

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of Fremont)
Energy Center LLC for a Certificate of)
Environmental Compatibility and Public) Case No. 00-1527-EL-BGN
Need for a Merchant, Combined Cycle, 704-)
Megawatt Power Plant in Sandusky)
County, Ohio.)

ENTRY

The Ohio Power Siting Board finds:

- (1) On May 21, 2001, as amended on June 18, 2001, The Ohio Power Siting Board (Board) issued to Fremont Energy Center LLC (Fremont), a certificate of environmental compatibility and public need (certificate) to construct the 704-megawatt (MW) Fremont Energy Center electric generating station in Sandusky Township, Sandusky County, Ohio.
- (2) On December 15, 2003, the Board approved a transfer of the certificate from Fremont to its parent corporation Calpine Corporation (Calpine). Thereafter, on March 3, 2008, the Board approved a transfer of the certificate from Calpine to FirstEnergy Generation Corp. (FirstEnergy).
- (3) On May 23, 2011, FirstEnergy and American Municipal Power, Inc. (AMP) filed a joint application to transfer the certificate from FirstEnergy to AMP. According to joint applicants, they have entered into an agreement whereby all assets of the project, including the certificate, permits and other authorizations necessary for the construction of the Fremont Energy Center will be transferred to AMP. The joint applicants indicated the generation facility is approximately 99 percent complete and that AMP will promptly complete any remaining construction

of the Fremont Energy Center and comply with the terms and conditions in the certificate.

- (4) On June 23, 2011, joint applicants filed a notice that they had notified all of the public officials in the affected area explaining the nature of the transfer application.
- (5) Pursuant to Section 4906.04, Revised Code, certificates may be transferred when the new owner agrees to comply with the terms, conditions, and modifications contained in the certificate.
- (6) Based upon the foregoing, the Board concludes that the certificate previously granted to Fremont for the construction and operation of a 704-MW electric generating station in Sandusky Township, Sandusky County, Ohio, and subsequently transferred to Calpine, and thereafter to FirstEnergy, should now be transferred to AMP. AMP shall be bound by and comply with all terms and conditions of this certificate.

It is, therefore,

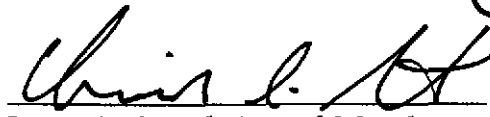
ORDERED, That the joint application to transfer the certificate from FirstEnergy to AMP be granted. It is, further,

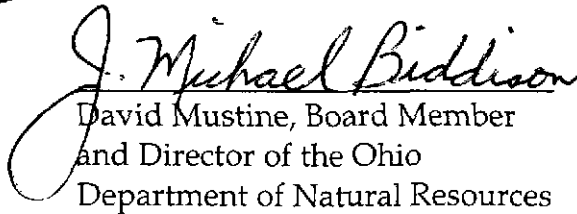
ORDERED, That, as a result of this transfer, AMP shall be bound by and comply with all terms and conditions of this certificate. It is, further,

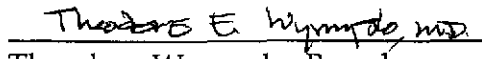
ORDERED, That a copy of this entry should be served upon Fremont Energy Center LLC, Calpine Corporation, FirstEnergy, AMP, and all interested persons of record.

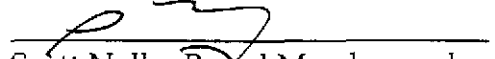
THE OHIO POWER SITING BOARD

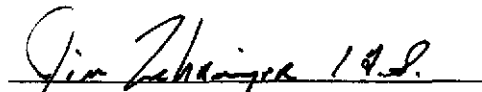

Todd A. Snitchler, Chairman
Public Utilities Commission of Ohio

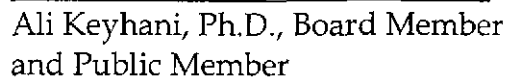

James Leftwich, Board Member
and Director of the Ohio
Department of Development


David Mustine, Board Member
and Director of the Ohio
Department of Natural Resources


Theodore Wymyslo, Board
Member and Director of the
Ohio Department of Health


Scott Nally, Board Member and
Director of the Ohio
Environmental Protection Agency



Jim Zehringer, Board Member
and Director of the Ohio
Department of Agriculture


Ali Keyhani, Ph.D., Board Member
and Public Member

SEF/sc

Entered in the Journal

JUL 25 2011


Betty McCauley
Secretary