

**BEFORE THE
OHIO POWER SITING BOARD**

In the Matter of the Ohio Power Siting Board's)
Review of Rule 4906-4-08 of the Ohio) Case No. 16-1109-GE-BRO
Administrative Code.)

**MOTION TO INTERVENE OF
THE MID-ATLANTIC RENEWABLE ENERGY COALITION**

Pursuant to Ohio Revised Code ("RC") Sections 4906.12 and 4903.221, and Ohio Administrative Code ("OAC") Rule 4906-2-12, the Mid-Atlantic Renewable Energy Coalition ("MAREC")¹ respectfully moves for leave to intervene in the above-captioned proceeding. The Ohio Power Siting Board ("Board") should grant this Motion to Intervene because MAREC has a real and substantial interest in this proceeding, and the Board's disposition of this proceeding may impair or impede MAREC's ability to protect that interest. MAREC believes that its participation will not unduly prolong or delay this proceeding and that MAREC will significantly contribute to the full development and equitable resolution of the issues in this proceeding. Additionally, MAREC's interests will not be adequately represented by other parties in this proceeding.

¹ MAREC is a coalition of diverse wind developers, turbine manufacturers, and public interest organizations. Throughout this document, MAREC and its members will be referred to jointly as MAREC.

Accordingly, for these reasons and for the reasons set forth in the Memorandum in Support attached hereto and incorporated herein, MAREC respectfully requests that the Board grant this Motion to Intervene.

Respectfully Submitted,

/s/ Christine M.T. Pirik

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Coalition***

April 25, 2017

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**MEMORANDUM IN SUPPORT
OF MID-ATLANTIC RENEWABLE ENERGY COALITION'S
MOTION TO INTERVENE**

I Legal Standard

RC § 4903.221(B)² sets forth the criteria that must be considered in ruling on motions to intervene, which include:

1. The nature and extent of the prospective intervenor's interest.
2. The legal position advanced by the prospective intervenor and its probable relation to the merits of the case.
3. Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings.
4. Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

In addition, OAC Rule 4906-2-12(B) provides detail on statutory intervention criteria and allows the Board or administrative law judge to consider the following when deciding on motions to intervene:

1. The nature and extent of the person's interest.
2. The extent to which the person's interest is represented by existing parties.
3. The person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding.
4. Whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice an existing party.

² Ohio law requires the application of RC § 4903.221(B) to any proceeding or order of the Ohio Power Siting Board. See RC § 4906.12.

II. MAREC Should Be Granted Intervention

A. Nature and Extent of Interest

MAREC has a real and substantial interest in this proceeding. MAREC is a coalition of diverse wind developers, turbine manufacturers, and public interest organizations formed to educate policy makers and the general public about renewable energy issues in the PJM Interconnection, LLC territory. MAREC also collaborates with other renewable energy industry partners. MAREC's mission is to ensure that wind power establishes itself as one of the region's leading energy resources, providing substantial environmental and economic benefits. MAREC is concerned that the ultimate resolution of the matters to be addressed in this proceeding could have a substantial effect on the development of wind energy and other forms of renewable energy throughout the state and region.

B. Legal Position Advanced by MAREC and its Relation to Merits of Case

Disposition of this proceeding could very well impair or impede the development of wind power in Ohio. MAREC's comments and reply comments in this proceeding, filed on October 24, 2016 and November 8, 2016, respectively, detail the specific impact the proposed revisions to OAC Rule 4906-4-08 and proposed new OAC Rule 4906-4-09 could have on the wind industry. Given MAREC's mission to advance wind energy statewide, the outcome of this proceeding will have a significant effect on the progress of this mission.

C. Potential for Undue Delay or Unjust Prejudice

MAREC's intervention will not unduly delay the proceeding or cause unjust prejudice to any existing party. MAREC is represented by counsel experienced in practice before the Board; therefore, MAREC's intervention will have no impact on the efficient and fair processing of this case.

D. Contribution to Equitable and Expeditious Resolution of the Proceeding

MAREC's intervention will significantly contribute to the full development and equitable resolution of the factual issues in this proceeding. MAREC has a significant degree of knowledge and expertise regarding the environmental, economic, and societal impacts of advanced energy systems. The coalition will provide useful information to the Board, as well as an alternative perspective in the proceeding.

E. Interest Represented by Existing Parties

At the time of this filing, no other broad coalition of wind developers, turbine manufacturers, and public interest organizations has been granted intervenor status in this case. Thus, no other party can currently represent MAREC's unique and diverse interests in this proceeding.

III. Conclusion

Consistent with the requirements of RC § 4903.221 and OAC Rule 4906-2-12(B), MAREC is a real party in interest, whose interest is not represented by existing parties. MAREC will contribute to the just and expeditious resolution of the issues and concerns that are set forth in this proceeding and its participation in these proceedings will not cause undue delay or unjustly prejudice any existing party. MAREC's participation will help ensure that the proceeding is fair to its membership. Therefore, MAREC respectfully requests that its Motion to Intervene be granted.

Respectfully Submitted,

/s/ Christine M.T. Pirik

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***Attorneys for Mid-Atlantic Renewable Energy
Coalition***

April 25, 2017

CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below via electronic mail or regular mail, as designated below, this 25th day of April, 2017.

/s/ Christine M.T. Pirik

Christine M.T. Pirik (0029759)

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Summary: Motion to Intervene of The Mid-Atlantic Renewable Energy Coalition electronically filed by Christine M.T. Pirik on behalf of The Mid-Atlantic Renewable Energy Coalition