

## THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF  
SENECA WIND, LLC FOR A CERTIFICATE  
TO SITE WIND-POWERED ELECTRIC  
GENERATION FACILITIES IN SENECA  
COUNTY, OHIO.

CASE NO. 18-488-EL-BGN

### ENTRY

Entered in the Journal on February 1, 2019

{¶ 1} Seneca Wind, LLC (Seneca Wind 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 first obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 3} On July 16, 2018, as amended and supplemented on July 20, 2018, September 14, 2018, December 3, 2018, December 10, 2018, and January 2, 2019, Seneca Wind filed an application with the Board for a certificate of environmental compatibility and public need to construct, own, and operate a wind generation facility (project). As proposed, the project will have a total nameplate capacity of 212 megawatts and consist of up to 85 wind turbine generators, access roads, electrical collector cables, laydown yards, an operations and maintenance facility, up to four permanent 134-meter meteorological towers, a substation and a 138-kilovolt (kV) electric generation transmission line to connect to AEP Ohio Transmission Company's existing Melmore Substation.<sup>1</sup> The project site includes approximately 56,900 acres of leased land in Seneca County, consisting primarily of existing farm land.

{¶ 4} Pursuant to Ohio Adm.Code 4906-3-06, within 60 days after receipt of an application for a major utility facility, the Chairman of the Board shall notify an applicant

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<sup>1</sup> The substation and 138-kV transmission line will be the subject of a separate filing with the Board.

of the acceptance or rejection of the application as complete. Accordingly, the Chairman's letter was to be filed by September 14, 2018.

{¶ 5} On September 14, 2018, Seneca Wind filed a motion to extend the time for the Board to determine whether the application is complete, until October 15, 2018, and a request for an expedited ruling on the motion. By Entry issued September 18, 2018, Seneca Wind's motion for an extension was granted.

{¶ 6} By letter filed on October 15, 2018, the Board notified Seneca Wind that its application was sufficiently complete to permit Staff to commence its review and investigation of the application. Further, in the letter, the Board directed Seneca Wind, pursuant to Ohio Adm.Code 4906-3-07, to serve appropriate government officials and public agencies with copies of the complete, certified application and to file proof of service with the Board. The letter also directed Seneca Wind, pursuant to R.C. 4906.06(F) and Ohio Adm.Code 4906-3-12, to submit the requisite application fee.

{¶ 7} On October 22, 2018, Seneca Wind filed its certificate of service of its accepted and complete application, in accordance with the requirements of Ohio Adm.Code 4906-3-07. On October 23, 2018, Applicant also submitted the application fee to the Board, pursuant to Ohio Adm.Code 4906-3-12.

{¶ 8} R.C. 4906.07(A) provides that, upon receipt of an application complying with R.C. 4906.06, the Board must promptly fix a date for a public hearing not less than 60 nor more than 90 days after such receipt, and shall conclude the proceeding as expeditiously as practicable.

{¶ 9} By Entry issued December 7, 2018, the effective date of the filing of the Seneca Wind application was established as December 10, 2018, and a procedural schedule set such that, among other things:

- a. The Staff Report of Investigation is due February 4, 2019;

- b. The local public hearing is scheduled for February 19, 2019; and
- c. The evidentiary hearing is scheduled to commence on March 6, 2019.

{¶ 10} On January 29, 2019, Seneca Wind and Staff (Movants) filed a joint motion to toll the procedural schedule. Movants request that the procedural schedule be tolled to afford Seneca Wind sufficient time to provide Staff additional information to complete its investigation. Movants declare that the requested modification of the procedural schedule will not negatively impact any parties to this proceeding. Movants are not seeking to stay discovery during the tolling of the procedural schedule. Further, Movants propose that a new procedural schedule be established, including among other things, that the Staff file its report of investigation (Staff Report) on April 1, 2019, and the evidentiary hearing commence no sooner than April 30, 2019.

{¶ 11} The administrative law judge (ALJ) finds good cause exists to grant Movants' motion to suspend the procedural schedule and, therefore, the motion should be granted. The ALJ will establish a new procedural schedule by subsequent Entry in the near future.

{¶ 12} Seneca Wind is directed to publish notice of the cancellation of the previously scheduled hearings. Further, Seneca Wind shall post a similar notice at the Tiffin University, Marion Center, the local hearing location, on February 19, 2019. The posted notice must provide a toll-free telephone number for an interested person to call for more information.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That Movants' motion to suspend the procedural schedule be granted to the extent set forth in this Entry. It is, further,

{¶ 15} ORDERED, That Seneca Wind provide notification of the cancellation of the scheduled hearings in accordance with this Entry. It is, further,

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

THE OHIO POWER SITING BOARD

/s/ Greta See

By: Greta See  
Administrative Law Judge

JRJ/hac

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

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**Case No(s). 18-0488-EL-BGN**

Summary: Administrative Law Judge Entry granting Movants' motion to suspend and ordering Seneca Wind to provide notification of cancellation of scheduled hearings electronically filed by Heather A Chilcote on behalf of Greta See, Administrative Law Judge, Power Siting Board