

January 15, 2010

By: *Hand-Delivery*

Reneé J. Jenkins,
Docketing Division
Ohio Power Siting Board
180 East Broad Street
Columbus, Ohio 43215

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RECEIVED-DOCKETING DIV

RE: In the Matter of the Application of Buckeye Wind LLC for a Certificate to
Construct Wind-powered Electric Generation Facilities
Case No. 08-666-EL-BGN

Dear Ms. Jenkins:

Enclosed on behalf of The Champaign Telephone Company, are an original and ten (10) copies of the Initial Post-Hearing Brief to be filed in connection with the above-referenced matter.

Thank you for your assistance. If you have any questions, please do not hesitate to call.

Very truly yours,



Sarah Chambers

Enclosures

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BEFORE
THE OHIO POWER SITING BOARD

In the Matter of the Application of Buckeye Wind, LLC)
for a Certificate to Construct Wind-Powered Electric) **Case No. 08-666-EL-BGN**
Generation Facilities in Champaign County, Ohio)

POST-HEARING BRIEF OF CHAMPAIGN TELEPHONE COMPANY

Background

Champaign Telephone Company ("Champaign") hereby submits its post-hearing brief pursuant to the schedule established in the hearing on this matter on December 1, 2009.

On April 24, 2009, Buckeye Wind, LLC (the "Applicant") filed an application seeking certification to build and operate an electric generation wind facility consisting of approximately 70 industrial-scale wind turbines in Champaign County.¹ Champaign provides telephone and Internet service to consumers located in Champaign County. Champaign intervened in this proceeding to express its concern that the location of the proposed turbines may interfere with the Internet service Champaign provides to its customers. Champaign's Motion to Intervene was granted October 30, 2009.

¹ See Application to the Ohio Power Siting Board for a Certificate of Environmental Compatibility and Public Need for the Buckeye Wind Project, dated April 24, 2009 (the "Application").

Champaign's Testimony

On November 2, 2009, Champaign filed the direct testimony of its witness, Timothy Bolander (Champaign Exhibit 1). Mr. Bolander explained that Champaign owns two towers ("Tower A" and "Tower B") located within the Project Area (as such term is defined in the Application). Both Tower A and Tower B are 150 feet in height. Tower A is located at 10955 Knoxville Road, Mechanicsburg, OH 43044 (LAT: 40-0-30.16 N; LONG: 83-35-14.39 W). Tower B is located at 2733 Mutual Union Road, Cable, OH 43009 (LAT: 40-9-26.0 N; LONG: 83-37-52.0 W). Tower A and Tower B are separated by 10.52 miles.

Mr. Bolander further explained that in order to provide Internet connectivity, Tower A transmits signals to Champaign's customers on frequencies of 2.4GHz and 900MHz and receives signals from those customers on frequencies of 2.4GHz and 900MHz. The signals received at Tower A are then transmitted to Tower B through wireless point-to-point links utilizing a frequency of 5.8GHz (microwave). Tower B is connected to Champaign's central office through a fiber or "hard" connection. If any of the proposed turbines are placed too close to either Tower A or Tower B, interference with the signals transmitted to and from those towers will occur. In addition, interference will occur if one or more of the turbines are located within the line of sight between Tower A and Tower B.

Mr. Bolander testified that interference could cause any one or more of the following: (1) a weak signal resulting in intermittent outages; (2) fluctuations or variations in download speed; or (3) complete outages. If the Applicant's structures cause interference with the signals transmitted between Tower A and any of the customers served by Tower A, those customers whose Internet connectivity is reliant on the signals with which interference has been caused will be negatively affected. If the Applicant's structures cause interference with the signals

transmitted from Tower A to Tower B, all Internet customers whose connectivity is reliant on Tower A will be negatively affected.

According to Mr. Bolander's testimony, the Internet connection Champaign currently provides to customers served by Tower A is faster than dial-up connectivity but is not the speed considered to be broadband. Champaign is devoting considerable effort to providing these customers with a broadband solution. Interference with the signals sent to and from Tower A would prevent Champaign from offering broadband service to customers served by Tower A. In addition, because Champaign is the only provider of Internet connectivity in certain areas served by Tower A, customers in those areas would be left with no access to the Internet if service is interrupted due to interference with the signals sent and received from Tower A.

To prevent interference Mr. Bolander testified that (1) there must be a distance at least as great as the total height of a proposed structure between the proposed structure and a tower and (2) there must not be any structures located within the line of sight between Tower A and Tower B. For example, according to the Application the estimated height of the proposed turbines would be 492 feet. Therefore, interference could result if a turbine is located within 492 feet of a tower or within the line of sight between Tower A and Tower B.

Other Testimony

Applicant hired a contractor to conduct an analysis of the impact of the proposed turbines on existing communications systems.² That analysis identified 14 microwave paths in the vicinity of the Project Area and concluded that only turbine 37 posed the potential to interfere with microwave transmission.³ However, upon cross-examination, Christopher Shears testified

² See Id. at page 192.

³ See Id. at page 194.

on behalf of the Applicant that the communications sent and received from Towers A and B were not included in that analysis.⁴

In addition, Mr. Shears testified that the Applicant was not aware of and did not consider Champaign's towers in planning the location of the proposed turbines.⁵ Mr. Shears agreed that potential interference with the signals sent and received from Champaign's towers could result if a turbine is located too close to one of the towers or within the line of sight of the towers.⁶ The Applicant stated in its Application that it is committed to avoiding adverse impacts to existing communications systems.⁷ Consistent with that commitment, Mr. Shears agreed upon cross-examination that the Applicant would accept a condition on its certification prohibiting it from placing a turbine in any location that would cause interference with the signals sent and received from Champaign's towers.⁸ Moreover, upon cross-examination Mr. Siegfried, on behalf of the Ohio Power Siting Board Staff, agreed that it would be reasonable for the Board to place such a restriction on Applicant's certification.⁹

Conclusion

Champaign neither supports nor opposes the Application. However, to ensure that none of the proposed turbines cause interference with the signals transmitted to and from Towers A and B, Champaign respectfully requests that the Board place a condition on Applicant's certification, if granted, prohibiting it from locating any structure where it would cause interference with the signals sent and received from Champaign's towers. As evidenced by the

⁴ See Transcript of Proceedings Volume I, November 9, 2009, page 269.

⁵ See *Id.* at pages 267-268.

⁶ See *Id.* at pages 269-270.

⁷ See Application, page 194.

⁸ See Transcript of Proceedings Volume I, November 9, 2009, page 272.

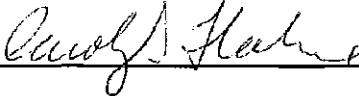
⁹ See Transcript of Proceedings Volume VII, November 18, 2009, page 1802.

testimony in this proceeding, no party, including the Applicant, has opposed such a condition and the Ohio Power Siting Board Staff supports such a condition.

Respectfully submitted,

CHAMPAIGN TELEPHONE COMPANY.

Dated: January 15, 2010

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by electronic mail on the parties listed below on this 15th day of January, 2010.

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