

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of)
 American Transmission Systems,)
 Incorporated and The Cleveland Electric) Case No. 07-171-EL-BTX
 Illuminating Company for a Certificate of)
 Environmental Compatibility and Public)
 Need for the Geauga County 138 kV)
 Transmission Line Supply Project.)

ENTRY

The Administrative Law Judge finds:

- (1) By entry issued March 14, 2008, two local public hearings were scheduled for May 12, 2008, in Thompson, Ohio, and for May 13, 2008, in Huntsburg, Ohio. Both of the local public hearings were subsequently cancelled by entry issued May 7, 2008, to be rescheduled at a future time. The local public hearings were cancelled in order to provide additional time for the American Transmission Systems, Incorporated, (ATSI) and The Cleveland Electric Illuminating Company (CEI) (collectively, the Companies) to evaluate additional route segments, as requested by the Staff of the Ohio Power Siting Board.
- (2) On May 21, 2008, an adjudicatory hearing was opened in this proceeding, at the offices of the Public Utilities Commission, in Columbus, Ohio, in accordance with the entry issued May 7, 2008. The hearing was then continued to a date to be determined at a future time.
- (3) By entry issued on July 11, 2008, the Administrative Law Judge scheduled two local public hearings on the following dates:
 - (a) Wednesday, August 27, 2008, at 4:30 p.m., at Ledgemont Elementary - Middle School, gymnasium, 16200 Burrows Road, Thompson, Ohio 44086.
 - (b) Thursday, August 28, 2008, at 1:30 p.m. at the Huntsburg Town Hall, second floor, 16534 Mayfield Road, Huntsburg, Ohio 44046.

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- (4) By the same entry, the Administrative Law Judge scheduled the adjudicatory hearing to resume on September 2, 2008, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, 11th floor, Hearing Room F, Columbus, Ohio 43215-3793.
- (5) At this time, the Administrative Law Judge finds that a third local public hearing should be held in this matter. The third local public hearing will be held on Wednesday, September 10, 2008, at 6:00 p.m. at the Huntsburg Town Hall, second floor, 16534 Mayfield Road, Huntsburg, Ohio 44046.
- (6) The Administrative Law Judge notes that interested persons may testify at only one of the three local public hearings. Also, to accommodate the number of interested persons likely to attend the local public hearings, if their schedules allow, residents in the northern portion of the project area are encouraged to attend the August 27, 2008 local public hearing and residents in the southern portion of the project area are encouraged to attend the August 28, 2008 local public hearing. Further, any interested persons unable to attend the August 27 or August 28 local public hearings are encouraged to attend the September 10, 2008 local public hearing.
- (7) The Companies should now issue the second public notice of the application and the hearings, in accordance with Rule 4906-5-08(B)(2), O.A.C. As part of the information to be included in the notices, as required by Rule 4906-5-08, O.A.C., the Companies shall include a statement that the public hearing in this case shall consist of two parts:
 - (a) three local public hearings, pursuant to Section 4906.08(C), Revised Code, where the Board shall accept written or oral testimony from any person on Wednesday, August 27, 2008, at 4:30 p.m., at Ledgesmont Elementary - Middle School, gymnasium, 16200 Burrows Road, Thompson, Ohio 44086, on Thursday, August 28, 2008, at 1:30 p.m., at the Huntsburg Town Hall, second floor, 16534 Mayfield Road, Huntsburg, Ohio 44046 and on Wednesday, September 10, 2008, at 6:00 p.m., at the Huntsburg Town Hall, second floor, 16534 Mayfield Road, Huntsburg, Ohio 44046 ; and

- (b) the adjudicatory hearing will resume on Tuesday, September 2, 2008, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, 11th floor, Hearing Room F, Columbus, Ohio 43215-3793.
- (8) Due to the delay associated with scheduling a third local public hearing in this matter, the Administrative Law Judge, *sua sponte*, waives the 30-day requirement of Rule 4906-5-08(B)(3), O.A.C., under which the Companies are required to send a letter to each property owner describing the proposed project at least 30 days before the public hearing. The Companies are directed, however, to send a letter to each property owner that provides the information required by Rule 4906-5-08(B)(3), O.A.C., no later 14 days before the August 27, 2008 local public hearing.

It is, therefore,

ORDERED, That the local public hearing in this case be scheduled at the time and place designated in finding 5. It is, further,

ORDERED, That the Companies publish notice of the application and hearings in this matter in accordance with finding 7. It is, further,

ORDERED, That the Companies send a letter to each property owner as set forth in finding 8. It is, further,

ORDERED, That a copy of this entry be served upon the Companies and their counsel, those individuals served a copy of the certified application pursuant to Rule 4906-5-05, O.A.C., and all other interested persons of record.

THE OHIO POWER SITING BOARD



By: Janet K. Stoneking
Administrative Law Judge

JRS
ct

Entered in the Journal

AUG 6 2008



Renee J. Jenkins
Secretary