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March 11, 2015

Via Electronic Filing

Ms. Barcy McNeal
Administration/Docketing
Public Utilities Commission of Ohio
180 East Broad Street, 11th Floor
Columbus, OH 43215-3793

Re: NTE Ohio, LLC, OPSB Case No. 14-534-EL-BGN

Dear Ms. McNeal:

In compliance with the November 24, 2014, Opinion, Order, and Certificate ("Certificate") approving NTE Ohio, LLC ("NTE") Certificate of Environmental Compatibility and Public Need to Construct the Middletown Energy Center, attached to this letter is a copy NTE's proposed Complaint Resolution Plan.

If you have any questions please call at the number listed above.

Sincerely,

Sally W. Bloomfield

Attachment

cc: Grant Zeto (w/Attachment)

PROPOSED COMPLAINT RESOLUTION PLAN

NTE OHIO, LLC MIDDLETOWN ENERGY CENTER

Case No. 14-534-EL-BGN

POLICY:

The policy of NTE Ohio, LLC (“NTE” or “Company”) is to take all reasonable necessary actions to rectify legitimate disturbances that are a direct result of the construction or operation of the electric generating facility that is the subject of the above-referenced Ohio Power Siting Board (“OPSB”) proceeding in accordance with the Staff recommendation at page 8 in the Certificate. Specifically, this ***complaint resolution procedure*** is intended to address potential public grievances resulting from generation station construction or operation. Where reasonable actions are implemented but do not satisfy a particular grievance concerning the construction disturbance of the generation station, NTE will provide the complainant information to permit the complainant to escalate the matter by bringing it to the attention of Staff of the Ohio Power Siting Board. In addition, NTE will maintain a detailed record of all complaints and the resolutions as an important aspect of its complaint resolution plan.

PROCEDURE:

- 1.) NTE will establish a toll-free 800 phone number¹ at the beginning of construction of the electric generating facility and will ensure that the phone number is provided to the county commissioners, the City of Middletown, and emergency responders within the project area. A member of the public who has a complaint about generation station construction or operation activities may call the toll-free 800 number and leave a message 24 hours a day.
- 2.) Residents who register a complaint with NTE will receive a written communication from the Company no later than 48 hours after registering the complaint. The intent of the initial correspondence is to garner more information from the individual’s complaint. Within 30 days of the complaint being received NTE will initiate reasonable action to resolve the legitimate interference that is a direct result of the construction or operation of the electric generating facility.
- 3.) The electric generating facility design and implementation, once completed, will include appropriate noise mitigation measures adequate to ensure that noise levels due to the generating facility operation alone does not result in a nighttime facility noise contribution of greater than 55 dBA at the exterior of any currently existing sensitive noise receptor. This condition does not apply to any sensitive receptor for which individual mitigation measures have been implemented, including but not limited to cooperation agreements or noise easements.

¹

The number will be established prior to major construction activities at the site.

- 4.) If NTE finds that the reasonable action it has taken to ameliorate the disturbance does not satisfy the complaining member of the public, NTE will provide a summary of the complaint and proposed resolution to the complaining member of the public, with a copy to the OPSB Staff, so that the member of the public may bring the complaint to the OPSB.
- 5.) NTE will be responsible for keeping a log book which registers every complaint that is received. The log book will contain all pertinent information about the person making the complaint, the issues surrounding the complaint and the date that the complaint was received. The log book will also contain the resolution that NTE suggests, the date the complaining party either agreed to the proposed resolution and the date when the proposed resolution was implemented or the date the complaining party declined the resolution.
- 6.) NTE personnel will generate a monthly report based on the information recorded in the log book about the nature and resolution of all complaints received in that month and file the report with the OPSB Staff by the 15th day of the following month. If no complaints have been recorded in the preceding month, NTE will not file a report. Once the electric generating facility begins operation, the Company will provide the same report on a semi-annual basis. Where no complaints have been received during a six-month period, the Company will send a letter to the OPSB staff to that effect.

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Case No(s). 14-0534-EL-BGN

Summary: Correspondence of NTE Ohio, LLC in Compliance with OPSB Opinion, Order, and Certificate electronically filed by Teresa Orahod on behalf of Sally Bloomfield