



## Ohio Administrative Code

### Rule 4906-3-09 Public notice of accepted, complete applications.

Effective: [May 30, 2024](#)

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(A) After filing an accepted, complete application with the board, the applicant shall, in addition to the newspaper publication requirement in section 4906.06 (C) of the Revised Code, give two notices of the proposed utility facility.

(1) The initial notice shall be a written notice to those persons that received service of a copy of the application pursuant to rule 4906-3-07 of the Administrative Code and each owner and resident of a property that would contain or be crossed by the proposed equipment, route, or facility or any proposed alternatives, and each owner and resident of a property that would be adjacent to a property that would contain or be crossed by the proposed equipment, route, or facility or any proposed alternatives within fifteen days of the filing of the accepted, complete application and shall contain the following information:

- (a) The name and a brief description of the proposed facility, including type and capacity.
- (b) A map showing the location and general layout of the proposed facility.
- (c) A list of officials served with copies of the accepted, complete application pursuant to rule 4906-3-07 of the Administrative Code.
- (d) A list of public libraries that were sent paper copies or notices of availability of the accepted, complete application, and other readily accessible locations (including the applicant's website and the website, mailing address, and telephone number of the board) where copies of the accepted, complete application are available for public inspection.
- (e) A statement, including the assigned docket number, that an application for a certificate to construct, operate, and maintain said facility is now pending before the board.
- (f) A statement setting forth the eight criteria listed in division (A) of section 4906.10 of the Revised



Code used by the board to review an application.

(g) Section 4906.07 of the Revised Code, including the time and place of the public and adjudicatory hearings.

(h) Division (C) of section 4906.08 of the Revised Code, including the deadline for filing a notice of intervention or petition for leave to intervene as established by the board or administrative law judge.

(2) The second public notice shall be a written notice to those persons to whom the initial notice is required to be sent pursuant to paragraph (A)(1) of this rule and shall be published in newspapers of general circulation in those municipal corporations and counties in which the chief executive received service of a copy of the application pursuant to rule 4906-3-07 of the Administrative Code at least seven days but no more than twenty-one days before the public hearing. The notice shall be published with letters not less than ten-point type, shall bear the heading "Notice of Proposed Major Utility Facility" in bold type not less than one-fourth inch high or thirty-point type and shall contain the following information:

(a) The name and a brief description of the project.

(b) A map showing the location and general layout of the proposed facility.

(c) A statement, including the assigned docket number that an application for a certificate to construct, operate, and maintain said facility is now pending before the board.

(d) The date, time, and location of the public and adjudicatory hearings.

(e) A statement that the public will be given an opportunity to comment on the proposed facility.

(f) A reference to the date of the first public notice.

(B) Except as required by Revised Code, inability or inadvertent failure to notify the persons or publish the notice described in this rule shall not constitute a failure to give public notice, provided substantial compliance with these requirements is met.