

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the :
Application of South Field :
Energy, LLC for a :
Certificate of Environmental: Case No. 15-1716-EL-BGN
Compatibility and Public :
Need to Construct an :
Electric Generation Facility:
in Columbiana County, Ohio. :

In the Matter of the :
Application of South Field :
Energy, LLC for a :
Certificate of Environmental: Case No. 15-1717-EL-BTX
Compatibility and Public :
Need for a 345kV :
Transmission Line in :
Columbiana County, Ohio. :

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PROCEEDINGS

before Mr. Nicholas Walstra, Attorney Examiner, at
the Public Utilities Commission of Ohio, 180 East
Broad Street, Room 11-D, Columbus, Ohio, called at
10:00 a.m. on Tuesday, June 21, 2016.

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APPEARANCES:

Vorys, Sater, Seymour and Pease, LLP
By Mr. Michael J. Settineri
52 East Gay Street
Columbus, Ohio 43216-1008

On behalf of South Field Energy, LLC.

Ice Miller, LLP
By Mr. Jeremy M. Grayem
250 West Street, Suite 700
Columbus, Ohio 43215-7509

On behalf of Yellow Creek Township.

Porter, Wright, Morris & Arthur
By Mr. Robert J. Schmidt
41 South High Street, 30th Floor
Columbus, Ohio 43215

On behalf of American Transmission
Systems, Inc.

Mike DeWine, Ohio Attorney General
William L. Wright, Section Chief
Public Utilities Section
By Mr. John H. Jones
Mr. Robert Eubanks
180 East Broad Street
Columbus, Ohio 43215-3793

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

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Tuesday Morning Session,

June 21, 2016.

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ADMINISTRATIVE LAW JUDGE WALSTRA: The Ohio Power Siting Board has assigned for hearing in two cases, Case No. 15-1716-EL-BGN, being captioned In the Matter of the Application of South Field Energy, LLC, for a Certificate of Environmental Compatibility and Public Need to Construct an Electric Generation Facility in Columbiana County, Ohio; and Case No. 15-1717-EL-BTX, being In the Matter of the Application of South Field Energy, LLC, for a Certificate of Environmental Compatibility and Public Need for a 345kV Transmission Line in Columbiana County, Ohio.

I am Nick Walstra, Administrative Law Judge, assigned by the Power Siting Board to hear this case.

Before I begin, I would like to note that a public hearing was held in this matter on June 6, 2016, in Columbiana County, Ohio, at which public testimony was taken. Today we are scheduled for the second portion of the hearing process, which is the evidentiary and adjudicatory hearing.

We'll take appearances from the parties

1 in the proceeding at this point.

2 On behalf of South Field.

3 MR. SETTINERI: Thank you, your Honor.

4 On behalf of South Field Energy, LLC, Michael J.
5 Settineri, William Sieck, Stephen M. Howard, Scott
6 Guttman, the law firm of Vorys, Sater, Seymour and
7 Pease, 52 East Gay Street, Columbus, Ohio.

8 Also with me is Amy Frazier, associate
9 general counsel with Advanced Power.

10 ADMINISTRATIVE LAW JUDGE WALSTRA: Thank
11 you.

12 Let's go down the line.

13 MR. SCHMIDT: Good morning, your Honor.
14 Rob Schmidt from Porter, Wright, with me is William
15 Beach from FirstEnergy, on behalf of Intervenors
16 American Transmission Systems Incorporated and
17 OhioEdison.

18 ADMINISTRATIVE LAW JUDGE WALSTRA: Thank
19 you.

20 MR. GRAYEM: Good morning, your Honor.
21 Jeremy M. Grayem, myself and Chris Miller, the law
22 firm of IceMiller, 250 West Street, Columbus, Ohio,
23 43215.

24 With me also is Greg Hanahan, consultant,
25 Yellow Creek Township. We represent Yellow Creek

1 Township.

2 ADMINISTRATIVE LAW JUDGE WALSTRA: Thank
3 you.

4 MR. JONES: Good morning, your Honor. On
5 behalf of the staff of the Ohio Power Siting Board,
6 Ohio Attorney General Mike DeWine, assistant
7 attorneys general, Robert Eubanks and John Jones, 30
8 East Broad Street, Columbus, Ohio 43215.

9 ADMINISTRATIVE LAW JUDGE WALSTRA: Any
10 procedural matters before we begin?

11 MR. JONES: Your Honor, at this time
12 staff would like to make a motion to call and
13 continue the hearing today for the opportunity to
14 continue negotiations on stipulations that the
15 parties have been working on for a period of time.
16 There have been two stipulations in these cases, the
17 generation facility and the transmission lines, the
18 switchyard, that were circulated late last night, and
19 staff and management staff has not had the
20 opportunity to review those documents to see whether
21 or not we would agree with all the terms provided
22 therein, and so we would request a continuance until
23 June 29 or the 30th to continue the proceeding, and
24 in the meantime, to continue working with the parties
25 in conducting that review of the stipulations.

1 Thank you.

2 ADMINISTRATIVE LAW JUDGE WALSTRA: Any
3 response?

4 MR. SETTINERI: Thank you, your Honor.
5 What I would ask is prior to us responding to the
6 motion, if we may take a short break off the record
7 to allow the parties to discuss the document that
8 went out last night briefly and also give us a chance
9 to look at schedules in the event we agree to a
10 continuance.

11 ADMINISTRATIVE LAW JUDGE WALSTRA: Okay.
12 Are there any objections to Mr. Settineri's plan?

13 MR. JONES: No objection.

14 MR. GRAYEM: No objection, your Honor.

15 MR. SCHMIDT: No objection.

16 ADMINISTRATIVE LAW JUDGE WALSTRA: We
17 will do that and we will reconvene later today.

18 We will go off the record.

19 (Recess taken.)

20 ADMINISTRATIVE LAW JUDGE WALSTRA: We
21 will go back on the record. We took a break for the
22 parties to have discussions regarding the case.

23 So would the company provide an update?

24 MR. SETTINERI: Thank you, your Honor.
25 The companies do not object or oppose the staff's

1 motion for a continuance. After discussion with the
2 parties, it appears that the 29th of June would be
3 the best date to reconvene the hearing, and we would
4 suggest in the morning at 10:00 a.m. on that date.

5 ADMINISTRATIVE LAW JUDGE WALSTRA: Does
6 that sound all right to everybody? Any objections?

7 MR. JONES: No objection, your Honor.

8 MR. GRAYEM: No objection.

9 ADMINISTRATIVE LAW JUDGE WALSTRA: We
10 will continue this until June 29 at 10:00 a.m. in
11 this same room, and we will adjourn till then.

12 Thank you.

13 MR. SETTINERI: Thank you.

14 MR. JONES: Thank you, your Honor.

15 MR. GRAYEM: Thank you, your Honor.

16 (The hearing adjourned at 11:32 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 Tuesday, June 21, 2016, 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, 2019.

(rfa-81234)

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in

Case No(s). 15-1716-EL-BGN, 15-1717-EL-BTX

Summary: Transcript in the matter of South Field Energy, LLC. hearing held on 06/21/16 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Anderson, Rosemary Foster Mrs.