

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of Leipsic)
Wind, LLC for a Certificate of Public)
Convenience and Necessity to Site a Wind-) Case No. 11-3676-EL-BGN
Powered Electric Generation Facility in)
Putnam County, Ohio.)

ENTRY

The administrative law judge finds:

- (1) On July 28, 2011, Leipsic Wind, LLC (Leipsic) filed with the Ohio Power Siting Board (Board) an application for a certificate of public convenience and necessity to site a 110 megawatt, wind-powered, electric generation facility in Putnam County.
- (2) On August 30, 2011, the Ohio Farm Bureau Federation (Farm Federation) filed a motion to intervene. No pleadings were filed in response to the Farm Federation's motion.
- (3) In its motion to intervene, the Farm Federation states that it is a statewide, nonprofit organization representing agricultural interests at the state and local levels. The Farm Federation claims that over 214,000 member families belong to the Farm Federation, including over 960 families in the Putnam County Farm Bureau. Further, the Farm Federation argues that many of its members are involved in farm and agribusiness activities, including food processing, commodity processing/conditioning/handling, biofuel production, and greenhouse operations. Additionally, the Farm Federation claims that its members have an interest in effective wind energy development, wind leasing agreements, assurances that environmental considerations are addressed with turbine placement, as well as local commerce and economic development. Finally, the Farm Federation asserts that its participation in this process will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and quick resolution of issues and concerns raised.

- (4) The administrative law judge (ALJ) finds that, pursuant to Rule 4906-7-04, Ohio Administrative Code (O.A.C.), the Farm Federation has a substantial and direct interest in the proposed project and its participation will contribute to the just and expeditious resolution of the issues in this matter. Accordingly, the Farm Federation's motion to intervene should be granted.
- (5) On September 16, 2011, Leipsic filed a motion for a waiver of Rule 4906-5-05(A), O.A.C., pertaining to the period within which the Chairman of the Board is required to issue a letter indicating whether the application is complete. Leipsic requests that issuance of the letter referred to in Rule 4906-5-05(A), O.A.C., be extended by up to 120 days from September 26, 2011, until 15 days from the time Leipsic files its supplemental information concerning the substation which will serve as the point of interconnection. According to Leipsic, the extension of time will give the Board's Staff time to review the facts concerning the interconnection point that has now been selected and to consider the supplemental information as part of the July 28, 2011, application. Additionally, Leipsic represents that neither the Farm Federation nor Staff objects to the waiver.
- (6) On September 19, 2011, Staff filed a letter stating that it is not opposed to Leipsic's waiver request.
- (7) Rule 4906-1-03, O.A.C., provides that, where good cause appears, the Board or ALJ may permit departure from Chapters 4906-01 to 4906-17, O.A.C., unless prohibited by statute. Upon consideration of Leipsic's motion for a waiver and Staff's response, the ALJ finds that the waiver is reasonable and the motion for a waiver should be granted.


It is, therefore,

ORDERED, That, in accordance with Finding (4), the Farm Federation's motion to intervene be granted. It is, further,

ORDERED, That, in accordance with finding (7), Leipsic's motion for a waiver be granted. It is, further,

ORDERED, That a copy of this Entry should be served upon all interested persons of record in this proceeding.

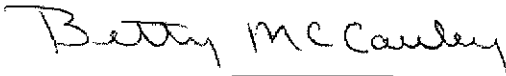
THE OHIO POWER SITING BOARD


By: Mandy L. Willey
Administrative Law Judge

grg /sc

Entered in the Journal

SEP 27 2011


Betty McCauley

Betty McCauley
Secretary