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180 E. Broad Street
Columbus, Ohio 43215-3793

www.OPSB.ohio.gov

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Ohio Power Siting Board

September 9, 2008

RECEIVED-DOCKETING DIV
2008 SEP -9 PM 2:04
PUCO

Chad and Ann Carpenter
6529 CR 26
Bellefontaine, Ohio 43311

Re: The Ohio Power Siting Board's Certification Requirements for Electric
Generating Wind Facilities
Case No. 08-1034 FL ORD

Dear Mr. and Mrs. Carpenter:

Thank you for contacting the Ohio Power Siting Board regarding the potential installation of wind generation in your area. The OPSB's mission is to support sound energy policies that provide for the installation of energy and transmission infrastructure for the benefit of the Ohio citizens, while promoting the state's economic interests and protecting the environment and land use.

The generating capacity of a wind generation project determines whether the state has jurisdiction over the location of the project. The Ohio Power Siting Board (OPSB) has jurisdiction when an "economically significant" wind turbines and associated facilities with a single interconnection to the electrical grid, operate at an aggregate capacity of five or more megawatts (MW). Unless this threshold is met, jurisdiction will lie within the authority of the local government, typically a zoning board or county commissioners.

In the issue of "setbacks," the law prescribes a minimum setback for a wind turbine of an economically significant wind farm. That minimum shall be equal to a horizontal distance, from the turbine's base to the property line of the wind farm property, equal to one and one-tenth times the total height of the turbine structure as measured from its base to the tip of its highest blade and further, be at least seven hundred fifty feet in horizontal distance from the tip of the turbine's nearest blade at ninety degrees to the exterior of the nearest, habitable, residential structure, if any, located on adjacent property at the time of the certification application.

The minimum setback shall apply in all cases except those in which all owners of property adjacent to the wind farm property waives the application of the setback to that property. The board will evaluate each application and may determine that a setback greater than the minimum is necessary.

Before construction can begin on any major utility facility within the state of Ohio, a certificate of environmental compatibility and public need must be obtained from the OPSB. Any question about whether a project meets or does not meet the definition should be referred to the OPSB for clarification.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
Date Processed 9-9-08
Technician



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Should you have additional wind generation facility comments and/or concerns, please contact the Call Centers at (800) 686-PUCO (7826) or (800)270-OPSB (6772) or visit the Web site at www.PUCO.ohio.gov, or the OPSB website at www.OPSB.ohio.gov. If you reference the docket no: 08-1024-EL-ORD; The Ohio Power Siting Board's Certification Requirements for Electric Generating Wind Facilities, we will place your comments in the official docket and share them with members of the Board.

Very truly yours,

Kim Wissman, Executive Director
Ohio Power Siting Board

KW:dgd

WIND**Gentry-Davis, Doreen**

From: Wissman, Kim
Sent: Sunday, September 07, 2008 5:10 PM
To: Webber, Dianna; Gentry-Davis, Doreen
Subject: FW: Wind Turbine Siting Regulations for the State of Ohio

From: Chad and Ann Carpenter [mailto:acarpenter@wildblue.net]
Sent: Saturday, September 06, 2008 1:17 PM
To: Wissman, Kim; Lambeck, Klaus; Siegfried, Stuart; lt.governor@governor.ohio.gov; director@odh.ohio.gov; chris.korleski@epa.state.oh.us; SD07@mailr.sen.state.oh.us; senatorwilson@maild.sen.state.oh.us; district31@ohr.state.oh.us; district50@ohr.state.oh.us; andrew.boatright@westerville.org; district50@ohr.state.oh.us; district17@ohr.state.oh.us; district21@ohr.state.oh.us; district93@ohr.state.oh.us; district69@ohr.state.oh.us; district59@ohr.state.oh.us; district29@ohr.state.oh.us; district73@ohr.state.oh.us; district99@ohr.state.oh.us; district55@ohr.state.oh.us; district96@ohr.state.oh.us; district03@ohr.state.oh.us; district20@ohr.state.oh.us; district62@ohr.state.oh.us; district78@ohr.state.oh.us; district91@ohr.state.oh.us; district06@ohr.state.oh.us; district57@ohr.state.oh.us; district74@ohr.state.oh.us; district11@ohr.state.oh.us; district66@ohr.state.oh.us; SD07@mailr.sen.state.oh.us; senatorboccieri@maild.sen.state.oh.us; SD01@mailr.sen.state.oh.us; senatormason@maild.sen.state.oh.us; kcoughli@mailr.sen.state.oh.us; jjacobso@mailr.sen.state.oh.us; sd14@mailr.sen.state.oh.us; rspada@mailr.sen.state.oh.us
Subject: Wind Turbine Siting Regulations for the State of Ohio

September 6, 2008

To:

Ohio Power Siting Board; Public Utilities Commission of Ohio; Ohio House of Representatives Public Utilities Committee; Ohio House of Representatives Alternative Energy Committee; Ohio Senate Energy and Public Utilities Committee
 Re: Wind Turbine Siting Regulations for the State of Ohio

To Whom It May Concern:

I understand that siting for industrial wind machines planned in Logan County now rests in State hands, having been removed from local control by recent legislation. Our concerns – regarding safety, health issues, noise, shadow flicker, and property rights – have been all but utterly ignored to date by

9/8/2008

local and state officials.

We support the development of alternative energy sources. We could support the construction of industrial wind machines – regardless of the inefficient nature and high cost of wind power, and even though wind energy could never satisfy Ohio's energy needs – if wind machines were properly sited in, for example, all

farm areas where they would do no harm. The area where I live in Logan County is not such an area – our area is highly populated. Our home sits nearby/adjacent to and surrounded by land now leased for turbine construction. Several of these properties are owned by individuals, or a corporation, who do not reside here, but who have been given a large say in zoning on wind turbines. My family soon may be sitting in the middle of a wind factory, i.e., "farm." Do we, non-participating property owners, retain any property rights equal to those of wind lease holders? We would like to see set backs not from dwellings, but from property lines so that we can build on, split, sell or remain safe on all parts of our land.

We hold legitimate concerns about adverse impact of noise and shadow flicker

effect. Why can't studies be done prior to construction to absolutely ensure no

such problems will occur? Surely you are aware of well-documented problems in other areas, for example in Maine, where the wind industry wrongly assured residents there would be no noise. Why can't studies be completed by independent experts – not employees of the wind industry – prior to any approved construction? Why can't set backs be great enough to ensure not that numerous machines can be built, but that

residents will not suffer noise or shadow flicker impact? Shouldn't the quality-

of-life of residents here hold the same importance as building wind machines?

What about adverse health impact? Have you seen the studies of Dr. Nina

Pierpont? What if we become ill? Who will reimburse us? Where will we live if we

cannot then sell our house? What about ice throw? The set backs of 750' now in place are ridiculously short. What about the roadways? Have you seen the winding narrow roads in this area? Do we have to endure road widening and construction for this project as well? At whose cost? And who will pay for those road repairs? Will the OPSB regulations include an arbitration process (other than typical legal recourse) for local governments and citizens alike who find problems afterward, that they were promised in advance, would not occur?

What about the power grid? Is the grid capable of handling the interconnection to

wind? Will there be a huge substation built here as well? At whose cost?

Will the OPSB regulations require public disclosure of the contracts wind companies have with lease holders?

Industrial wind construction does not belong in populated areas – such as where

we now live. If the State decides it does, perhaps then adjacent non-participating property owners should be reimbursed the value of our homes. If wind turbines truly do

not affect property values as our county auditor assures us (but why would anyone want to purchase our home when its very value, its setting, will be gone?), would it be so unreasonable as to require the wind industry to buy out non-participating adjacent property owners such as myself?

When addressing wind siting for this area, please try to put yourself in our place.

We deserve legislation that adequately serves us, taxpayers and voters, and

protects us as well as it will for wind companies and those farmers and large landowners

making profit from the deal. We are tired of being told we have to "take it in the cheek" (statement from Ohio Farm Bureau) for Ohio. We ask for setbacks that protect homeowners first – not wind companies.

Sincerely yours,

Chad & Ann Carpenter

6529 CR 26

Bellefontaine, OH 43311

Gentry-Davis, Doreen

From: Wissman, Kim
Sent: Sunday, September 07, 2008 5:10 PM
To: Webber, Dianna; Gentry-Davis, Doreen
Subject: FW: Wind Turbine Siting Regulations for the State of Ohio

From: Chad and Ann Carpenter [mailto:acarpenter@wildblue.net]
Sent: Saturday, September 06, 2008 1:19 PM
To: Wissman, Kim; Lambeck, Klaus; Siegfried, Stuart; lt.governor@governor.ohio.gov; director@odh.ohio.gov; chris.korleski@epa.state.oh.us; SD07@mailr.sen.state.oh.us; senatorwilson@maild.sen.state.oh.us; district31@ohr.state.oh.us; district50@ohr.state.oh.us; andrew.boatright@westerville.org; district50@ohr.state.oh.us; district17@ohr.state.oh.us; district21@ohr.state.oh.us; district93@ohr.state.oh.us; district69@ohr.state.oh.us; district59@ohr.state.oh.us; district29@ohr.state.oh.us; district73@ohr.state.oh.us; district99@ohr.state.oh.us; district55@ohr.state.oh.us; district96@ohr.state.oh.us; district03@ohr.state.oh.us; district20@ohr.state.oh.us; district62@ohr.state.oh.us; district78@ohr.state.oh.us; district91@ohr.state.oh.us; district06@ohr.state.oh.us; district57@ohr.state.oh.us; district74@ohr.state.oh.us; district11@ohr.state.oh.us; district66@ohr.state.oh.us; SD07@mailr.sen.state.oh.us; senatorboccheri@maild.sen.state.oh.us; SD01@mailr.sen.state.oh.us; senatormason@maild.sen.state.oh.us; kcoughli@mailr.sen.state.oh.us; jjacobso@mailr.sen.state.oh.us; sd14@mailr.sen.state.oh.us; rspada@mailr.sen.state.oh.us
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Re: Wind Turbine Siting Regulations for the State of Ohio

To Whom It May Concern:

I am very concerned that the state-approved 750' setback of an industrial wind turbine from a home is much too close. For safety, the very large turbines must have larger setbacks. We would like to see set backs not from dwellings, but from property lines so that we can build on, split, sell or remain safe on all parts of our land.

To mitigate wind turbine noise, please read, Messrs. Kamperman & James' noise research (*The "How To" Guide to Siting Wind Turbines to Prevent Health Risks from Sound*), as well as the National Academy of Science's (*Environmental Effects of Wind Turbines*) that both recommend ½ mile set-backs. Both are based on facts and figures to ensure safe operation of turbines.

Please reconsider the minimum setbacks and base your rulings on scientific facts.

9/8/2008