

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of)
Rolling Hills Generating, LLC to)
Amend its Certificate for a Combined-) Case No. 12-1669-EL-BGA
Cycle Conversion Project in Vinton)
County, Ohio.)

ENTRY

The administrative law judge finds:

- (1) On June 18, 2001, the Ohio Power Siting Board (Board) issued an Opinion, Order and Certificate, in Case No. 00-1616-EL-BGN (00-1616), granting the application of Rolling Hills Generating, LLC (Rolling Hills) for a certificate to construct, operate, and maintain an electric generation facility in Vinton County, Ohio.
- (2) On June 1, 2012, Rolling Hills filed an application to amend the certificate issued in 00-1616. In its amendment application, Rolling Hills requests approval for the conversion of the existing generating station from a simple-cycle combustion turbine facility to a combined-cycle combustion turbine facility. For the conversion, four of the existing five simple-cycle turbines will be converted into two, combined-cycle power blocks, leaving one unit in simple-cycle operation. Further, four new heat recovery steam generators, two new steam turbines, two new cooling towers, and associated equipment will also be installed.
- (3) Section 4906.07(B), Revised Code, provides that, the Board shall hold a hearing on an application for an amendment of a certificate, if the proposed change would result in any material increase in any environmental impact of the facility, or a substantial change in the location of all of a portion of the facility. In conformance with this statutory provision, Rule 4906-5-10(B)(1)(a), Ohio Administrative Code (O.A.C.), provides that the administrative law judge (ALJ) shall schedule a hearing in an amendment case, if the proposed change would result in any significant adverse environmental impact of the certified facility or a substantial change in the location of all or a portion of such certified facility.

- (4) The Board's Staff filed its investigative report (Staff Report) on January 14, 2013. In its report, Staff states that Rolling Hills proposes amending its certificate to convert the existing facility to a combined-cycle combustion turbine facility. Staff states that the applicant would convert four of the five existing simple-cycle turbines into two combined-cycle power blocks, leaving one of the original units in simple-cycle operation. Further, in the process of converting this facility, the applicant proposes constructing two parallel 16-mile water lines, one 30-inch diameter for water intake, and one 16-inch diameter for wastewater discharge between the facility and the Ohio River. Staff states that the project would result in both temporary and permanent impacts to the facility location and surrounding area.
- (5) Given the conversion of four of the five existing turbines, and construction of two parallel 16-mile water lines, the ALJ concludes that this constitutes a "substantial change in the location of all or a portion" of the facility under Section 4906.07(B), Revised Code, and Rule 4906-5-10(B)(1)(a), O.A.C. Accordingly, a hearing should be held to consider the amendment application in this case.
- (6) In order to facilitate the Board's timely consideration of Rolling Hills' application, parties should adhere to the following procedural schedule:
 - (a) February 1, 2013 - Deadline for the filing of all expert testimony.
 - (b) The hearing shall commence on February 6, 2013, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-C, 180 E. Broad Street, Columbus, Ohio.
- (7) In addition, in the event that Rolling Hills comes to an agreement with some or all of the parties in this case on some or all of the facts or issues in this case, the ALJ finds it appropriate to set forth a schedule for the filing of such stipulations prior to the commencement of the hearing in this case. Accordingly, by 8:30 a.m. on February 5, 2013, Rolling Hills must file any applicable stipulation, and serve a copy on the ALJ via either electronic service or a hand-delivered copy.

It is, therefore,

ORDERED, That the procedural schedule for this proceeding be adopted as set forth in finding (6). It is, further,

ORDERED, That the parties comply with the directive set forth in finding (7). It is, further,

ORDERED, That a copy of this entry be served upon all interested persons of record.

THE OHIO POWER SITING BOARD

s/Kerry K. Sheets

By: Kerry K. Sheets
Administrative Law Judge

jrj/vrm

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in

Case No(s). 12-1669-EL-BGA

Summary: Administrative Law Judge Entry orders that the procedural schedule for this proceeding be adopted, that February 1, 2013, is the deadline for the filing of all expert testimony, that the hearing shall commence on February 6, 2013 at 10:00 a.m., and that by 8:30 a.m. on February 5, 2013, Rolling Hills must file any applicable stipulations, electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Administrative Law Judge, Ohio Power Siting Board