

4906-1-01

Definitions.

As used in Chapters 4906-1 to 4906-7 of the Administrative Code:

(A) "Accelerated certificate application" means a letter of notification or construction notice filed with the board under the requirements of chapter 4906-6 of the Administrative Code.

(B) "Accepted, complete application" means a standard certificate application which the chairman or individual designated by the chairman declares in writing to be accepted and in compliance with the content requirements of section 4906.06 of the Revised Code, pursuant to section 4906.07 of the Revised Code and rule 4906-3-06 of the Administrative Code.

(C) "Administrative law judge" means an attorney examiner of the public utilities commission.

(D) "Agricultural district" means any agricultural district established pursuant to Chapter 929. of the Revised Code.

(E) "Applicant" means any person filing an accelerated or standard application under Chapter 4906. of the Revised Code.

(F) "Associated facility" or "associated facilities" is defined as follows:

(1) For a gas pipeline: rights-of way, land, structures, mains, valves, meters, compressors, regulators, tanks, overpressure protection equipment, and other transportation items and equipment used for the transportation of gas from and to a gas pipeline.

(2) For an electric power transmission line:

(a) Where poles or towers support both transmission and distribution conductors, the poles, towers, anchors, guys and rights-of-way shall be classified as associated facilities of the transmission line, while the conductors, crossarms, braces, grounds, tiewires, insulators, etc., shall be classified as associated facilities of transmission lines or distribution lines according to the purposes for which they are used.

(b) Transmission voltage switching substations and substations that change electricity from one transmission voltage to another transmission voltage shall be classified as transmission substations and are considered associated facilities of transmission lines. Pole-mounted transmission switching substations are excluded. Those stations that change electricity from transmission voltage to distribution voltage shall be classified as distribution substations, and are not considered associated facilities of transmission lines.

(c) Rights-of-way, land, permanent access roads, structures, breakers, switches, transformers, and other transmission items and equipment used for the transmission of electricity at voltages of one hundred and twenty-five kilovolts or greater shall be classified as associated facilities of transmission lines.

(3) For an electric power generation plant or wind farm: rights-of-way, land, permanent access roads, structures, tanks, distribution lines and substations necessary to interconnect the facility to the electric grid, water lines, pollution control equipment, and other equipment used for the generation of electricity.

(G) "Board" means the Ohio power siting board, as established by division (A) of section 4906.02 of the Revised Code.

(H) "Business day" means any day that is not a Saturday, Sunday, or legal holiday.

(I) "Certificate" means a certificate of environmental compatibility and public need, issued by the board.

(J) "Certificate application" means an application filed with the board under the requirements of Chapters 4906-4 to 4906-6 of the Administrative Code.

(K) "Chairman" means the chairman of the board as established by division (A) of section 4906.02 of the Revised Code.

(L) "Commence to construct" means any clearing of land, excavation, or other action that would adversely affect the natural environment of the site or route of a major utility facility, but does not include surveying changes needed for temporary use of sites or routes for nonutility purposes, or uses in securing geological data, including necessary borings to ascertain foundation conditions. This definition does not constitute a restriction on normal maintenance activities on any section of the proposed site or route that is located within an existing utility right-of-way.

(M) "Commercial operation" means the following:

(1) For electric generation plants and wind farms, the output of any generation unit is capable of being delivered to the grid.

(2) For electric transmission lines and associated facilities, the line is interconnected to the grid.

(3) For gas pipelines, the gas is being transported through the pipeline in an attempt or offer to exchange the gas for money, barter, or anything of value.

(N) "Commission" means the public utilities commission of Ohio, as established by division (A) of section 4901.02 of the Revised Code.

- (O) "Construction notice" means a document filed with the board under the requirements of paragraph 4906-6-03(C) of the Administrative Code.
- (P) "Docketing division" means the commission's division responsible for the filing and maintenance of case documents.
- (Q) "Docketing information system" means the commission's system for electronically storing documents filed in a case, which is maintained by the commission's docketing division. The internet address of the docketing information system is <http://dis.puc.state.oh.us>.
- (R) "Economically significant wind farm" means a wind-powered electric generation facility, including wind turbines and associated facilities, with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of five megawatts or more but less than fifty megawatts.
- (S) "Electric distribution line" means an electric power line that has a design capacity of less than one hundred twenty-five kilovolts.
- (T) "Electric power transmission line" (transmission line) means an electric power line that has a design capacity of one hundred twenty-five kilovolts or more.
- (U) "Electronic filing" (e-filing) means the submission of electronic files to the public utilities commission's docketing information system.
- (V) "Electronic mail" (email) means the exchange of digital messages across the internet or other computer network.
- (W) "Facility" means the proposed major utility facility and all associated facilities.
- (X) "Gas" means natural gas, flammable gas, or gas that is toxic or corrosive.
- (Y) "Gas pipeline" means a pipeline that is greater than five hundred feet in length, is more than nine inches in outside diameter, and is designed for transporting gas at a maximum allowable operating pressure in excess of one hundred twenty-five pounds per square inch and its associated facilities.
- (Z) "Letter of notification" means a document filed with the board under the requirements of paragraph 4906-6-03(B) of the Administrative Code.
- (AA) "Major utility facility" means a facility that meets the definition of major utility facility set forth in section 4906.01 of the Revised Code.
- (BB) "Manufacturing facility that creates byproducts that may be used in the generation of electricity" means a facility that produces exhaust heat or flue gases from engines or boilers used primarily for manufacturing processes and excludes

facilities whose primary purpose is the generation of electricity.

(CC) "Maximum allowable operating pressure" means the maximum pressure at which a pipeline or segment of a pipeline may be operated under 49 C.F.R. 192 as was effective on February 18, 2014.

(DD) "Person" means an individual, corporation, business trust, association, estate, trust, or partnership, or any officer, board, commission, department, division, or bureau of the state or a political subdivision of the state, or any other entity.

(EE) "Potential disturbance area" means the area of land or water that may be cleared, graded, excavated, accessed with heavy equipment, constructed on, or otherwise directly disturbed for construction of the facility.

(FF) "Project" means all equipment, land, and activities required for construction, operation, and maintenance of the facility and associated facilities.

(GG) "Project area" means all land within a contiguous geographic boundary that contains the facility, associated setbacks, and properties under lease or agreement that contain any components of the facility.

(HH) "Replacement of an existing facility with a like facility" means replacing an existing major utility facility with a major utility facility of equivalent size, rating and operating characteristics, and within the same right-of-way. If the existing facility includes material sizes and specifications that are no longer widely manufactured and available, or no longer used by the applicant, replacement with the nearest equivalent standard industry size and material available that meets the needs of the project is considered a replacement with a like facility.

(II) "Specific customer or customers" means industrial or commercial end-use customer(s) in Ohio.

(JJ) "Staff" means the board staff.

(KK) "Standard certificate application" means a document filed with the board under the requirements of Chapter 4906-4 or Chapter 4905-5 of the Administrative Code.

(LL) "Substantial addition," in the case of an electric power transmission line or gas pipeline already in operation, is any addition or modification that meets any of the descriptions listed in the "Application Requirement Matrix" contained in appendix A and appendix B to this rule. Construction necessary to restore service of a transmission line damaged by reason of natural disaster or human-caused accident does not constitute a substantial addition and therefore does not require the filing of a certificate application. In the case of an electric power generation plant, it is any modification of an operating generation plant which modification in itself constitutes a major utility facility or economically significant wind farm. Additions under this definition include, but are not limited to:

(1) Addition of an electric power generation unit of fifty megawatts or greater to an existing plant.

(2) Addition of a fifty megawatts or greater electric power generation unit which is designed to operate in conjunction with an existing unit to establish a combined-cycle unit.

(3) Addition of an electric power generation unit to an existing plant which is not a major utility facility, or modification of an existing unit, with the result that the combined capacity of the new facility is fifty megawatts or greater.

(4) Addition of a wind-powered electric generation turbine to an existing wind farm, with the result that the combined capacity of the new facility is five megawatts or greater.

(MM) "Wind farm" means a wind-powered electric generation facility, including wind turbines and associated facilities, with a single interconnection to the electrical grid.

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Certification

Date

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