

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
ICEBREAKER WINDPOWER, INC. FOR A
CERTIFICATE TO CONSTRUCT A WIND-
POWERED ELECTRIC GENERATION
FACILITY IN CUYAHOGA COUNTY, OHIO.

CASE NO. 16-1871-EL-BGN

ENTRY

Entered in the Journal on August 24, 2018

{¶ 1} Icebreaker Windpower, Inc. (Icebreaker or Applicant) is a person as defined in R.C. 4906.01.

{¶ 2} R.C. 4906.04 provides that no person shall construct a major utility facility in the state without obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 3} On September 13, 2016, Applicant filed a pre-application notice with the Board regarding its intent to construct the electric generation facility being proposed in this case. On February 1, 2017, as supplemented, Icebreaker filed an application for a certificate to construct its proposed project, which it has described as a 6-turbine demonstration wind-powered electric generation facility located 8-10 miles off the shore of Cleveland, in Cuyahoga County, Ohio. The wind turbines are expected to have a nameplate capacity of 3.45 megawatts (MW) each, with a total generating capacity of 20.7 MW.

{¶ 4} By Entry issued on April 20, 2018, the administrative law judge (ALJ) established the procedural schedule in this case, which scheduled deadlines for the filing of testimony on behalf of Icebreaker, intervenors, and Staff, and scheduled the evidentiary hearing to commence on August 6, 2018.

{¶ 5} On July 20, 2018, Icebreaker filed a motion seeking an extension of the procedural schedule, indicating that the parties were attempting to engage in further settlement discussions that could result in a stipulation that resolves some, or all, pending

issues in this matter. After a prehearing conference held on July 30, 2018, the parties submitted a proposed procedural schedule, and the ALJ adopted the proposed schedule on August 1, 2018. The Entry established an adjudicatory hearing date of September 24, 2018, and directed that, if a stipulation is filed, it should be filed by August 17, 2018.

{¶ 6} By Entry issued August 17, 2018, the ALJ extended the deadline to file a stipulation to August 24, 2018, in response to an unopposed motion filed by Icebreaker.

{¶ 7} Thereafter, on August 24, 2018, Icebreaker filed another motion for an extension of time to file a stipulation. Icebreaker indicates that parties continue to have ongoing discussions regarding a settlement, but could benefit from the additional week. Icebreaker is not seeking an extension of any other deadlines or the hearing date and, according to Icebreaker, the request is unopposed.

{¶ 8} Upon review, the ALJ finds that the request is reasonable and should be approved. Accordingly, the deadline to submit a stipulation should be extended until August 31, 2018. The dates for the adjudicatory hearing and testimony filing deadlines will remain the same.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the deadline for filing a stipulation be extended to August 31, 2018. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE OHIO POWER SITING BOARD

/s/ Megan Addison

By: Megan Addison
Administrative Law Judge

SJP/mef

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in

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

Summary: Administrative Law Judge Entry extending the deadline for filing a stipulation to 8/31/18 electronically filed by Ms. Mary E Fischer on behalf of Megan J. Addison, Administrative Law Judge, Ohio Power Siting Board