



FILE

Ohio Power Siting Board

September 30, 2008

RECEIVED-DOCKETING DIV
2008 SEP 30 PM 3:43
PUCO

Ted Strickland, Governor

Board Members

Chairman

Alan R. Schniber
The Public Utilities Commission of OhioChristopher Kortesi
Ohio Environmental Protection AgencyLee Fisher
Ohio Department of DevelopmentDr. Alvin Jackson
Ohio Department of HealthSean Logan
Ohio Department of Natural ResourcesRobert Boggs
Ohio Department of AgricultureAndrew M. Boatright, P.E.
Public MemberSteven Driehaus
Ohio House of RepresentativesJohn Hagan
Ohio House of RepresentativesBob Schuler
Ohio SenateJason Wilson
Ohio Senate180 E. Broad Street
Columbus, Ohio 43215-3793

www.OPSB.ohio.gov

The Ohio Power Siting Board
is an Equal Opportunity Employer
and Service ProviderDuane Hartzler
MASI Environmental Laboratories
P.O. Box 1440
Dublin, Ohio 43017Re: The Ohio Power Siting Board's Certification Requirements for Electric
Generating Wind Facilities
Case No. 08-1024- EL-ORD

Dear Mr. Hartzler:

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.
Technician Tracy Date Processed 9/31/2008



Ohio Power Siting Board

Ted Strickland, Governor

Board Members

Chairman

Alan R. Schriber
The Public Utilities Commission of Ohio

Christopher Korteck
Ohio Environmental Protection Agency

Lee Fisher
Ohio Department of Development

Dr. Alvin Jackson
Ohio Department of Health

Seán Logan
Ohio Department of Natural Resources

Robert Boggs
Ohio Department of Agriculture

Andrew M. Boatright, P.E.
Public Member

Steven Driehaus
Ohio House of Representatives

John Hagan
Ohio House of Representatives

Bob Schuler
Ohio Senate

Jason Wilson
Ohio Senate

180 E. Broad Street
Columbus, Ohio 43215-3793

www.OPSB.ohio.gov

The Board issued proposed draft rules for wind facilities in Case No. 08-1024-EL-ORD. Comments were due in the docket on September 29, 2008 and reply comments are due October 7, 2008. Please reference the docket number above when filing comments regarding the rules. 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. 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