

BEFORE

OHIO POWER SITING BOARD

In the Matter of the Application of Lima)
Energy Company for a Certificate of)
Environmental Compatibility and Public) Case No. 00-513-EL-BGN
Need to Construct a Power Plant in Allen)
County, Ohio.)

In the Matter of the Application of Lima)
Energy Company for an Amendment to its)
Certificate of Environmental Compatibility) Case No. 04-1011-EL-BGA
and Public Need to Construct a Power Plant)
in Allen County, Ohio.)

ENTRY

The Administrative Law Judge finds:

- (1) On May 20, 2002, in Case No. 00-513-EL-BGN, the Ohio Power Siting Board (Board) issued its Opinion, Order, and Certificate (Certificate Order) granting Lima Energy Company's (Lima Energy or applicant) application for a certificate to construct an electric generation facility in Allen County, Ohio, pursuant to the provisions of Chapter 4906-13, Ohio Administrative Code (O.A.C.). The certificate to construct the facility was subject to 29 specific conditions.
- (2) By Order issued November 22, 2004, in Case No. 04-1011-EL-BGA (Amendment Order), the Board amended the Certificate Order and granted Lima Energy's application to change the process for manufacturing synthetic gas at the proposed facility. As part of the Amendment Order, the Board revised the certificate to construct to incorporate two additional conditions.
- (3) As provided in the Certificate Order, as supplemented by the Amendment Order, one of the 31 conditions of the Lima Energy certificate is:

The certificate shall become invalid if the Applicant has not commenced a continuous course of construction of the proposed facility

within five years of the date of journalization of the certificate.

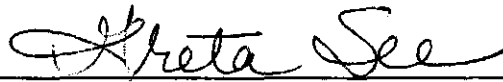
- (4) To the Board Staff's knowledge, Lima Energy has not been engaged in a continuous course of construction on the proposed Allen County facility for some time. Accordingly, the Administrative Law Judge (ALJ) directs that, unless Lima Energy files, in the above-listed dockets, an application to extend its certificate, by February 8, 2012, the ALJ will recommend to the Board that the certificate be found invalid and the associated cases closed.

It is, therefore,

ORDERED, That Lima Energy file an application in the above-listed dockets by February 8, 2012, or the ALJ will recommend the certificate be found invalid and the associated cases closed. It is, further,

ORDERED, That copies of this entry be served upon Lima Energy and all other parties of record in these proceedings.

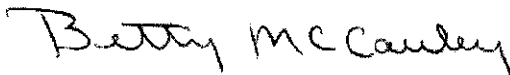
THE OHIO POWER SITING BOARD



By: Greta See
Administrative Law Judge

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Entered in the Journal
JAN 25 2012



Betty McCauley
Secretary