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BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application	)	
of Buckeye Wind, LLC, for a	)	Case No. 08-0666-EL-BGN
Certificate to Install Numerous	)	
Electric Generating Wind	)	
Turbines in Champaign County	)	DIRECT TESTIMONY OF
to be Collected at an Electrical	)	WITNESS OF INTERVENOR
Substation in Union Township,	)	CHAMPAIGN COUNTY
Champaign County, Ohio	)	BOARD OF COMMISSIONERS

DIRECT TESTIMONY OF STEVE HESS, COUNTY COMMISSIONER

My name is Steve Hess and I am currently serving my third term as a Champaign County Commissioner. Thank you for providing all of us with this opportunity to address this very important issue.

As you know, any power or authority resting with this, or any, board of Commissioners in the State of Ohio is outlined specifically in the Ohio Revised Code. Any local land use questions are covered under township zoning regulations held by the trustees of each respective township. Therefore, we, as a county commission, have no legislative authority in this case to act either for or against. And yet, we have been lobbied by the proponents of the project as well as the opponents. Recognizing the need to listen to our constituents and understand the issue as well as possible, I have taken great pains to educate myself on this issue, with the intention of evaluating the pros and cons as well as attempting to gauge the support of the county as a whole.

This process of educating myself on the issue of wind energy, includes the following:

- An official trip as a board, including our clerk and press reporter, to Bowling Green, Ohio to view their turbines. Included was a meeting with Wood County Commissioners and the Utilities Director for the City of Bowling Green.

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- A trip by this commissioner to Bloomington, Illinois, as part of a charter bus trip in the summer of 2007 to see the Twin Groves Wind Farm Project. I met with local officials and landowners as well as representatives from the project developer.
- Various communications by all commissioners as well as staff to established and operating wind farms in Benton County, Indiana, Dodge County, Wisconsin and Buena Vista and Carroll County, Iowa.
- Review of reams of printed materials on the subject, both for and against, including statistical analysis and objective studies.
- Review of comments, letters and calls from Champaign County residents, both for or against.

In short, I feel like the Board of Commissioners has done its homework and due diligence with the full understanding, as stated previously, that the Board of Commissioners has absolutely no authority to approve or disapprove in regard to this project. I do feel, however, that we may be able to convey a sense of the attitude of the county as a whole toward this project based upon the number of comments received from Champaign County residents.

I understand and acknowledge that some residents have concerns and reservations about this project and its effects on our community. Some have outright opposition to the project in any form. I have heard from these residents. I have also heard from supporters of the project across broad cross-section of Champaign County residents. I appreciate both viewpoints, as vigorous debate is essential to democratic society. The fact is that the communications the board of commissioner's office has received in support of the project far outweigh those in opposition and include a broader range of our community, in my

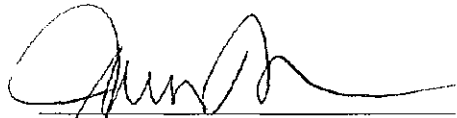
opinion. Please understand that these are random letters, phone calls and conversations at various events over the past several years and all were completely unsolicited on our part, but they have collectively served to show me a generally high level of support for this project, again, in my opinion.

Aside from the relative popularity or unpopularity of the project, however, it seems like this business wanting to locate in Champaign County should be no different than any other business wanting to locate here. It seems to us that if a process is established and rules and regulations are in place for siting this or any other business and if that process and those regulations are followed and complied with, then they have as much right to do business here as anyone else. Some of those regulations are designed to protect public health and safety and, in this case, some provide for air traffic safety. Those regulations absolutely must be adhered to, but if they are, there is no legal authority to deny this, or any business, the right to establish and operate here. If any regulations can be shown to be insufficient, there is a process by which they can be changed, but until that time, we must operate with those that are in place.

In summary, let me thank you for allowing me to share my thoughts with you. For all the reasons previously stated, I continue to support this project with the strong expectation that every rule, every regulations and every step of this process be followed and fully complied with.

Respectfully submitted,

NICK A. SELVAGGIO  
CHAMPAIGN COUNTY  
PROSECUTING ATTORNEY



Jane A. Napier (0061426)  
Assistant Prosecuting Attorney  
200 N. Main Street  
Urbana, Ohio 43078  
(937) 484-1900  
(937) 484-1901  
[janccpo@ctcn.net](mailto:janccpo@ctcn.net)

Attorney for Champaign County  
Board of Commissioners

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the following parties of record via electronic mail on this 2<sup>nd</sup> day of November, 2009.

M. Howard Petricoff  
Stephen M. Howard  
Michael J. Settineri  
Vorys, Sater, Seymour and Pease LLP  
52 East Gay Street  
P.O. Box 1008  
Columbus, Ohio 43216-1008  
(614)464-5414  
(614)719-4904 (fax)  
[mhpetricoff@vorys.com](mailto:mhpetricoff@vorys.com)  
[smhoward@vorys.com](mailto:smhoward@vorys.com)  
[mjsettineri@vorys.com](mailto:mjsettineri@vorys.com)

Jack A. VanKley  
VanKley & Walker, LLC  
132 Northwoods Blvd., Suite C-1  
Columbus, Ohio 43235  
[jvankley@vankleywalker.com](mailto:jvankley@vankleywalker.com)

Werner Margard  
Assistant Attorney General  
180 East Broad Street, 9th Floor  
Columbus, Ohio 43215  
[werner.margard@puc.state.oh.us](mailto:werner.margard@puc.state.oh.us)

Gene Park

Christopher A. Walker  
VanKley & Walker, LLC  
137 North Main Street, Suite 316  
Dayton, Ohio 45402  
[cwalker@vankleywalker.com](mailto:cwalker@vankleywalker.com)

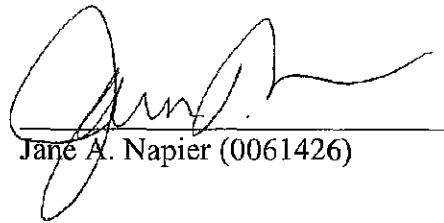
Daniel A. Brown  
Brown Law Office LLC  
204 S. Ludlow St., Suite 300  
Dayton, Ohio 45402  
[dbrown@brownlawdayton.com](mailto:dbrown@brownlawdayton.com)

Larry Gearhardt  
Chief Legal Counsel  
Ohio Farm Bureau Federation  
280 N. High St., P.O. Box 182383  
Columbus, Ohio 43218-2383  
[lgearhart@ofbf.org](mailto:lgearhart@ofbf.org)

G.S. Weithman, Director of Law  
City of Urbana  
205 S. Main Street  
Urbana, OH 43078  
[diroflaw@ctcn.net](mailto:diroflaw@ctcn.net)

Piqua Shawnee Tribe  
1803 Longview Drive  
Springfield, OH 45504  
[cwest14@woh.rr.com](mailto:cwest14@woh.rr.com)

Thomas E. Lodge  
Carolyn S. Flahive  
Sarah Chambers  
Thompson Hine LLP  
41 South High Street, Suite 1700  
Columbus, OH 43215-6101  
[Tom.Lodge@ThompsonHine.com](mailto:Tom.Lodge@ThompsonHine.com)  
[Carolyn.Flahive@ThompsonHine.com](mailto:Carolyn.Flahive@ThompsonHine.com)  
[Sarah.Chambers@ThompsonHine.com](mailto:Sarah.Chambers@ThompsonHine.com)



Jane A. Napier (0061426)