

BEFORE  
THE OHIO POWER SITING BOARD

In The Matter Of The Application Of )  
 American Municipal Power-Ohio, Inc. )  
 For A Certificate Of Environmental )  
 Compatibility and Public Need For ) Case No. 06-1358-EL-BGN  
 An Electric Power Generating Station )  
 And Related Facilities )

PETITION TO INTERVENE OF ELISA YOUNG

Elisa Young respectfully requests the Ohio Power Siting Board (OPSB) pursuant to Rule 4906-7-04(A)(2) and Section 4906.08, Revised Code to intervene in the above-captioned matter. Ms. Young requests the ability to intervene with the full powers and rights granted to intervening parties by the OPSB, Ohio statute and/or by the provisions of the Ohio Administrative Code. Ms. Young's request is based on the following grounds and interests per the requirements of Rule 4906-7-04(B)(1)(a) through (d):

1. (a) nature and extent of interest.

- a. Ms. Young's interest is substantial in that she lives within 10-15 miles of the proposed AMP-Ohio plant. The farm has been in Ms. Young's family for many generations, and her relatives are buried on her property.<sup>1</sup> Her family's property ownership dates back to the Revolutionary war.
- b. In the recent permit proceedings before the OPSB for the AEP Integrated Gasification Combined Cycle (IGCC) plant,<sup>2</sup> on June 14, 2006, the Administrative Law Judge (ALJ) denied a petition to intervene by both the Ohio Energy Group (OEG) and the Industrial Energy Users (IEU). The ALJ

<sup>1</sup> Ms. Young has 4 power plants currently operating within 10 miles of her home; and AEP's proposed IGCC plant, which was recently permitted by the OPSB, would be the 5<sup>th</sup> plant within 10 miles. If this plant is permitted, it would be the 6<sup>th</sup> plant within 10-15 miles. If the 2 coal plants currently in the permitting process in West Virginia are approved, Ms. Young will have a total of 8 coal plants within 20 miles of her home. Ms. Young will submit a Motion to let the OPSB know the amount of pollution from each plant, as well as the total amount for each plant, in her Direct Testimony.

<sup>2</sup> Case 06-30-EL-BGN.

denied intervention because neither OEG nor IEU claimed that any member was a property owner within the general vicinity of the proposed project.<sup>3</sup>

- c. The June 14, 2006 decision stated that the purpose of the OPSB's proceeding is to evaluate the "likely environmental effects of the construction, operation and maintenance" of the proposed project "on the immediately surrounding community." The ALJ also noted that the board would consider the "noise levels, aesthetics, health and safety of the surrounding community."<sup>4</sup>

**2. (b) extent that Ms. Young's interest is represented by other parties.**

- a. Since no other party lives in such close physical proximity to the proposed plant, no party can have an interest that is close enough to Ms. Young's interest to justify consolidating her position with other intervenors. No other parties will be impacted as directly by the "noise levels, aesthetics, health and safety."
- b. Ms. Young does not wish to have partial or limited participation rights, but full participation rights. The OPSB has been aware of Ms. Young's interest in the AMP plant since she contacted them on November 28, 2005.<sup>5</sup>

**3. (c) Ms. Young's potential contribution to a just and expeditious resolution of the issues in the proceeding.**

- a. Because Ms. Young is the *most directly impacted person in this proceeding*, to deny her petition to intervene would be to deny her most basic rights. Without Ms. Young or the intervention of someone who is also directly impacted, the proceeding should not go forward. The "just resolution" of these issues demands that Ms. Young be allowed to intervene.

**4. Whether the requested intervention would unjustly delay the proceeding or unjustly prejudice an existing party.**

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<sup>3</sup> 06-30-EL-BGN, Decision to deny intervention of OEG and IEU, dated June 14, 2006, pages 3-4, findings (7) and (8).

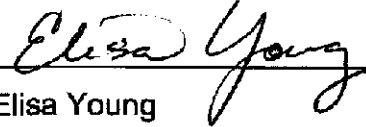
<sup>4</sup> Id.

<sup>5</sup> See letter in the record from Chief Klaus Laudbeck, OPSB to Ms. Young dated May 22, 2007, and accompanying email from Ms. Young to Dianna Webber at the OPSB dated November 28, 2005. In that letter, Ms. Young stated that "If the 2 IGCCs and AMP's power plants go here, that will create 7 power plants within a 7 mile radius from our home and I am concerned about impacts."

- a. Ms. Young's participation will not prejudice any existing party; nor will it unjustly delay the proceedings. Ms. Young does not see how her participation will prejudice any other party; and if another party sees such prejudice, she will respond. Since no other party is as directly impacted, Ms. Young does not believe their interests have enough in common to be forced to intervene as a single party.
- b. Although Ms. Young is not an attorney, she is familiar with the proceedings before bodies like the OPSB, since she has participated in many proceedings in the numerous power plants and other industrial-type facilities very close to her farm. These proceedings include the Ohio EPA, the Ohio Department of Natural Resources; and include 4 existing power plants within 10-15 miles of her home, as well as 2 coal mines and a coal prep plant. Ms. Young will make every effort to abide by the rules and procedures of the OPSB, and will intervene only in those issues in which she has a substantial and direct interest.

Please note that although Ms. Young is a founding member of Meigs Community Action Network (MeigsCAN), she is filing this petition as an individual, and not as a member of MeigsCAN. Ms. Young is filing this on her own behalf, as she does not have the money to pay an attorney for representation. Although MeigsCAN also has a great interest in the outcome of this proceeding, the group does not have the money to pay for an attorney and so is unable to participate as an organization.

Respectfully submitted this 25 day of October, 2007.

 10/25/07  
ORIGINAL  
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**CERTIFICATE OF SERVICE**

I hereby certify that on 10/25/07, the original and 12 copies of the foregoing **MOTION TO INTERVENE OF ELISA YOUNG** was served by U.S. mail on:

and copies were e-mailed, faxed, hand delivered, FedEx'ed, or placed in the United States Mail, postage prepaid, addressed to:

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X Elisa Young 10/25/07  
Served by Elisa Young