



Power Siting Board

John R. Kasich, Governor
Asim Z. Haque, Chairman

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Director, Ohio Environmental Protection Agency
Director, Ohio Development Services Agency
Director, Ohio Department of Health
Director, Ohio Department of Natural Resources
Director, Ohio Department of Agriculture
Public Member
Ohio House of Representatives
Ohio Senate

April 3, 2017

Ms. Christine M.T. Pirik
Dickinson Wright PLLC
150 East Gay Street, 24th Floor
Columbus, OH 43215

**In the Matter of the Application of Fred. Olsen Renewables USA LLC/Icebreaker
Windpower, Inc. for a Certificate to Construct a Wind-Powered Electric Generation Facility
Case No. 16-1871-EL-BGN**

Dear Ms. Pirik:

This letter is to inform you that the above referenced application, filed with the Ohio Power Siting Board (OPSB) on February 1, 2017, and supplemented on March 13, 2017, has been found not to comply with Chapters 4906-01, et seq., of the Ohio Administrative Code. This means that the Board's Staff has not received sufficient information to begin its review of this application.

In its application, the Applicant refers to two separate Memorandums of Understanding (MOUs) that are being developed in coordination with relevant resource agencies. Specifically the Applicant asserts that these two MOUs will entail the following:

- 1) An MOU on pre-, during, and post-construction monitoring studies and analyses for project impact on fisheries and other aquatic resources;¹
- 2) An MOU on pre-, during, and post-construction monitoring studies and analyses for project impacts on birds and bats.²

At such time as the Applicant files in this proceeding copies of these two MOUs, signed by at least the Applicant and the Ohio Department of Natural Resources, Staff will revisit its compliance determination. If the application is found to be in compliance, at that time, a subsequent letter will be sent outlining instructions on serving the completed application, filing proof of service, and will list the necessary application fee.

Please be reminded that under Section 4906.04 of the Ohio Revised Code, the Applicant shall not commence to construct any portion of the facility prior to obtaining a certificate from the Board.

¹ Application, page 33.

² Application, page 107.



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If you have any questions regarding the above, please contact Ray Strom at (614) 466-7707 or Stuart Siegfried at 1-866-270-6772.

Sincerely,

A handwritten signature in black ink, appearing to read "AZH" with a stylized flourish at the end.

Asim Z. Haque
Chairman
Ohio Power Siting Board

cc: Lorry Wagner, President, Icebreaker Windpower, Inc.

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 16-1871-EL-BGN

Summary: OPSB Chair Letter Regarding Compliance electronically filed by Mr. Matt Butler on behalf of Asim Z. Haque