

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of: :
: Case No. 13-197-EL-BGN
The Application of :
Northwest Ohio Wind :
Energy, LLC, for a :
Certificate to Site :
Wind-Powered Electric :
Generations Facilities in :
Paulding County, Ohio. :

- - -

PROCEEDINGS

before Mr. Jeffrey R. Jones, Administrative Law
Judge, at the Public Utilities Commission of Ohio,
180 East Broad Street, Room 11-C, Columbus, Ohio,
called at 10:00 a.m. on Wednesday, October 30, 2013.

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APPEARANCES:

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By Ms. Sally W. Bloomfield
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On behalf of the Applicant.

Mike DeWine, Ohio Attorney General
William L. Wright, Section Chief
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By Mr. Steven L. Beeler
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180 East Broad Street
Columbus, Ohio 43215-3793

On behalf of the Staff of the Ohio
Power Siting Board.

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1 Wednesday Morning Session,
2 October 30, 2013.

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4 THE ADMINISTRATIVE LAW JUDGE: The Ohio
5 Power Siting Board has assigned for hearing at this
6 time and place Case No. 13-197-EL-BGN, which is
7 captioned In the Application of Northwest Ohio Wind
8 Energy, LLC, for a Certificate to Site Wind-Powered
9 Electric Generations Facilities in Paulding County,
10 Ohio.

11 My Name is Jeffrey R. Jones. I am an
12 Administrative Law Judge for the Ohio Power Siting
13 Board, and I will be presiding at today's hearing.

14 At this time I will take appearances on
15 behalf of the parties. On behalf of the Applicant.

16 MS. BOOMFIELD: Your Honor, on behalf of
17 the Applicant, Sally W. Bloomfield, with the law firm
18 of Bricker & Eckler, 100 South Third Street Columbus,
19 Ohio 43215.

20 THE ADMINISTRATIVE LAW JUDGE: Thank you,
21 Ms. Bloomfield.

22 On behalf of the Staff of the Ohio Power
23 Siting Board.

24 MR. BEELER: Thank you, your Honor. On
25 behalf of the Ohio Power Siting Board, Steven Beeler

1 and Ryan O'Rourke, assistant attorneys general,
2 Public Utilities Section, Office of the Ohio Attorney
3 General, 180 East Broad Street, Columbus, Ohio; and
4 also from the Environmental Enforcement Section,
5 Sarah Bloom Anderson, Office of the Ohio Attorney
6 General, 30 East Broad Street, Columbus, Ohio.

7 THE ADMINISTRATIVE LAW JUDGE: Thank you.

8 Is there any counsel on behalf of the
9 intervenor in the case the Ohio Farm Bureau present?

10 MS. BOOMFIELD: No, your Honor; but the
11 Ohio Farm Bureau has signed off on the Stipulation
12 that will be presented today.

13 THE ADMINISTRATIVE LAW JUDGE: Thank you.

14 MR. ARNOLD: Sir, please let the record
15 show I am not legal counsel, but I am Dale Arnold. I
16 am director of energy, utility, and local government
17 policy with the Ohio Farm Bureau, and so I am here
18 today representing them. As Ms. Bloomfield has said,
19 we have been involved with all the negotiations thus
20 far. Thank you for your input.

21 THE ADMINISTRATIVE LAW JUDGE: Thank you,
22 Mr. Arnold.

23 All right. At this time let's begin with
24 marking the exhibits that have been presented in this
25 matter. I don't particularly care who goes first.

1 MS. BOOMFIELD: I think there is more
2 Applicant exhibits, if I may. We, of course, filed
3 the Application. They have long been filed at the
4 Power Siting Board, and for purposes of the record,
5 we will call them Applicant's Exhibit 1.

6 Then for Company Exhibit 2, we have
7 companies of the Supplement to the Amended
8 Application that was filed on October 1, 2013.

9 MS. BOOMFIELD: Can we go off the record?

10 THE ADMINISTRATIVE LAW JUDGE: Off the
11 record.

12 (Discussion off record.)

13 THE ADMINISTRATIVE LAW JUDGE: Back on
14 the record.

15 MS. BOOMFIELD: Company Exhibit 3 we have
16 the proof of service that the Application was served
17 on the appropriate parties. It was filed.

18 Company Exhibit 4 is the proof of
19 publication for the first publication that was made
20 after the Amended Application was submitted.

21 And then Company Exhibit 5 is the second
22 proof of publication, and I will bring copies to you
23 of all these.

24 Your Honor, as I indicated earlier, the
25 parties have agreed to a Stipulation that will

1 resolve all the issues in this case, and we premarked
2 that Stipulation Joint Exhibit 1.

3 Then we have a second joint exhibit which
4 has to do with the conditions that will be met before
5 the first preconstruction conference that deals with
6 access roads. I will pass those along as well. I
7 ask that these be marked as indicated.

8 THE ADMINISTRATIVE LAW JUDGE: The
9 documents will be so marked.

10 (EXHIBITS MARKED FOR IDENTIFICATION.)

11 THE ADMINISTRATIVE LAW JUDGE: Just so I
12 am clear, Ms. Bloomfield, Company Exhibits 1 through
13 5 have been filed with the docketing division of the
14 Ohio Public Utilities Commission, correct?

15 MS. BOOMFIELD: That's correct, your
16 Honor, all of them have been previously filed.

17 The only one that -- well, it also has
18 previously been filed. We will have one more exhibit
19 today, and that will be Mr. Matthias Weigel's
20 testimony, and that was filed on October 23, and I
21 would like to have that marked as Company Exhibit 6.

22 THE ADMINISTRATIVE LAW JUDGE: It shall
23 be so marked.

24 (EXHIBIT MARKED FOR IDENTIFICATION.)

25 THE ADMINISTRATIVE LAW JUDGE: Mr.

1 Beeler.

2 MR. BEELER: Thank you, your Honor. I'd
3 like to have marked as Staff Exhibit 1 the corrected
4 Staff Report that was filed on October 15, 2013,
5 correcting the original Staff Report which was filed
6 in the docket on October 7, 2013. This exhibit also
7 includes a cover letter filed by Christopher
8 Cunningham explaining the corrections made to the
9 original Staff Report.

10 THE ADMINISTRATIVE LAW JUDGE: It shall
11 be so marked.

12 (EXHIBIT MARKED FOR IDENTIFICATION.)

13 THE ADMINISTRATIVE LAW JUDGE: Are there
14 any other exhibits that need to be marked at this
15 time? If not, it is my understanding that Staff will
16 go first with their witness.

17 MR. BEELER: Thank you, your Honor.
18 Staff calls Christopher Cunningham.

19 - - -

20 CHRISTOPHER CUNNINGHAM
21 being first duly sworn, as prescribed by law, was
22 examined and testified as follows:

23 DIRECT EXAMINATION

24 By Mr. Beeler:

25 Q. Good morning, Mr. Cunningham.

1 A. Good morning.

2 Q. Please state your name and business
3 address, please.

4 A. Christopher Cunningham, the Office of the
5 Public Utilities Commission of Ohio, 180 East Broad
6 Street, Columbus, Ohio 43215.

7 Q. By whom are you employed and what is your
8 position?

9 A. The Public Utilities Commission. I'm a
10 public utility administrator for the Department of
11 Energy and Environment.

12 Q. Okay. Could you briefly summarize your
13 educational background and work experience?

14 A. Sure. I have a Bachelor's in chemistry
15 from The Ohio State University and a Master's in city
16 and regional planning from The Ohio State University.
17 I have been continually employed by the Public
18 Utilities Commission since September of 2006.

19 My primary responsibilities have been to
20 serve as a lead analyst on Power Siting cases and
21 also a subject matter expert for Power Siting cases
22 on topics such as socioeconomics, land use issues,
23 cultural resources.

24 Q. So you have testified in front of the
25 Ohio Power Siting Board before, correct?

1 A. Yes, I have.

2 Q. What is the purpose of your testimony in
3 this proceeding?

4 A. The purpose of my testimony is to
5 introduce and mark Staff Exhibit 1, the October 10,
6 2013, letter that was filed on the docket October 15,
7 2013.

8 Q. Do you have that document in front of
9 you?

10 A. I do not.

11 Q. May I approach, your Honor?

12 A. Yes, you may.

13 Q. Do you recognize the document?

14 A. I do.

15 Q. What is it?

16 A. This is the October 10 letter and the
17 corrected Staff Report previously mentioned.

18 Q. Was this document prepared by you or
19 under your direction?

20 A. Yes, it was.

21 Q. Do you have any corrections to make to
22 this corrected Staff Report that was filed on
23 October 15, 2013?

24 A. I do. On page 63, condition 31,
25 condition 31 reads, "Thirty days prior to

1 commencement of construction, the Applicant must
2 notify in writing any owner of an airport located
3 within 20 miles of the project boundary." That
4 should read "two miles."

5 The reason for the correction is this was
6 a condition we had used in the past, and after
7 consultation with the Ohio Department of
8 Transportation Aviation Division, we decided that two
9 miles was more appropriate.

10 And in the conditions the numbering
11 should be from condition 1 through condition 40;
12 however, condition 29 is missing, so condition 30
13 should be condition 29, and condition 31 should be
14 condition 30, and so on through condition 40.

15 Q. Would you let me know what pages the
16 numbering issues are on?

17 A. Sure. The numbering issues start on
18 page 62 and continue on to page 63.

19 Q. Do you have any other changes to this
20 document?

21 A. No, I don't.

22 Q. Okay. Is this document true and accurate
23 to the best of your knowledge?

24 A. Yes, it is.

25 Q. Do you have anything to note for the

1 record in this case?

2 A. No, I don't.

3 MR. BEELER: Thank you. No further
4 questions, your Honor.

5 THE ADMINISTRATIVE LAW JUDGE: Thank you.
6 Off the record a second.

7 (Discussion off record.)

8 THE ADMINISTRATIVE LAW JUDGE: We had a
9 brief discussion about some of the numbering in the
10 Staff Report and the Joint Stipulation, and I believe
11 counsel for the Applicant is going to clear up the
12 numbering issue with the Joint Stipulation.

13 Are we going to put a witness on the
14 stand or do it now?

15 MS. BOOMFIELD: Actually, your Honor, I
16 think I probably need to do it because it was a
17 gremlin issue with the program. The Stipulation that
18 was filed several days ago substantively is exactly
19 the same as the Stipulation that we have today.

20 However, what happened, as Mr. Cunningham
21 indicated, was condition 28, somehow condition 29 was
22 added to condition 28, and then there was no
23 condition 29. It just went from 30 onward.

24 The Joint Exhibit No. 1, which is the
25 Stipulation, has that page corrected so it goes

1 consecutively from 1 to 41, and that's --

2 THE WITNESS: 1 to 40.

3 MS. BOOMFIELD: 1 to 40, sorry. Right.

4 THE ADMINISTRATIVE LAW JUDGE: Okay.

5 Thank you for that explanation.

6 I don't have any questions of
7 Mr. Cunningham.

8 MR. BEELER: At this point I would move
9 Staff Exhibit 1 into the record.

10 THE ADMINISTRATIVE LAW JUDGE: Any
11 objection to the admission of Staff Exhibit 1?

12 MS. BOOMFIELD: No, your Honor.

13 THE ADMINISTRATIVE LAW JUDGE: It shall
14 be so admitted.

15 (EXHIBIT ADMITTED INTO EVIDENCE.)

16 THE ADMINISTRATIVE LAW JUDGE: Anything
17 further, Mr. Beeler, at this time?

18 MR. BEELER: No, thank you, your Honor.

19 THE ADMINISTRATIVE LAW JUDGE: Are you
20 ready to proceed, Ms. Bloomfield?

21 MS. BOOMFIELD: Yes, thank you, your
22 Honor. We would like to call Mr. Matthias Weigel to
23 the stand.

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MATTHIAS WEIGEL

being first duly sworn, as prescribed by law, was
examined and testified as follows:

DIRECT EXAMINATION

By Ms. Boomfield:

Q. Mr. Weigel, do you have before you a copy
of your testimony which was filed October 23, 2013,
and which now bears Company Exhibit 6?

A. I do.

Q. And would you state your name for the
record, please?

A. My name is Matthias Weigel.

Q. And by whom are you employed?

A. National Wind.

Q. And what is your relationship to
Northwest Ohio Wind Energy?

A. We are the principal developer of the
project known as Northwest Ohio Wind Energy.

Q. Are you the project manager of that
development?

A. Yes, I am.

Q. Was your testimony that was filed on
October 23 prepared under your supervision and
direction?

A. Yes, it was.

1 Q. And do you have any additions or
2 corrections to make?

3 A. I do not.

4 Q. If I were to ask you the questions today
5 that are in your testimony that was filed on
6 October 23, would your answers be the same?

7 A. They would.

8 MS. BOOMFIELD: Your Honor, I don't have
9 any further questions.

10 THE ADMINISTRATIVE LAW JUDGE: Thank you.
11 Mr. Weigel, you have to bear with me, but
12 I do have a few.

13 THE WITNESS: No problem.

14 THE ADMINISTRATIVE LAW JUDGE: Let me
15 just ask counsel first, is Mr. Weigel the appropriate
16 person to ask questions in regard to the Joint
17 Stipulation?

18 MS. BOOMFIELD: Yes, your Honor.

19 THE ADMINISTRATIVE LAW JUDGE: Thank you.

20 - - -

21 EXAMINATION

22 By The Administrative Law Judge:

23 Q. Mr. Weigel, do you have the Joint
24 Stipulation and Recommendation in front of you?

25 A. I do not.

1 MS. BOOMFIELD: Your Honor, I think I
2 gave you two. May he have one?

3 Q. I'm referencing page 5, subparagraph
4 No. 17. In that first sentence -- have you found
5 that?

6 A. I'm on page 5. I'm sorry, I don't see
7 subparagraph 17.

8 Q. Joint Exhibit 1, page 5.

9 A. No, your Honor, page 5 has item No. 23 at
10 the top.

11 Q. That was my mistake. I gave you the
12 wrong exhibit.

13 A. No problem.

14 Q. Now do you have the right one in front of
15 you?

16 A. Yes.

17 Q. In that first sentence it talks about "At
18 the time the first turbine is mechanically
19 completed." That is a term I'm not familiar with.
20 Can you explain to me what "mechanically completed"
21 is?

22 A. Certainly, your Honor. Mechanically
23 completed is when the turbine is erected and all
24 mechanical components are assembled, meaning the
25 tower, the nacelle, and the blades are assembled, and

1 the unit is theoretically capable of spinning.

2 It is a distinction that we make to COD,
3 or commercial operation date, when the turbine is
4 placed into service as an electrical generating
5 device on the grid.

6 Q. Thank you. On that same page, item
7 subsection No. 20, talks about -- do you see that?
8 It talks about site-specific blasting.

9 A. I do, your Honor.

10 Q. Is there any expectation of the Applicant
11 at this point in time that there will be any blasting
12 necessary?

13 A. There is no expectation of blasting at
14 this time, your Honor.

15 Q. And when would that determination be made
16 if there was going to be blasting?

17 A. The final determination would be made at
18 the time that the final geotechnical investigations
19 are made. We have made sample geotechnical
20 investigations already to date, and none of those
21 have indicated that any blasting would be necessary.

22 Q. Would such blasting, if it were to take
23 place, be discussed with the Power Siting Board Staff
24 or in the preconstruction conference that took place?

25 A. Certainly.

1 Q. Thank you. On the next page, page 6, the
2 joint exhibit, item No. 23 in the second sentence
3 talks about a preblast survey being done. Is that at
4 the Applicant's expense?

5 A. Yes, it is, your Honor.

6 Q. Thank you. And item No. 24, the third
7 sentence begins with "A copy of this study shall be
8 provided to the path licensee." Can you describe for
9 me who the path licensee is in reference to this
10 paragraph?

11 A. Sir, the path licensee is typically the
12 owner of that microwave beam path, or it could be a
13 private entity such as cellular companies, or a
14 public company such as the 911 emergency system.

15 Q. Thank you. In subparagraph (a) under
16 item No. 24 on page 6, the last sentence of that
17 paragraph says, "The surveyor may rely on Comsearch
18 data for the microwave paths." Can you explain to me
19 who Comsearch is and what their role is?

20 A. Certainly. Comsearch is a very respected
21 third-party company that basically tracks the
22 location of all microwave beams passed throughout the
23 United States, so what they have access to is a
24 database of the terminus and all of the exact tower
25 locations by coordinate. They know the

1 specifications of the beam paths and, therefore, the
2 worst-case Fresnel width of those beam paths that
3 allow us to plan the path, and that path basically
4 describes the area we need to avoid with the rotor of
5 the turbine.

6 Q. Thank you. And you may not be able to
7 answer this question, but I am interested in item
8 No. 25 in the second sentence. There's some language
9 that says, "A copy of this study, or Comsearch's
10 opinion as to why such a study is not appropriate for
11 the Northwest Ohio wind farm..." Can you give me any
12 examples of when Comsearch may find that no study is
13 necessary or appropriate?

14 A. Yes. There's been discussion about
15 whether or not wind farms have any effect whatsoever
16 on cellular communications, and so far the track
17 record has shown that they do not have any effect on
18 cellular communications. So if in the footprint it
19 is found that there are -- there's sufficient cell
20 tower coverage and that no interference is
21 anticipated, that's basically what this sentence is
22 referring to.

23 Q. Thank you. I'm going to direct your
24 attention to page 8, item No. 39 of the joint
25 exhibit. Do you have that page?

1 A. I do, your Honor.

2 Q. And in the first sentence of that
3 paragraph it refers to a 30-hour-per-year shadow
4 flicker level. Do you see that?

5 A. I do, your Honor.

6 Q. I didn't see any discussion other than
7 this paragraph about shadow flicker, but can you
8 explain for the record this 30-hour standard and
9 where it may have come from? I see there is a
10 discussion in the Staff Report as well.

11 A. Yes. The 30-hour, and I might defer
12 actually to the OPSB Staff here, was something that
13 was suggested by OPSB Staff that was generally widely
14 accepted as a reasonable limit to the number of hours
15 of shadow flicker that a wind farm should cause at a
16 maximum; therefore, it was incorporated into the
17 Stipulation.

18 Q. Thank you. Now I'm going to direct your
19 attention to page 9, subparagraph (c). Do you have
20 that, sir?

21 A. I do, your Honor.

22 Q. Thank you. In the second sentence there
23 is a reference to "no payments have been made to
24 landowners during the 12 month period." Do you see
25 that?

1 A. I do, your Honor.

2 Q. What types of payments are we talking
3 about here?

4 A. Those would be the payments that are due
5 to the landowners under the land lease and wind
6 energy easement agreements that are in place.

7 Q. Are there any other payments made to
8 landowners besides those that you just described?

9 A. No, there are not.

10 Q. I'm sort of struggling how to ask this
11 question, and it may not be appropriate for you to
12 answer, and we may have to defer to counsel for the
13 Ohio Power Siting Board Staff and the Applicant.

14 In that last sentence of that same
15 paragraph we were just discussing on page 9 of the
16 joint exhibit paragraph (c), it talks about a notice
17 and hearing standard, and I understand this notice
18 and hearing provision would only kick in if the Board
19 did not adopt the Stipulation; is that correct?

20 MS. BOOMFIELD: Your Honor, I don't think
21 that's correct. It's talking about the useful life
22 of the wind energy facility or individual turbines.
23 And it said "The Board may extend the useful life."

24 Let's say they were 30 years, and the
25 Board decided to extend the useful life to 35. Then

1 it says the Board after notice and hearing may also
2 require the decommissioning of individual wind
3 turbines due to health, safety, wildlife impact, et
4 cetera.

5 So this was just to indicate that instead
6 of having something come down and order out of the
7 blue, that the parties would get notice and there
8 would be a hearing as to whether or not it was
9 appropriate to shut down a particular turbine or
10 several turbines.

11 THE ADMINISTRATIVE LAW JUDGE: Thank you,
12 Ms. Bloomfield, for that explanation. So, therefore,
13 this notice and hearing would be before the Power
14 Siting Board?

15 MS. BOOMFIELD: Yes, your Honor.

16 THE ADMINISTRATIVE LAW JUDGE: Who would
17 have the burden of proof in such a proceeding?

18 MS. BOOMFIELD: Well, we haven't gotten
19 that far. But if the Board is the one that wants to
20 shut it down, I would assume there would be some
21 burden on them, and I think then probably the
22 Applicant would have the burden of showing why the
23 Board's reason for shutting down was not appropriate.

24 THE ADMINISTRATIVE LAW JUDGE: Mr. Beeler,
25 do you have anything to add on that or do you

1 disagree with counsel's explanation?

2 MR. BEELER: I don't know if I disagree,
3 but, you know, this is something that would be 30
4 years down the road. The Board's rules don't seem to
5 contemplate this at the moment, but in our
6 discussions in the Stipulation it did feel like there
7 should be some mention of an opportunity for at least
8 notice and a hearing down the road when this happens.
9 I'm not sure if there will be some rethought to
10 decommissioning when it does come up, but that's
11 currently how we're handling it.

12 THE ADMINISTRATIVE LAW JUDGE: Thank
13 you, Mr. Beeler. I guess I will not be around here
14 in 30 years.

15 Also in that same paragraph then at the
16 very end of that sentence it talks about the facility
17 owner having the ability to correct or being unable
18 to correct within a reasonable period of time, not to
19 exceed three months. What three months is this
20 referencing to?

21 MS. BOOMFIELD: Your Honor, this would be
22 if the Board would say, "We want to shut a single
23 turbine down for health and safety reasons," they
24 would tell us why they think -- what the health and
25 safety reasons were, and the Applicant would have an

1 opportunity to cure. If it were cured, then I think
2 the whole issue would go away at that point.

3 THE ADMINISTRATIVE LAW JUDGE: So it's
4 envisioned there would be an order from the Power
5 Siting Board that the Applicant would then have an
6 opportunity to correct that with agreement.

7 MS. BOOMFIELD: Yes. It might also
8 happen informally where the Applicant was notified,
9 "Hey, we have a big problem with this because of
10 X-Y-Z." I would guess there would be something in
11 the record, but I don't know if it would be a full
12 Board order, and then the Applicant could be given
13 three months to try to correct it.

14 MR. BEELER: If I may, your Honor, again,
15 trying to guess how this will happen down the road, I
16 guess if we -- it could be a filing from the Staff,
17 maybe not the Board, maybe from the Staff of the
18 Board indicating that -- to start the process. The
19 three months that's in the Staff Report is really
20 more directed towards the cure period, you know,
21 maybe informally working it out first. The three
22 months was basically placed in the Stipulation to
23 make sure that the cure process isn't dragged out,
24 you know, forever. It just places some parameters on
25 the cure period.

1 THE ADMINISTRATIVE LAW JUDGE: Thank you.

2 Q. (By The Administrative Law Judge) I have
3 a couple more, Mr. Weigel, and then I'll let you go.

4 A. Certainly, your Honor.

5 Q. Actually, I think I just have one more.
6 On page 13 of Joint Exhibit 1, item No. 15, it
7 references the Staff Report filed on October 7, 2010.
8 Should that be 2013?

9 A. That should be 2013, yes.

10 THE ADMINISTRATIVE LAW JUDGE: Thank you.
11 Those are all my questions.

12 Mr. Beeler, do you have any follow-up? I
13 understand the parties have agreed not to
14 cross-examine based on exhibits, but I had additional
15 questions. Do you have any questions that you want
16 to cross-examine on the questions that I asked?

17 MR. BEELEER: No, your Honor.

18 THE ADMINISTRATIVE LAW JUDGE: Thank you.
19 That's all the questions I have. You are now moving
20 for admission of exhibits.

21 MS. BOOMFIELD: Yes, we would move all
22 the exhibits, the joint exhibits, Joint Exhibit 1 and
23 2, as well as Company Exhibits 1 through 6.

24 THE ADMINISTRATIVE LAW JUDGE: Mr.
25 Beeler, is there any objection to the admission of

1 Company Exhibits 1 through 6?

2 MR. BEELER: No, your Honor.

3 THE ADMINISTRATIVE LAW JUDGE: Or Joint
4 Exhibit 1 and 2?

5 MR. BEELER: No, your Honor.

6 THE ADMINISTRATIVE LAW JUDGE: Those
7 documents will be know admitted.

8 (EXHIBITS ADMITTED INTO EVIDENCE.)

9 THE ADMINISTRATIVE LAW JUDGE: Anything
10 else to present at this time, Ms. Bloomfield?

11 MS. BOOMFIELD: No, I believe that
12 completes the applicant's case.

13 THE ADMINISTRATIVE LAW JUDGE: Mr. Beeler,
14 anything further?

15 MR. BEELER: No, your Honor.

16 THE ADMINISTRATIVE LAW JUDGE: Thank you.
17 This hearing will be concluded at this point in time.
18 Thank you very much. We are adjourned.

19 (The hearing adjourned at 10:40 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Wednesday, October 30, 2013, and carefully compared with my original stenographic notes.

Rosemary Foster Anderson,
Professional Reporter and
Notary Public in and for
the State of Ohio.

My commission expires April 5, 2014.

(RFA-73742)

- - -

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in

Case No(s). 13-0197-EL-BGN

Summary: Transcript in the matter of Northwest Ohio Wind Energy, LLC hearing held on 10/30/13 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Anderson, Rosemary Foster Mrs.