you. How long have you been in
23 that role?

24 A. Approximately 32-and-a-half, 33
25 years -- close to 32-and-a-half years, I would say.

1 Q. Thank you. And what is your
2 involvement with this particular project?

3 A. I was the lead analyst involved in
4 compiling the Staff Report of Investigation and the
5 Supplemental Staff Report of Investigation for this
6 case.

7 Q. Thank you. And do you support
8 this stipulation?

9 A. Yes. Staff is a signatory party, so
10 we support it. And also I'm obviously sponsoring
11 the Staff Report of this issue as well.

12 Q. And would there be any changes to your
13 testimony?

14 A. There are not.

15 Q. Would there be any changes to the
16 Staff Report or the Supplemental Staff Report?

17 A. Neither. No.

18 Q. And you are in favor of the
19 stipulations to be entered?

20 A. Yes, Staff is.

21 MS. WNEK: Thank you. I have no
22 further questions at this time.

23 MR. HUGHES: No questions from the
24 Applicant. Thank you.

25 ALJ DAVIS: Thank you. You may step

1 down.

2 MR. O'DELL: Thank you, Your Honor.

3 ALJ DAVIS: Do you move for the
4 admission?

5 MS. WNEK: Yes, Your Honor, we would
6 like to move for admission for his testimony to be
7 admitted into the evidence.

8 ALJ DAVIS: So that's Staff Exhibits
9 A, B and C?

10 MS. WNEK: Yes, Your Honor.

11 MR. HUGHES: No objection, Your Honor.

12 ALJ DAVIS: They're admitted. Thank
13 you very much.

14 Is there anything else you need to
15 cover or entertain? Is there --

16 MS. WNEK: I don't believe so.

17 ALJ DAVIS: No housekeeping items
18 pending? Excellent. Well, thank you all for being
19 here this afternoon. We are adjourned.

20 MR. HUGHES: Thank you.

21 MS. WNEK: Thank you, Your Honor.

22 (At 1:12 P.M. the hearing was adjourned)

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C-E-R-T-I-F-I-C-A-T-E

I do hereby certify that the foregoing is a true, correct and complete written transcript of the audiotaped proceedings in this matter, reduced by me into stenotypy, to the best of my ability, and transcribed from my stenographic notes on the 2nd day of April, 2024.

Jillian M. Reedy
Professional Reporter and
Notary Public in and for
the State of Ohio

My commission expires February 13, 2026.

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

4/4/2024 4:19:18 PM

in

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

Summary: Transcript March 21st 2024 In the matter of the Application of American Transmission Systems, Inc., for a Certificate of Environmental Compatibility and Public Need to Construct the Dowling-Fulton 345 kV Transmission Line Tap to Melbourne Substation Project. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Reedy, Jillian M. Mrs. and Mr. Samuel Michael Javor.