

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Icebreaker)
Windpower Inc., for a Certificate to Construct a) Case No: 16-1871-EL-BGN
Wind-Powered Electric Generation Facility in)
Cuyahoga County, Ohio.)

**ICEBREAKER WINDPOWER INC.'S
MOTION FOR AN EXTENSION OF TIME TO FILE A
STIPULATION AND TESTIMONY
AND REQUEST FOR EXPEDITED RULING**

Pursuant to Ohio Administrative Code (“O.A.C.”) Rules 4906-2-07 and 4906-2-27, Icebreaker Windpower Inc. (“Applicant” or “Icebreaker”) respectfully moves the Ohio Power Siting Board (“Board”) or its Administrative Law Judge (“ALJ”) for a one-day extension of time to file a stipulation and testimony in this case.

The Applicant has consulted with counsel for the OPSB Staff, as well as all of the parties to this case and no party has stated that they oppose this motion.

Therefore, the Applicant submits that, for the reasons more fully set forth in the following memorandum in support, good cause exists to grant this motion on an expedited basis, in accordance with O.A.C. Rule 4906-2-27(C).

Respectfully submitted,

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MEMORANDUM IN SUPPORT

On February 1, 2017, as supplemented, Icebreaker filed an application for a certificate of environmental compatibility and public need for the Icebreaker Project to be located in Lake Erie eight miles off the shore of Cleveland, Ohio in Cuyahoga County.

On August 1, 2018, the ALJ issued an entry setting forth the procedural schedule in this case, which, among other things, established August 17, 2018, as the date that any stipulation and recommendation should be filed in this matter. On August 17, 2018, the ALJ granted the Applicant's motion for an extension of time, until August 24, 2018, to file any stipulation or recommendation. Subsequently, the ALJ grant a second motion for an extension of time, until August 31, 2018, to file any stipulation or recommendation.

The parties in this case have met several times to discuss possible settlement of the issues in this matter and have shared several proposals. Based on these communications and responses from parties on August 28th and 29th, Icebreaker is working to finalize a proposed stipulation.

Therefore, in light of the fact that any stipulation to be filed in this matter is due Friday, August 31, 2018, and the stipulating parties need additional time to finalize the stipulation, the Applicant is filing this request for a one-business-day extension of time.

In addition, testimony for the Applicant is currently due on September 5, 2018. In order for the Applicant's witnesses to have sufficient time to review the final stipulation and incorporate any relevant information in their testimony, the Applicant is also asking for a one-day extension of time to file the testimony of its witnesses. In further support of its motion for the one-day extension, Icebreaker notes that several of its witnesses have been out of town on vacation and unreachable, and will not return until Tuesday, September 4, 2018. Upon returning, these

witnesses will need time to review the stipulation and adjust their testimony accordingly. Likewise, in order to provide Staff and the intervenors the same curtesy, Icebreaker is proposing that the testimony due date for Staff and the intervenors be extended one day.

Specifically, the Applicant requests that the Board or ALJ grant a one-business-day extension of time as follows:

- Due date for the filing of the stipulation - from August 31, 2018, to September 4, 2018
- Due date for the filing of the Applicant's testimony from September 5, 2018, to September 6, 2018.
- Due date for the filing of Staff and intervenor testimony from September 13, 2018, to September 14, 2018.

The Applicant requests that the September 24, 2018 date for commencement of the hearing remain unchanged by this request.

Given the short time frame before any stipulation is currently due, Icebreaker requests that this motion be granted on an expedited basis for good cause shown.

Respectfully submitted,

/s/ Christine M.T. Pirik
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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 listed below via electronic mail this 31st day of August, 2018.

/s/ Christine M.T. Pirik

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Summary: Motion for an Extension of Time to File a Stipulation and Testimony and Request for Expedited Ruling electronically filed by Christine M.T. Pirik on behalf of Icebreaker Windpower Inc.