

## 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 December 7, 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} The adjudicatory hearing in this case commenced on September 24, 2018, as scheduled, and concluded on October 2, 2018. At the conclusion of the hearing, the administrative law judge (ALJ) instructed that initial briefs and reply briefs would be due by November 30, 2018, and January 8, 2019, respectively.

{¶ 5} On November 21, 2018, Icebreaker filed a motion seeking an extension of time to file the corresponding briefs, indicating that the parties were attempting to engage in further settlement discussions that could result in a revised stipulation that resolves some,

or all, pending issues in this matter. That motion was granted that same day, and the ALJ established a revised stipulation or, in the alternative, a proposed revised briefing schedule, should be filed by December 7, 2018.

{¶ 6} Thereafter, on December 7, 2018, Icebreaker filed an additional request for extension of time to file a revised stipulation. Icebreaker asserts that negotiations with Staff have been ongoing and the Applicant is currently reviewing proposals. However, Icebreaker requests additional time for negotiations due to upcoming travel schedules and the holiday season.

{¶ 7} In order to provide the parties with sufficient time to continue to review the proposed revised stipulation, the ALJ finds that Icebreaker's request for an extension in the procedural schedule is reasonable and should be approved on an expedited basis, in accordance with Ohio Adm.Code 4906-2-27(C). Accordingly, the parties are directed to submit a revised stipulation or, in the alternative, a proposed revised briefing schedule, by January 15, 2019.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Icebreaker's motion for an extension of the procedural schedule be granted, in accordance with Paragraph 7. It is, further,

{¶ 10} ORDERED, That the parties file a revised stipulation or, in the alternative, a proposed revised briefing schedule, by January 15, 2019. 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/Nick Walstra

By: Nick Walstra  
Administrative Law Judge

SJP/hac

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**12/7/2018 3:27:35 PM**

**in**

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

Summary: Administrative Law Judge Entry granting motion for extension of procedural schedule and setting deadline for filing revised stipulation or briefing schedule electronically filed by Heather A Chilcote on behalf of Nicholas Walstra, Administrative Law Judge, Ohio Power Siting Board