

## Vorys, Sater, Seymour and Pease LLP Legal Counsel

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Founded 1909

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December 5, 2013

Ms. Barcy F. McNeal, Secretary Public Utilities Commission of Ohio 180 E. Broad St., 11th Floor Columbus, OH 43215-3793

Re: Case No. 13-1177-EL-BGN

Case No. 13-1767-El-BSB Case No. 13-1768-EL-BTX

Hardin Wind LLC Proof of Publication

Dear Ms. McNeal:

Please find attached a copy of Affidavits and tear sheets indicating that on Saturday, November 9, 2013, the Notice of the Proposed Major Utility Facility for Case Nos. 13-1177-EL-BGN, 13-1767-EL-BSB and 13-1768-EL-BTX was published in the Bellefontaine Examiner, a newspaper of general circulation in Logan County, Ohio, and also published in The Kenton Times, a newspaper of general circulation in Hardin County, Ohio.

Thank you in advance for your consideration.

Very truly yours,

Miranda R. Leppla

Vorys, Sater, Seymour & Pease LLP Attorneys for Hardin Wind LLC

MRL/jaw Attachments

cc: All Parties of Record (w/attachment)

State of Ohio Logan County, Ohio

being duly sworn, says that he is the representative of the publisher of the Bellefontaine Examiner a newspaper printed and of general circulation in the said county, and that the annexed
advertisement was published in said paper
Nov. 9, 2013
Both of the state
Sworn to and subscribed before me A Notary Public
on this 9th day of November 2013
Jorry EVDeller
Printer's Fee \$ 832.50  LORRY F. MELLEN  Notary Public, State of Ohio  My Comm. Expires Sept. 15, 2018

Jon B. Hubbard

## **NOTICE OF PROPOSED** MAJOR UTILITY FACILITY

Hardin Wind LLC, a wholly owned subsidiary of EverPower Wind Holdings, Inc., is proposing to construct a wind-powered electric generation facility located in Hardin and Logan Counties, Ohio. The energy generated at the wind farm (hereafter referred to as the "Scioto Ridge Wind Farm") will deliver power to a single point of interconnection on the existing East-Lima-Marysville 345 kilovolt (kV) Transmission Line. In conjunction with the wind-powered electric generation facility, Hardin Wind is proposing to construct a 345 kV overhead transmission line ("Scioto Ridge Transmission Line") and a point of interconnect (POI) substation ("Scioto Ridge POI Substation") to be located adjacent to the existing East-Lima-Marysville circuit in Hardin County (all three collectively referred to hereafter as the "Facility"). The proposed Facility will consist of up to 176 wind turbine generators, along with access roads, underground electric collection cables, a Facility substation, up to eight laydown yards for construction staging, an operations and maintenance (O&M) facility, up to 4 meteorological towers, the 345 kV transmission line, and POI substation. The Project Area for the Scioto Ridge Wind Farm consists of the total wind-powered electric generation facility including associated setbacks. The Project Area for the overhead Scioto Ridge Transmission Line consists of approximately 4.8 miles within a 120-foot wide right-of-way on leased property, while the Project Area for the Scioto Ridge POI Substation consists of a five acre area enclosed by a chain link fence, and accessed by a 0.1 mile gravel road.

The anticipated function of the Facility is to facilitate the supply of renewable energy to the interstate grid from the Scioto Ridge Wind Farm. The Facility will produce windpowered electricity that will maximize energy production from wind resources in order to deliver clean, renewable electricity to the Ohio bulk power transmission system to serve the needs of electric utilities and their customers. The electricity generated by the Facility will be transferred to the transmission grid operated by PJM Interconnection for sale at wholesale or under a purchase power agreement.

The proposed Scioto Ridge Wind Farm is located within approximately 17,000 acres of leased private land in Lynn, McDonald, Roundhead, and Taylor Creek Townships (Hardin County) and Richland and Rushcreek Townships (Logan County). Each of the approximately 176 turbines will have a nameplate capacity rating of 1.7 to 3.3 megawatts (MW) (depending on the final turbine model selected) and the total generating capacity of the Facility will not exceed 300 MW. The Facility is expected to operate with an average annual capacity factor of 30-38%, generating a total of approximately 788,400 to 998,640 megawatt hours (MWh) of electricity each year, depending on the final turbine selected for the Facility.

The overhead Scioto Ridge Transmission Line and Scioto Ridge POI Substation are proposed to be located within McDonald Township and Taylor Creek Township in Hardin County, Ohio. The Preferred Scioto Ridge Transmission Route will traverse approximately 4.8 miles of mostly leased land in McDonald Township, connecting the Scioto Ridge Wind Farm Collection Substation and the Scioto Ridge POI Substation at the Preferred Scioto Ridge POI Substation Location. The Alternate Scioto Ridge Transmission Route would traverse approximately 5.3 miles of partially leased land in McDonald and Taylor Creek Townships, connecting the Scioto Ridge Wind Farm Collection Substation and the Scioto Ridge POI Substation at the Alternate POI Substation Location.

The Preferred Scioto Ridge POI Substation Location is proposed to be along County Road 180 in McDonald Township, and is proposed to be accessed from a new gravel-surfaced access road approximately 0.1 mile in length. The Alternate Scioto Ridge POI Substation Location is proposed along County Road 200 in Taylor Creek Township, and is

proposed to be accessed from a new gravel-surfaced access road approximately 0.3 miles in length.

Hardin County Commission, One Courthouse Square, Kenton, Ohio 43326, have received a copy of the accepted applications pursuant to Rule 4906-5-06 of the Ohio Administrative Code. A copy of the accepted applications was sent to the Lynn Township Trustees (Sprang, Wilcox and Oglesbee); the McDonald Township Trustees (Acheson, Canfield and Beale); the Roundhead Township Trustees (Harpster, Lautenschlager and Lyle); and the Taylor Creek Township Trustees (Elsasser, Bidwell and Freshcorn). A copy of the applications has also been sent to the Mary Lou Johnson-Hardin County District Library, 325 East Columbus Street, Kenton, Ohio 43326.

Logan County Commissioners Core, Bayliss and Wickersham as well as the LUC Regional Planning Commission, 9676 E. Foundry Street, P.O. Box 219, East Liberty, Ohio 43319 have received a copy of the accepted applications pursuant to Rule 4906-5-06 of the Ohio Administrative Code. A copy of the accepted applications was sent to the Richland Township Trustees (Kotterman, Miracle and Peterson) and to the Rushcreek Township Trustees (Jacobs, Mobley and Kennedy). Copies of the applications have also

been sent to the Knowlton Logan County District Library at 220 N. Main Street, Bellefontaine, Ohio 43311.

Hardin Wind LLC has filed with the Ohio Power Siting Board an application for a certificate to construct, operate and maintain a wind-powered electric generation facility in Case No. 13-1177-EL-BGN, and an application for certificates of environmental compatibility and public need to construct the 345kV overhead transmission line and POI substation in Case Nos. 13-1768-EL-BTX and 13-1767-EL-BSB, which are now pending before the Board. The three cases were consolidated for purposes of all public hearings, evidentiary hearings, and public notices. In re Application of Hardin Wind LLC, Case No(s). 13-1177-EL-BGN, 13-1767-EL-BSB, 13-1768-EL-BTX, Entry, Sept. 17, 2013.

The following eight criteria are set forth in section 4906.10(A) of the Revised Code and used by the Board in reviewing an application for a certificate to construct, operate

and maintain such a facility:

The basis of the need for the facility if the facility is an electric transmission line or a natural gas transmission line;

The nature of the probable environmental impact;

That the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations;

(4) In the case of an electric transmission line or generating facility, that the facility is consistent with the regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability;

(5) That the facility will comply with Chapters 3704, 3734 and 6111 of the Revised Code and all rules and standard adopted under those chapters and under sections 1501.33, 1501.34, and 4561.32 of the Revised Code. In determining whether the facility will comply will all rules and standards adopted under section 4561.32 of the Revised Code, the board shall consult with the offices of aviation of the division of multi-modal planning and programs of the department of transportation under section 4561.341 [4561.34.1] of the Revised Code.

(6) That the facility will serve the public interest, convenience, and necessity;
(7) In addition to the provisions contained in divisions (A)(1) to (6) of this section and rules adopted under those divisions, what its impact will be on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Revised Code that is located within the site and alternative site of the proposed.

(8) That the facility incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives.

Section 4906.07 of the Revised Code provides:

(A) Upon the receipt of an application complying with section 4906.06 of the Revised Code, the Power Siting Board shall promptly fix a date for a public hearing thereon, not less than sixty nor more than ninety days after such receipt and shall conclude the proceeding as expeditiously as practicable.

(B) On an application for an amendment of a cer-

tificate the board shall hold a hearing in the same manner as a hearing is held on an application for a certificate if the proposed change in the facility would result in a material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of such facility other than as provided in the alternates set forth in the application.

(C) The chairman of the Power Siting Board shall cause each application filed with the board to be investigated and shall, not less than fifteen days prior to the date of any application is set for hearing submit a written report to the board and to the applicant. A copy of such report shall be made available to any person upon request. Such report shall set forth the nature of the investigation, and shall contain recommended findings with regard to division (A) of section 4906.10 of the Revised Code and shall become part of the record and served upon all parties in the proceeding.

The public hearing shall consist of two parts:

A local public hearing, pursuant to Section 4906.08(C), Revised Code, where the Board shall accept written or oral testimony from any person commencing on January 8, 2014 at 6:00 P.M. at the Hardin County Courthouse, Veteran's Hall, Ohio Courthouse Square, Kenton, Ohio 43226 and

An adjudicatory hearing to commence on January 22, 2014 at 10:00 A.M., 11th Floor, Hearing Room C, at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.

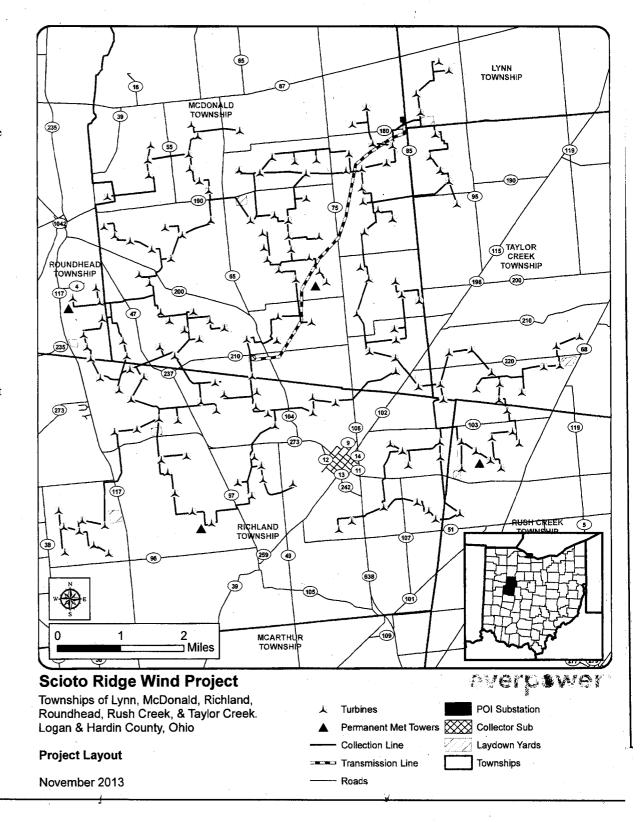
Section 4906.08(C) of the Revised Code provides:

(C) The board shall accept written or oral testimony from any person at the public hearing but the right to call and examine witnesses shall be reserved for parties. However, the board may adopt rules to exclude repetitive, immaterial, or irrelevant testimony.

Petitions to intervene in the adjudicatory hearing will be accepted by the Board up to 30 days following publication of the notice required by Rule 4906-5-08(C)(1), O.A.C., or later if good cause is shown. However, the Board strongly encourages interested persons who wish to intervene in the adjudicatory hearing to file their petitions as soon as possible but by no later than January 2, 2014. Petitions should be addressed to Docketing Division, the Ohio Power Siting Board, 180 E. Broad Street, Columbus, Ohio 43215-3793, and cite the abovelisted case numbers.

11/06/2013 17953949

The attached map shows the proposed layout of the facility.



## **Proof of Publication**

The State of Ohio, Hardin County, ss:

Personally Appeared Before Me, a Notary

Public in and for said County, Jeff Barnes a representative of The Kenton Times, a news paper printed and in general circulation in the County and State aforesaid, who, after being sworn, deposeth and saith that the Advertisement, a true copy of which is hereunto annexted, was

published in the said paper for one (1) consecutive week from and after the 9th day of November 2013.

Jeff Barries, Publisher

Subscribed and sworn to me, this 29

day of November 2013.

Notary Public, Hardin County, Ohio

My commission expires 2

Printers Fee: \$691.19

Net Due 15th of the month

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proposed to be accessed from a new gravel-surfaced access road approximately 0.3 miles in length.

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The basis of the need for the facility if the facility is an electric transmission line or a natural gas transmission line;

and maintain such a facility:

The basis of the need for the facility if the facility is an electric transmission line or a natural gas transmission line;

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That the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alter-(2)(3)

natives, and other pertinent considerations; (4) In the case of an electric transmission line or generating facility, that the facility is consistent with the regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability;

(5) That the facility will comply with Chapters 3704, 3734 and 6111 of the Revised Code and all rules and standard adopted under those chapters and under sections 1501.33, 1501.34, and 4561.32 of the Revised Code. In determining whether the facility will comply will all rules and standards adopted under section 4561.32 of the Revised Code, the board shall consult with the offices of aviation of the division of multi-modal planning and programs of the department of transportation under section 4561.341 [4561.34.1] of the Revised Code.

That the facility will serve the public interest, convenience, and necessity;

In addition to the provisions contained in divisions (A)(1) to (6) of this section and rules adopted under those divisions, what its impact will be on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Revised Code that is located within the site and alternative site of the proposed major utility facility. Rules adopted to evaluate impact under division (A)(7) of this section shall not require the compilation, creation, submission or production of any information, document, or other data pertaining to land not located within the site and alternative site.

That the facility incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and econom-

ics of the various alternatives.

Section 4906.07 of the Revised Code provides:

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(B) On an application for an amendment of a certificate the board shall hold a hearing in the same manner as a hearing is held on an application for a certificate if the proposed change in the facility would result in a material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of such facility other than as provided in the

alternates set forth in the application.

(C) The chairman of the Power Siting Board shall cause each application filed with the board to be investigated and shall, not less than fifteen days prior to the date of any application is set for hearing submit a written report to the board and to the applicant. A copy of such report shall be made available to any person upon request. Such report shall set forth the nature of the investigation, and shall contain recommended findings with regard to division (A) of section 4906.10 of the Revised Code and shall become part of the record and served upon all parties in the proceeding.

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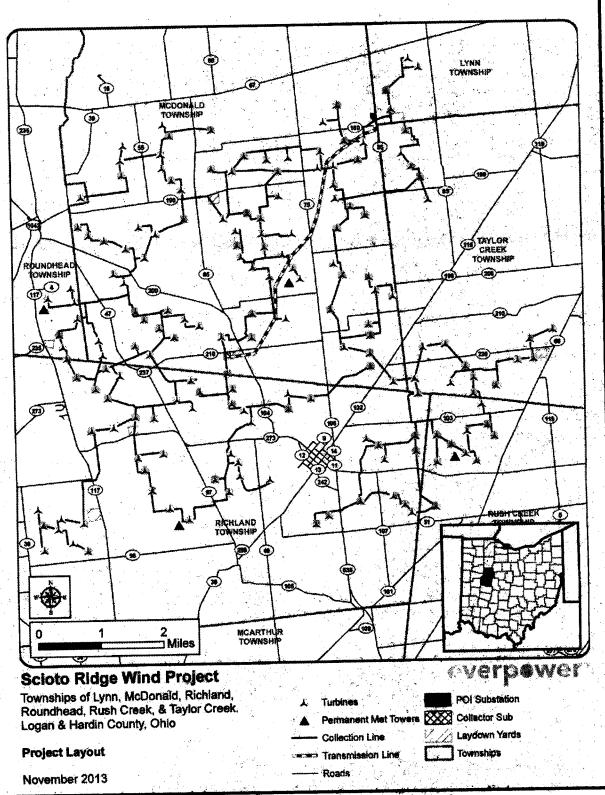
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11/06/2013 17953949

The attached map shows the proposed layout of the facility.



This foregoing document was electronically filed with the Public Utilities

**Commission of Ohio Docketing Information System on** 

12/5/2013 4:16:02 PM

in

Case No(s). 13-1177-EL-BGN, 13-1767-EL-BSB, 13-1768-EL-BTX

Summary: Proof of Pub for Hardin Wind electronically filed by Ms. Miranda R Leppla on behalf of Hardin Wind LLC