

BEFORE

THE OHIO POWER SITING BOARD

- - -

In the Matter of the :
Application of Carroll :
County Energy, LLC for a : Case No.
Certificate of Environmental : 13-1752-EL-BGN
Compatibility and Public Need :
to Construct an Electric :
Generation Facility in :
Carroll County, Ohio :

- - -

PROCEEDINGS

before Greta M. See, Administrative Law Judge, at
Carrollton High School, Fine Arts Room, 252 3rd
Street, Northeast, Carrollton, Ohio, called at 6:00
p.m. on Thursday, March 6, 2014.

- - -

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7 On behalf of the Applicant.

8 Ice Miller, LLP
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10 250 West Street, Suite 700
11 Columbus, Ohio 43215-7509

12 On behalf of Washington Township.

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Thursday Evening Session,
March 6, 2014.

- - -

ADMINISTRATIVE LAW JUDGE SEE: Ladies
and gentlemen, let's get started. Let's get started
with the hearing, please. I see there are a number
of you standing up in the back. Feel free to come
forward and have a seat. There are a few more seats
up here in the front, on the sides. Let's get
started.

Scheduled for a hearing tonight before
the Ohio Power Siting Board is Case No.
13-1752-EL-BGN, entitled: In the Matter of the
Application of Carroll County Energy, LLC for a
Certificate of Environmental Compatibility and Public
Need to Construct an Electric Generation Facility in
Carroll County, Ohio.

My name is Greta See. I am an Attorney
Examiner with the Ohio Power Siting Board assigned to
process this proceeding. In addition, there's Board
Staff here, Don Rostofer, and at the back, as you
came in, was Matthew Butler. If you have any
questions about the Board's role in this proceeding,
you can ask them, or if you wait until the conclusion
of the hearing, I'll be available for a few minutes

1 after the hearing is over.

2 At this time, I'd like to take
3 appearances of the parties. On behalf of Carroll
4 County Energy.

5 MR. SETTINERI: Thank you, your Honor.
6 On behalf of Carroll County Energy, LLC, Michael
7 Settineri, with the law firm of Vorys, Sater, Seymour
8 & Pease, 52 East Gay Street, Columbus, Ohio 43215.
9 With me tonight is Jonathan Winslow, the Project
10 Manager for Carroll County Energy. Also, we have
11 other members of the project team who are available
12 in the information area who can answer any questions
13 informally. Thank you.

14 ADMINISTRATIVE LAW JUDGE SEE: Thank
15 you.

16 And the other Intervenor in the case is
17 Washington Township, and appearance on behalf of
18 Washington Township.

19 MR. WAHLERS: Yes. I am Kip Wahlers. I
20 am an attorney with Ice Miller, LLP, 250 West Street,
21 Columbus, Ohio 43215. With me here I have Chris
22 Petrick (sic.), who is a Township Trustee at
23 Washington Township.

24 ADMINISTRATIVE LAW JUDGE SEE: Okay.
25 Carroll County Energy filed its initial application

1 for approval to construct the proposed electric
2 generation facility on November 15th, 2013. As
3 proposed, the generation facility would consist of
4 two natural-gas fired, combined-cycle turbines with
5 steam generators, providing a total capacity of 742
6 megawatts. The total project area, including the
7 generation facility, access roads, and ancillary
8 equipment, will be constructed, if approved, on 77
9 acres in Washington Township, Carroll County. The
10 proposed site is currently agriculture land. The
11 Applicant proposes to commence construction in
12 February 2015 and to begin commercial operation by
13 May 1st, 2017.

14 The Board Staff has evaluated, reviewed,
15 and investigated the application and conducted site
16 visits and filed its report of investigation in the
17 docket on February 19th, 2014. I emphasize that the
18 Board Staff report is its recommended decision. It
19 is not the decision and does not necessarily reflect
20 the decision of the Ohio Power Siting Board.

21 This local public hearing is one aspect
22 of the process. In addition, there will be an
23 evidentiary hearing held at the Board's offices in
24 Columbus next week on March 13th where the parties to
25 the proceeding, in this case Carroll County,

1 Washington Township, and Board Staff, are scheduled
2 to offer their testimony and cross-examine each
3 others witnesses.

4 The purpose of this evening's hearing is
5 to receive comments from the public in Carroll County
6 regarding the application. It's not a
7 question-and-answer session. If you have questions,
8 you need to go right back out into the room where
9 there are representatives from -- of the project, and
10 you can get your questions answered and come back in
11 and offer your testimony, because this is the best
12 time for you to put what your position is in this
13 docket for the Commission -- I'm sorry, for the
14 Board's consideration.

15 As you may have noticed, tonight's
16 hearing is being transcribed. If you plan to offer
17 testimony, please speak clearly and accurately so
18 that it is reflected in the record. If you brought
19 with you a written statement, if you would please
20 provide it to the court reporter after you concluded
21 so that she can use your statement in making sure the
22 record is clear, spelled correctly, and reflects the
23 names and the places that you may refer to in your
24 testimony.

25 When you arrived you were offered the

1 opportunity to sign in to offer testimony this
 2 evening. If when I call your name you decide that
 3 you do not -- that you no longer want to offer
 4 testimony, please just say pass, and I'll move on to
 5 the next witness. We'll bring witnesses forward in
 6 the order that you signed in at the table just
 7 outside the door. If you would like to offer
 8 testimony, when you step forward, I will ask you to
 9 give us your name and provide your address for the
 10 record. I will also swear you in. I will ask that
 11 you -- if the information that you're about to give
 12 is the truth, the whole truth, and nothing but the
 13 truth before you give any of your testimony. After
 14 you're sworn in, you can proceed with your testimony.
 15 The testimony you offer here tonight will be
 16 considered part of the record, and it will be
 17 reviewed by the Board before they issue their
 18 decision. If you come forward and you offer
 19 testimony, the parties to the case, counsel for
 20 parties to the case will have an opportunity to
 21 cross-examine you, as will I. Okay.

22 If there are no questions on the
 23 process, I appreciate you taking time out of your
 24 evening in coming out tonight. Are there any
 25 questions?

1 (No response.)

2 ADMINISTRATIVE LAW JUDGE SEE: Then
3 let's start with the first witness. I have Rick
4 Moss.

5 MR. MOSS: Your Honor.

6 ADMINISTRATIVE LAW JUDGE SEE: Would you
7 please raise your right hand, sir?

8 RICK MOSS,
9 being first duly sworn, as prescribed by law, was
10 examined and testified as follows:

11 ADMINISTRATIVE LAW JUDGE SEE: Thank
12 you. Please state and spell your name for the
13 record.

14 MR. MOSS: Rick Moss, R-i-c-k M-o-s-s,
15 120 Betscher Avenue, Dover, Ohio.

16 ADMINISTRATIVE LAW JUDGE SEE: Please
17 proceed with your testimony.

18 DIRECT TESTIMONY

19 MR. MOSS: I rise in support of this
20 project. I am the President of Ironworkers Local
21 550, Canton, Ohio. Also, Vice-President of East
22 Central Building Trades, which President Kirven is
23 here, is present, and he'll be speaking later on
24 behalf of the skilled trades in our jurisdiction over
25 this project area. We'd just like to put forth the

1 training facilities that each of the -- the crafts
2 you have, the training is expensive. There's quite a
3 bit of money put forth for education for the exact
4 skill put forth in these powerhouses. Upon review,
5 anybody can look at the multiple Websites of the
6 trades, ironworkerslocal550.org, to show historic
7 maintenance and building of powerhouses throughout
8 the region. Thank you very much.

9 ADMINISTRATIVE LAW JUDGE SEE: Thank
10 you.

11 Any cross-examination for the witness?

12 MR. SETTINERI: No, your Honor.

13 MR. WAHLERS: No.

14 ADMINISTRATIVE LAW JUDGE SEE: Thank
15 you.

16 Thank you, Mr. Moss.

17 MR. MOSS: Thank you, your Honor.

18 (Witness excused.)

19 ADMINISTRATIVE LAW JUDGE SEE: Bill
20 Sherer.

21 I'm going to apologize right now if I
22 butcher anyone's last name.

23 MR. SHERER: It's not the first time, I
24 can assure you.

25 ADMINISTRATIVE LAW JUDGE SEE: Would you

1 raise your right hand, please?

2 WILLIAM SHERER, II,
3 being first duly sworn, as prescribed by law, was
4 examined and testified as follows:

5 ADMINISTRATIVE LAW JUDGE SEE: Please
6 state and spell your name for the record.

7 MR. SHERER: My name is actually William
8 Sherer, S-h-e-r-e-r, II.

9 ADMINISTRATIVE LAW JUDGE SEE: And your
10 address, please?

11 MR. SHERER: 4670 Frazer, F-r-a-z-e-r,
12 Northwest, Canton, Ohio.

13 DIRECT TESTIMONY

14 MR. SHERER: My name is Bill Sherer.
15 I'm the Business Manager of Ironworkers Local 550.
16 At this time I'd like to speak in favor of this
17 project, which is Advanced Energy and Carroll County
18 Energy.

19 It's been a long time since this area of
20 Ohio can say the word economic growth, and the trades
21 are basically in favor of this project. I know for
22 sure that -- you know, and I've been assured that
23 Advanced Energy or Carroll County Energy will make
24 sure that these jobs are local and that the tax base
25 is going to stay within this community. You know,

1 with the gas and oil and the fracking that's been
2 going on for the last year, year and a half, too many
3 companies have been bringing contractors from out of
4 state, and basically, the way that I've always tried
5 to look at things, our members work here, they live
6 here, they pay their taxes here, and they vote here,
7 and is it such a crime to fight to keep the money
8 within our own committee?

9 We have numerous members that are in
10 attendance that still live in Carrollton and Carroll
11 County that are in support of this project and
12 Carroll Energy, and I'd just like to say that on
13 behalf of the ironworkers and our membership, that we
14 are in favor of proceeding with this project, so --

15 ADMINISTRATIVE LAW JUDGE SEE: Okay.
16 Thank you.

17 Any cross-examination?

18 MR. SETTINERI: No, your Honor.

19 MR. WAHLERS: No, your Honor.

20 ADMINISTRATIVE LAW JUDGE SEE: Thank
21 you.

22 (Witness excused.)

23 ADMINISTRATIVE LAW JUDGE SEE: Mr.
24 Todd --

25 MR. KELCHNER: Kelchner.

1 ADMINISTRATIVE LAW JUDGE SEE: Kelchner.

2 All right. Please raise your right hand.

3 TODD KELCHNER,

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

6 ADMINISTRATIVE LAW JUDGE SEE: State and
7 spell your name for the record and provide your
8 address.

9 MR. KELCHNER: Todd Kelchner. My
10 business address is 1258 Panda Road in Carrollton,
11 44615.

12 ADMINISTRATIVE LAW JUDGE SEE: Spell
13 your name for the record.

14 MR. KELCHNER: K-e-l-c-h-n-e-r.

15 ADMINISTRATIVE LAW JUDGE SEE: Go ahead.

16 DIRECT TESTIMONY

17 MR. KELCHNER: My handwriting isn't very
18 good either.

19 I wanted to speak in support of the
20 project. We've become active in the energy business
21 in the fall of 2011 and opened an office in
22 Carrollton at that time, and I've learned a lot about
23 the economics of this shale revolution that's taken
24 place in the United States, and this project is a
25 perfect example of America's rebound to its glory

1 days, and the fact that we can have a cheap source of
2 energy in this neighborhood that's going to provide
3 good jobs and it's going to reduce carbon emissions
4 is a wonderful asset to the community, beyond being a
5 job provider.

6 You know, America is leading the world
7 in CO2 reduction, which is a big deal, and one of the
8 big reasons is because of the conversion to natural
9 gas power and other uses of natural gas. And in
10 support of the project, I decided I would look down
11 at some of the economic benefits that are listed in
12 the -- I think it's the application that's online,
13 and I just pulled out some of the statistics that
14 were really impressive to me; 150 million in wages,
15 500 -- that's 500 workers average over a 28-month
16 construction period for the project; so that's a --
17 that's a lot of tax revenue, a lot of people being
18 put to work here in this community.

19 They say the indirect job creation
20 across Northern Ohio for indirect suppliers, et
21 cetera, is about 156 jobs. Once operating, 5.6
22 million a year in local wages that will be paid.
23 That's people running the plant, and that's not to
24 mention the other suppliers, you know, the people
25 that supply the floor mats for the facility, that

1 upkeep the landscaping, that do all the ancillary
2 things that also go along with a project like this.
3 Hundreds of millions of dollars in impact across the
4 whole State of Ohio from all the supplies that will
5 need to be built and then sent here to build the
6 plant with and to maintain it afterwards.

7 And I read in there that you're seeking
8 an Enterprise Zone, and if that could happen -- I
9 know it's not a done deal, but if it happens, it's
10 going to be a really wrong economic resource for the
11 local schools, which, as I understand it, are in a
12 pretty tough financial situation, so that would solve
13 that problem.

14 The sewer and water extensions that
15 would be put in place to provide -- you know, to
16 provide sewer and water to this plant would also open
17 up some land that's in a great location and would now
18 have sewer and water that's accessible for other
19 industries that want to come here and create jobs,
20 private investment in the community, and it would be
21 a -- you know, it would be the beginning of a --
22 something that could grow from within over time; so I
23 truly support the project, and I think Carrollton is
24 blessed to have this opportunity.

25 ADMINISTRATIVE LAW JUDGE SEE: Any

1 cross?

2 MR. SETTINERI: No, your Honor.

3 MR. WAHLERS: No, your Honor.

4 ADMINISTRATIVE LAW JUDGE SEE: Thank
5 you.

6 (Witness excused.)

7 ADMINISTRATIVE LAW JUDGE SEE: Dave
8 Kruen?

9 MR. KIRVEN: You're close.

10 ADMINISTRATIVE LAW JUDGE SEE: Tell me
11 what it is.

12 MR. KIRVEN: The K was right.

13 ADMINISTRATIVE LAW JUDGE SEE: That's
14 the only thing that was right. Okay.

15 MR. KIRVEN: K-i-r-v-e-n.

16 ADMINISTRATIVE LAW JUDGE SEE: Oh,
17 that's an "i." Okay.

18 MR. KIRVEN: That's my fault.

19 ADMINISTRATIVE LAW JUDGE SEE: Kirven,
20 okay. Mr. Kirven, raise your right hand.

21 DAVE KIRVEN,
22 being first duly sworn, as prescribed by law, was
23 examined and testified as follows:

24 ADMINISTRATIVE LAW JUDGE SEE: State and
25 spell your name for the record and provide us your

1 address.

2 MR. KIRVEN: Dave Kirven, K-i-r-v-e-n,
3 and my address is 926 Wise Avenue, Southeast, North
4 Canton, Ohio.

5 DIRECT TESTIMONY

6 MR. KIRVEN: I'm here to represent the
7 East Central Ohio Building Construction Trades
8 Council. I'm the President. We represent over 2,000
9 construction workers in the Counties of Stark, Wayne,
10 Carroll, Tusc, Holmes, and Coshocton, with the bulk
11 of our -- with the bulk of our members living in the
12 Stark, Tusc, and Carroll area.

13 You know, we're just recovering -- back
14 in 2009 we carried 40 percent unemployment for the
15 better part of two years. A lot of our people are
16 just getting back to getting their head above water.
17 A project like this will go a long way in getting
18 these guys back on their feet, keeping the money in
19 the community.

20 We had some brief conversations with
21 Advanced Energy, and they've -- they seem to really
22 want to hire local people. I had a conversation with
23 my counterpart in New York where they're working with
24 the same group there, and they said they're going out
25 of their way to make sure that local people are

1 getting on these jobs; so I just want to speak on
2 behalf of the -- of the project, and thank you for
3 your time.

4 ADMINISTRATIVE LAW JUDGE SEE: Thank you
5 very much.

6 Any cross-examination?

7 MR. SETTINERI: No, your Honor.

8 MR. WAHLERS: No, your Honor.

9 (Witness excused.)

10 ADMINISTRATIVE LAW JUDGE SEE: Matt
11 Solas -- no.

12 MR. SZOLLOSI: Szollosi.

13 ADMINISTRATIVE LAW JUDGE SEE: Szollosi.
14 Not even close, was I?

15 MR. SZOLLOSI: I've been called worse.

16 ADMINISTRATIVE LAW JUDGE SEE: Please
17 raise your right hand.

18 MATTHEW SZOLLOSI,
19 being first duly sworn, as prescribed by law, was
20 examined and testified as follows:

21 ADMINISTRATIVE LAW JUDGE SEE: State and
22 spell your name and state your address.

23 MR. SZOLLOSI: Matthew Szollosi,
24 S-z-o-l-l-o-s-i. Business address is 222 East Town
25 Street, Columbus, Ohio.

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ADMINISTRATIVE LAW JUDGE SEE: Okay.

DIRECT TESTIMONY

MR. SZOLLOSI: Thank you, your Honor. I appreciate the opportunity to be here this evening. I have the privilege of serving as the Executive Director of ACT Ohio, which stands for the Affiliated Construction Trades of Ohio. ACT Ohio is a 501(c)(5) organization that was established by the state building trades to facilitate economic and industrial development opportunities and to promote industry best practices for Ohio's public and private construction.

Our 123 affiliates and 14 regional councils across the state represent over 90,000 of the most highly skilled, highly trained construction workers in the state, many of whom reside here in Carroll County and, in fact, as my colleagues have said already, are here this evening in support of this project.

We partner with our employer contractors to provide the very best work product and value for our customers. We've worked with many national contractors who employ thousands across the country. Seventy percent of our 13,000 signatory contractors employ 15 or less people. Through these partnerships

1 and labor management cooperatives jointly administer
 2 health insurance and retirement funds that have been
 3 established to attract and maintain the best and
 4 brightest in the construction industry. Random
 5 mandatory drug testing has been standard in our
 6 workforce for many, many years. One cornerstone of
 7 our approach is our investment in state-of-the-art
 8 apprenticeship training, again, jointly administered
 9 in equal numbers by labor and management
 10 representatives or trustees. Our affiliates invest
 11 hundreds of millions of dollars per year to train
 12 apprentices and update our journeyman mechanics.

13 The other fundamental building block of
 14 our industry is safety. Any one of the guys here
 15 will tell you more than anything our members want to
 16 do two things: They want to have the opportunity to
 17 go to work, and after work they want to have the
 18 opportunity to go home safely to their families. Our
 19 partner employers strict, ironclad enforcement of
 20 safety standards and our rigid approach with respect
 21 to safety training and the investments therein help
 22 minimize or eliminate workplace injuries and
 23 fatalities.

24 Last year I had the privilege of
 25 attending a ribbon cutting a \$450 million reformer

1 replacement at Ohio's largest oil refinery, 400 plus
2 workers over 16 months, zero lost time injuries on
3 that project, and that's -- no pun intended, that
4 does not happen by accident.

5 Our workforce has successfully completed
6 tens of billions of dollars of work from nuclear
7 power plants and power plants such as this, with
8 natural gas, coal, to oil refineries, auto and other
9 manufacturing facilities, skyscrapers, schools,
10 hospitals. Every type of vertical construction
11 imaginable, we've completed. Our heavy highway
12 division has successfully completed millions of miles
13 of highways, roads, and bridge construction.

14 Our members, these highly skilled,
15 highly trained construction workers and our partner
16 employers live here. They work here. They raise
17 their families here. They coach their kids here.
18 They attend church services here, and they support
19 the local economy. Due to the fluid nature of the
20 construction industry, our workers are not guaranteed
21 a paycheck every other Friday. We compete every day
22 for our jobs. We see this \$800 million project as a
23 win, win, win for the local economy and its
24 workforce, the investors, and the State of Ohio.

25 I have reviewed the recommended

1 conditions as set forth in the March 3rd notice filed
 2 by Mr. Settineri on behalf of Carroll County Energy.
 3 I'm not going to comment specifically on each of the
 4 14 or so conditions listed therein. I will say
 5 overall we support efforts to minimize disruption to
 6 the adjacent property owners to the greatest extent
 7 possible, of course. Similar, we are sensitive to
 8 the concerns that I saw expressed by Mr. Shurtz,
 9 Harold Shurtz. We will certainly do our part to
 10 adhere to the parameters established by the local
 11 authorities and the owners for ingress and egress,
 12 noise, debris, and the like.

13 While there may be some inconvenience,
 14 this 700 megawatt natural-gas fired, combined-cycle
 15 power plant will help anchor the local economy for
 16 decades to come. The key is to strike the correct
 17 balance between the rights and interests of the
 18 adjacent property owners, the community, and the
 19 investors. I am very confident that this balance can
 20 be reached.

21 On behalf of ACT Ohio, our local
 22 affiliates, and our 90,000 plus members in the State
 23 of Ohio, we urge your favorable consideration in
 24 certification of this project. Thank you.

25 ADMINISTRATIVE LAW JUDGE SEE: Okay.

1 Cross-examination?

2 MR. SETTINERI: No, your Honor.

3 MR. WAHLERS: No, your Honor.

4 MR. SZOLLOSI: Thank you.

5 ADMINISTRATIVE LAW JUDGE SEE: Thank you
6 very much.

7 (Witness excused.)

8 ADMINISTRATIVE LAW JUDGE SEE: Amy
9 Rutledge. Miss Rutledge, if you'd raise your right
10 hand.

11 AMY RUTLEDGE,
12 being first duly sworn, as prescribed by law, was
13 examined and testified as follows:

14 ADMINISTRATIVE LAW JUDGE SEE: State
15 your name, spell it, and give us your address.

16 MS. RUTLEDGE: Amy Rutledge, A-m-y
17 R-u-t-l-e-d-g-e, address, 1600 Canton Road,
18 Carrollton, Ohio.

19 DIRECT TESTIMONY

20 MS. RUTLEDGE: I am here representing
21 the Carroll County Chamber of Commerce, who is in
22 support of this project, as it will bring more
23 prosperity to our county. As you've already heard,
24 we have been a depressed area for a long time. This
25 is a new building block that we can use to continue

1 to move Carrollton and Carroll County forward, so we
2 are in support of the project and would be willing to
3 work with the -- and work with the company to
4 continue to move this project forward. That's all I
5 have to say, is we're in support.

6 ADMINISTRATIVE LAW JUDGE SEE: Are you a
7 member of the Chamber of Commerce?

8 MS. RUTLEDGE: I'm the Director of the
9 Chamber of Commerce.

10 ADMINISTRATIVE LAW JUDGE SEE: Any
11 cross-examination?

12 MR. SETTINERI: No, your Honor.

13 MR. WAHLERS: No, your Honor.

14 ADMINISTRATIVE LAW JUDGE SEE: Thank you
15 very much.

16 (Witness excused.)

17 ADMINISTRATIVE LAW JUDGE SEE: Patricia
18 McCullough. Please raise your right hand.

19 PATRICIA McCULLOUGH,
20 being first duly sworn, as prescribed by law, was
21 examined and testified as follows:

22 ADMINISTRATIVE LAW JUDGE SEE: State and
23 spell your name and state your address.

24 MS. McCULLOUGH: Patricia McCullough,
25 M-c-C-u-l-l-o-u-g-h, 6098 Vale View Drive, Southwest,

1 Sherrodsville, Ohio 44675.

2 ADMINISTRATIVE LAW JUDGE SEE: Go ahead
3 with your testimony.

4 DIRECT TESTIMONY

5 MS. McCULLOUGH: Thank you. As I said,
6 my name is Patricia McCullough. I'm a former
7 Economic Development Director, CEO of a nonprofit,
8 and also a Workforce Development Director. I came
9 tonight because I've had the pleasure of living in
10 Carrollton or outside of Carrollton, in
11 Sherrodsville, by Atwood Lake, and I think it's very
12 important that this project go forward. The
13 importance of job creation and stability to the
14 community, to the villages, and the town is very
15 important.

16 This proposal brings a power generation
17 facility which would bring innovation to Carroll
18 County and Appalachia. It will provide opportunities
19 to people that they have not had in the past. It can
20 help keep our children here when we worry all the
21 time about people leaving because there are no job
22 opportunities, and it will bring money into the
23 community with people who come and work here. Having
24 worked in these counties, I know, having worked in
25 Carroll, Harrison, and Tuscarawas, I know that if we

1 do not take advantage of this wonderful opportunity,
2 those other counties will be solidating to get this
3 project.

4 The gas and oil booms are traditionally
5 a boom and bust. This would be a project that would
6 give us some stability and move Carroll County
7 forward. Thank you.

8 ADMINISTRATIVE LAW JUDGE SEE: Just a
9 minute, please.

10 Any cross-examination?

11 MR. SETTINERI: No, your Honor.

12 MR. WAHLERS: No, your Honor.

13 ADMINISTRATIVE LAW JUDGE SEE: Thank
14 you.

15 (Witness excused.)

16 ADMINISTRATIVE LAW JUDGE SEE: Jim
17 Condrich.

18 JAMES CONDRICH,
19 being first duly sworn, as prescribed by law, was
20 examined and testified as follows:

21 ADMINISTRATIVE LAW JUDGE SEE: State
22 your name, state your address.

23 MR. CONDRICH: James C-o-n-d-r-i-c-h,
24 Condrich, 2906 Somia Drive, Parma, Ohio 44134.

25

DIRECT TESTIMONY

1
2 MR. CONDRICH: I'd first like to say I
3 do represent the Boilermakers Local 744. I am their
4 Acting Vice-President. We have our members. We
5 represent almost one-third of Ohio, and we do have
6 active members that live right in your community,
7 even though, you know, I'm from Parma; so we do
8 represent a lot of people and a lot of good,
9 hard-working men, and like the ironworkers and your
10 other union officials have stated, highly trained,
11 highly motivated, and respectful workers, because I
12 can vouch. I've been in the field for 33 years.
13 These men are family men, and they do appreciate --
14 just like he said, paychecks are -- we prove
15 ourselves, believe it or not, daily, because just of
16 the nature of our work.

17 We've had nothing but bad news from
18 other power stations, like FirstEnergy, just closing
19 plants left and right, and you guys have an
20 opportunity here to be a state-of-the-art boiler, and
21 clean air is boilermaker business. This could be
22 state-of-the-art, showing the big boys that -- you
23 know, they're just taking their ball and going home,
24 and they're giving up on the American people and our
25 workers in Ohio. This is a time to -- for us. You

1 know, we stand with you. You know, if you can bring
 2 this here, develop a brand new unit, you know,
 3 respect the environment and bring the numbers in, you
 4 know, so the pollution people can say they're doing
 5 it right, there will be a great opportunity in the
 6 future. Maybe FirstEnergy or AEP will pick up on
 7 this and want to build more based upon the success
 8 that hopefully we could have here. Thank you.

9 ADMINISTRATIVE LAW JUDGE SEE:
 10 Cross-examination?

11 MR. SETTINERI: No, your Honor.

12 MR. WAHLERS: No, your Honor.

13 ADMINISTRATIVE LAW JUDGE SEE: Thank you
 14 very much, sir.

15 (Witness excused.)

16 ADMINISTRATIVE LAW JUDGE SEE: Jeff
 17 Ohler. I'm not sure what the last name is.

18 MR. OHLER: It's Ohler. Just like
 19 Kohler, without the K.

20 ADMINISTRATIVE LAW JUDGE SEE: Okay.
 21 Please raise your right hand.

22 JEFF OHLER,
 23 being first duly sworn, as prescribed by law, was
 24 examined and testified as follows:

25 ADMINISTRATIVE LAW JUDGE SEE: State and

1 spell your name for the record and provide us with
2 your address.

3 MR. OHLER: Jeff Ohler, O-h-l-e-r, 879
4 Courtview Drive, Carrollton, Ohio 44615.

5 ADMINISTRATIVE LAW JUDGE SEE: Okay.

6 DIRECT TESTIMONY

7 MR. OHLER: I also represent this county
8 as the commissioner. Mr. --

9 THE FLOOR: Harold?

10 MR. OHLER: Pardon?

11 THE FLOOR: Harold?

12 MR. OHLER: No. The young man that
13 spoke first, he stole all my thunder.

14 ADMINISTRATIVE LAW JUDGE SEE: That
15 would be Mr. Moss.

16 MR. OHLER: Would you like to come out
17 here and just stand beside me?

18 MR. MOSS: Here.

19 MR. OHLER: You know what, it's our
20 time. You know, it's -- it's an exciting time for
21 our county. You know, it's an opportunity for us to
22 look at headlines that -- that don't talk about
23 Carroll County having one of the highest unemployment
24 rates in the county. Hopefully, we'll be able to get
25 rid of that stigma, that with this and the

1 opportunity it will bring it will provide a true
2 economic benefit to our schools that hasn't passed a
3 levy in 27 years, and, you know, I think that will do
4 that. In fact, I know it will.

5 You know, we're certainly excited about
6 the project. We've been working with Jonathan
7 probably for about the last 18 months and, you know,
8 when Glenn Enslen was the Economic Development
9 Director and Glenn stepped in, and we were so excited
10 about that, the opportunity to -- to bring this type
11 of facility to our county, and, you know, we asked
12 Jonathan up front why us, you know, we were so --
13 we're so happy that this is going to happen in our
14 backyard, and we were fortunate that, you know, the
15 location we have is going to provide them the
16 opportunity to bring their raw material in that gas
17 on site; so they don't have to go very far to be able
18 to deliver that product to their door. And certainly
19 with the energy being created, unlike other types of
20 industries, you know, there's no truck traffic in
21 this. The gas is coming in, to his plan, and the
22 power is going out on that line; so we're going to be
23 able to provide 25 or 30 new jobs to our county
24 without really having any problems with our -- with
25 our infrastructure, except water and sewer. You

1 know, we're not going to have a lot of traffic,
 2 except this is also going to give us the ability --
 3 and the other gentleman talked about this opportunity
 4 for us to develop our water and sewer. Not only
 5 that -- you know, we certainly need to make sure that
 6 we work extremely hard to be able to provide that
 7 source to Carroll County Energy, the water and sewer,
 8 but it also gives us the opportunity -- we have a
 9 commerce park plan just adjacent to that, and we've
 10 got companies knocking on our door every day saying
 11 we want to come to Carroll County, and our answer is
 12 we'd love to have you, we've got the ground, but we
 13 don't have the infrastructure, and with this
 14 opportunity, I think we're going to be able to
 15 provide that, so -- you know, this is a win-win for
 16 the 25 or 30 employees that's going to land at that
 17 position and have long-term jobs for 30, 40 years.
 18 It certainly will be, but it will also provide
 19 opportunities for other employment not only in the
 20 early stages during construction and also the
 21 opportunity for some of our local vendors to be able
 22 to supply material to that plant, but it's also going
 23 to provide us the opportunity to -- for ongoing
 24 development, so we can -- when those clients call or
 25 those prospects call and say, you know, we want -- we

1 want to come to your county, can you take us, and
2 we'll say absolutely, when do you want to put the
3 shovel in the ground.

4 So thank you very much for letting me
5 address this audience, and we're certainly excited
6 and look for every opportunity to make sure this
7 works, so thank you.

8 ADMINISTRATIVE LAW JUDGE SEE: Thank you
9 very much.

10 Any cross-examination?

11 MR. SETTINERI: No, your Honor.

12 MR. WAHLERS: No, your Honor.

13 ADMINISTRATIVE LAW JUDGE SEE: Okay.

14 (Witness excused.)

15 ADMINISTRATIVE LAW JUDGE SEE: That's
16 it?

17 MR. BUTLER: I don't have another sheet,
18 but I understand that people may want to provide
19 testimony.

20 ADMINISTRATIVE LAW JUDGE SEE: Okay, but
21 you don't have another sheet? No sheet?

22 MR. BUTLER: I don't have a sheet, but
23 there are people who want to provide testimony.

24 ADMINISTRATIVE LAW JUDGE SEE: Thank you
25 very much, Mr. Butler.

1 Is there anyone else present who would
2 like to offer testimony tonight?

3 Please step forward. Please raise your
4 right hand.

5 DAVID QUATTROCHI,
6 being first duly sworn, as prescribed by law, was
7 examined and testified as follows:

8 ADMINISTRATIVE LAW JUDGE SEE: State and
9 spell your name for the record.

10 MR. QUATTROCHI: David Quattrochi,
11 Q-u-a-t-t-r-o-c-h-i.

12 ADMINISTRATIVE LAW JUDGE SEE: One more
13 time.

14 MR. QUATTROCHI: Q-u-a-t-t-r-o-c-h-i,
15 Quattrochi.

16 ADMINISTRATIVE LAW JUDGE SEE: I'm glad
17 you -- I didn't have to try that one. Your address,
18 please.

19 MR. QUATTROCHI: I am at -- let's see.
20 What is the school address? 2 -- I should have
21 remembered this, 252 3rd Street --

22 THE FLOOR: Northeast.

23 MR. QUATTROCHI: Northeast, Carrollton,
24 Ohio 43 --

25 THE FLOOR: 44615.

1 MR. QUATTROCHI: 44614.

2 THE FLOOR: Five.

3 MR. QUATTROCHI: Five. Sorry. I didn't
4 intend to speak, so -- but you gave me the
5 opportunity.

6 ADMINISTRATIVE LAW JUDGE SEE: And I
7 take it you're employed by the school?

8 MR. QUATTROCHI: I am the Carrollton
9 Exempted Village School District Superintendent.

10 ADMINISTRATIVE LAW JUDGE SEE: Okay. Go
11 ahead with your testimony, sir.

12 DIRECT TESTIMONY

13 MR. QUATTROCHI: I also see this power
14 company as a benefit not only to the community, to
15 the school district. This is my second year as
16 Superintendent in Carroll County, and my vision has
17 always been I want to provide an opportunity for
18 those students who desire to stay in Carroll County
19 to have the opportunity to have decent paying jobs
20 and not have to move out of this area, and what
21 Carroll County Energy is bringing to the table is
22 exactly that reality.

23 We are a school district that is -- just
24 received a \$4,060,000 grant from the Governor's
25 Straight A Fund, and a lot of what our grant is -- it

1 deals with STEM, science, technology, engineering,
2 and mathematics, and it fits and coincides quite well
3 with the -- with the Carroll County Energy project,
4 and this gives us an opportunity not only to possibly
5 secure some revenue, since someone did say we haven't
6 passed a levy since 1977, but to also provide
7 students in this great district the opportunity to
8 partner with Carroll County Energy as far as co-ops,
9 internships, so on, so forth. So as the
10 Superintendent of Carrollton schools, I see this as
11 also a win-win situation for not only the community
12 but the students who are absolutely the future of
13 this great county. Thank you.

14 ADMINISTRATIVE LAW JUDGE SEE: Thank
15 you.

16 Any cross?

17 MR. SETTINERI: No, your Honor.

18 MR. WAHLERS: No, your Honor.

19 ADMINISTRATIVE LAW JUDGE SEE: Thank you
20 very much.

21 (Witness excused.)

22 ADMINISTRATIVE LAW JUDGE SEE: I think I
23 saw another individual that wanted to offer
24 testimony.

25 MR. GENTILE: Yes.

1 ADMINISTRATIVE LAW JUDGE SEE: Sir, come
2 forward.

3 MR. GENTILE: Thank you.

4 ADMINISTRATIVE LAW JUDGE SEE: Please
5 raise your right hand.

6 LOU GENTILE,
7 being first duly sworn, as prescribed by law, was
8 examined and testified as follows:

9 ADMINISTRATIVE LAW JUDGE SEE: State and
10 spell your name for the record.

11 MR. GENTILE: Lou, L-o-u, last name
12 Gentile, G-e-n-t-i-l-e.

13 ADMINISTRATIVE LAW JUDGE SEE: And your
14 address?

15 MR. GENTILE: I'll give you my work
16 address. It's 1 Capitol Square, Statehouse,
17 Columbus, Ohio, Suite 50.

18 ADMINISTRATIVE LAW JUDGE SEE: Go ahead
19 with your statement.

20 DIRECT TESTIMONY

21 MR. GENTILE: Well, thank you. I
22 appreciate the opportunity to come before you today.
23 I'm State Senator Lou Gentile. I represent Ohio's
24 30th Senate District, a region of the state that
25 begins -- district rather than begins here in Carroll

1 County, takes in about nine and a half counties in
2 Eastern and Southeastern Ohio. We are certainly home
3 to the ongoing shale play and have several generating
4 assets contained within my district, and I'm here --
5 I'm here to offer my support for the project.

6 I certainly have been heavily involved
7 in energy and agriculture issues. I've served for a
8 long period of time as the assistant -- or the
9 Ranking Member rather on the Public Utilities
10 Committee in the State of Ohio, for the Senate Public
11 Utilities Committee, and so certainly recognizing the
12 challenges we're faced with in creating generation in
13 the state, I'm very excited by this opportunity, most
14 importantly, the tremendous economic impact that it
15 could bring to the State of Ohio.

16 It's my understanding a nearly a \$943
17 million impact that it could have here, some 500
18 construction jobs, and I want to just go on the
19 record as an advocate for good-paying, qualified,
20 skilled construction trades that have done a great
21 job, I think, with the power plants throughout this
22 district and I think would do a marvelous job here
23 for this project, and certainly understand, you know,
24 the desire and hunger and thirst for new jobs to come
25 to Carroll County, to come to the 30th Senate

District, certainly in the short term with those 25 to 30 jobs that would be provided, but also, as I've noticed in other parts of my district, the supply chain and all the activity to continue to keep those plants maintained and supply them with the services and goods that they need.

So certainly recognizing the economic impact, I wanted to come here to lend my support for this project today. The law firm that I've worked closely with in Columbus, Zach Space is a partner, a member of that law firm, has kept me up to speed on the developments with respect to this project, but I'm enthusiastic to be here today. I'm hopeful that we can move forward on this, and certainly I want to say, also, you know, I'm not -- I'm not privy to all the ins and outs of the exact site. Certainly I'm glad we're having an open forum like this to give people an opportunity, you know, who may live near that site to ask questions and have those issues addressed. I think that's an appropriate way to do that as well, but certainly recognizing that we have a domestic resource in shale gas and an opportunity to utilize that to generate hopefully an affordable, reliable source of energy, and my hope is that these construction jobs will have a huge impact on helping

1 to hoist our local economy and regional economy.

2 So I'm here today. I'm glad the
3 Superintendent spoke before me, because I understand
4 as well the need to provide a tax base to keep our
5 schools growing, so I was glad to see him here today,
6 and I look forward to doing my part at the state
7 level to work with those involved on this project, to
8 make sure that any hurdles with respect to the
9 regulatory climate are met appropriately, and so I
10 want to be a partner in that effort.

11 Thank you for the opportunity to testify
12 today, and I look forward to working with all the
13 stakeholders as well.

14 ADMINISTRATIVE LAW JUDGE SEE: Any
15 cross, gentlemen?

16 MR. SETTINERI: No, your Honor.

17 MR. WAHLERS: No, your Honor.

18 ADMINISTRATIVE LAW JUDGE SEE: Thank
19 you.

20 MR. GENTILE: Gosh, I hoped that didn't
21 happen, that you have real cross, real
22 cross-examination.

23 (Witness excused.)

24 ADMINISTRATIVE LAW JUDGE SEE: Is there
25 anyone else that would like to offer testimony

1 tonight?

2 Please come forward, sir. Raise your
3 right hand.

4 ROBERT WIRKNER,
5 being first duly sworn, as prescribed by law, was
6 examined and testified as follows:

7 ADMINISTRATIVE LAW JUDGE SEE: State and
8 spell your name for the record.

9 MR. WIRKNER: Robert Wirkner,
10 R-o-b-e-r-t W-i-r-k-n-e-r.

11 ADMINISTRATIVE LAW JUDGE SEE: And your
12 address.

13 MR. WIRKNER: 2072 Brenner Road,
14 Northeast --

15 ADMINISTRATIVE LAW JUDGE SEE: Spell
16 Brenner.

17 MR. WIRKNER: -- Carrollton, Ohio
18 44615.

19 ADMINISTRATIVE LAW JUDGE SEE: Brenner,
20 spell it, please.

21 MR. WIRKNER: B-r-e-n-n-e-r.

22 ADMINISTRATIVE LAW JUDGE SEE: Okay.

23 DIRECT TESTIMONY

24 MR. WIRKNER: As Lou Gentile pointed
25 out, this is an opportunity for anybody that lives

1 near the plant to offer their testimony on how they
2 feel about how this plant would impact them. The
3 plant happens to be very near my residence, so I
4 would like to take this opportunity today to come out
5 in support of the plant as an individual that does
6 live near the plant, and that's simply all I'd like
7 to say, is that I would like to support this project.

8 ADMINISTRATIVE LAW JUDGE SEE: Okay.

9 MR. SETTINERI: No, your Honor.

10 ADMINISTRATIVE LAW JUDGE SEE: Any
11 cross?

12 MR. WAHLERS: No, your Honor.

13 ADMINISTRATIVE LAW JUDGE SEE: Okay.
14 Thank you.

15 MR. WIRKNER: Thank you.

16 (Witness excused.)

17 ADMINISTRATIVE LAW JUDGE SEE: Anyone
18 else?

19 Raise your right hand. State and spell
20 your name for the record.

21 MR. JENKINS: Larry Jenkins.

22 ADMINISTRATIVE LAW JUDGE SEE: And your
23 address, Mr. Jenkins?

24 MR. JENKINS: 2061 Kensington Road,
25 Carrollton, Ohio 44615.

1 ADMINISTRATIVE LAW JUDGE SEE: Go ahead
2 with your testimony.

3 (Discussion off the record.)

4 ADMINISTRATIVE LAW JUDGE SEE: Thank
5 you.

6 LARRY JENKINS,
7 being first duly sworn, as prescribed by law, was
8 examined and testified as follows:

9 ADMINISTRATIVE LAW JUDGE SEE: Please
10 restate your name and address for me.

11 MR. JENKINS: Okay. It's Larry Jenkins,
12 2061 Kensington Road, Carrollton, Ohio 44615.

13 ADMINISTRATIVE LAW JUDGE SEE: Okay. Go
14 ahead.

15 DIRECT TESTIMONY

16 MR. JENKINS: I would just like to say
17 that I am the third generation Jenkins to be on the
18 farm on which this power plant is going to be built.
19 My father is in attendance. He is the second
20 generation. Hopefully, as a father, if I do my job
21 correctly, my son is eight, and he will also want to
22 be a part of the farm operation, and my brother's son
23 is three. I just want to let everybody know that
24 before we made a decision to sell a piece of our
25 farm, which is very near and dear to our hearts,

1 Jonathan flew us out to Albany, New York to visit a
2 power plant that's similar to the one that they're
3 going to build at our place, and, you know, it was a
4 hard decision to make, as much as the farm meant to
5 us, but we've seen absolutely no problems with how
6 things were done and how quiet the facility was, and,
7 you know, we're going to continue to farm. And as I
8 said, I hope that my children and my brother's
9 children will want to farm, also. That's all I have
10 to say.

11 ADMINISTRATIVE LAW JUDGE SEE: Any
12 cross?

13 MR. SETTINERI: No, your Honor.

14 MR. WAHLERS: No, your Honor.

15 ADMINISTRATIVE LAW JUDGE SEE: Thank
16 you, sir.

17 (Witness excused.)

18 ADMINISTRATIVE LAW JUDGE SEE: Anyone
19 else present that has not had an opportunity to offer
20 testimony that wishes to do so?

21 (No response.)

22 ADMINISTRATIVE LAW JUDGE SEE: Okay.
23 That concludes the hearing. We appreciate you
24 taking time out of your evening to come and give the
25 Board your opinion on the proposed project. Thank

1 you all.

2 (Thereupon, the hearing was concluded at
3 6:48 p.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 Thursday, March 6,
2014, and carefully compared with my original
stenographic notes.

Valerie J. Sloas, Registered
Professional Reporter and
Notary Public in and for
the State of Ohio.

My commission expires June 8, 2016.
(VJS-74827)

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in

Case No(s). 13-1752-EL-BGN

Summary: Transcript in the matter of Carroll County Energy, LLC hearing held on 03/06/14 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Sloas, Valerie J. Mrs.