

**From:** [Puco ContactOPSB](#)  
**To:** [Puco Docketing](#)  
**Subject:** public comment (email and attachments) for 17-2295, 18-0488, and 18-1607  
**Date:** Monday, June 10, 2019 9:56:00 AM  
**Attachments:** [Santa Brescia Timmons Group.png](#)  
[Insurance Wind Farms.png](#)

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June 9, 2019

Sen. David Burke  
Sen. Rob McColley  
Sen. Theresa Gavarone  
Statehouse  
1 Capital Square  
Columbus, Ohio 43215

Dear Senators Burke, McColley and Gavarone:

I am writing to strongly urge you to support HB 6 and the provision in HB 6 which allows a referendum for townships directly affected by industrial wind development.

I reside in Thompson Township, in the footprint of the **Republic Wind LLC**, case # [17-2295-EL-BGN](#). We also own property in Eden Township in the footprint of the **Seneca Wind LLC**, case # [18-0488-EL-BGN](#). We have family and friends that live in Erie and Huron Counties, in the footprint of **Firelands Wind LLC**, case # 18-1607-EL-BGN. **Emerson West LLC** is another Apex wind project in Thompson Township that has not entered pre-application with the OPSB. **Buck Springs Wind LLC**, an Apex project just to the west of Thompson Township also has not entered pre-application. **Honey Creek LLC** by Apex will be to the south/east of our property in Eden Township and it also has not entered the pre-application stage. There is also the **Bellevue Wind Farm LLC** in Sandusky County with yet another wind developer to the north/west of our home, that has not entered the pre-application stage. We have **a total of 7 known wind projects in the Firelands Region of Ohio.**

For numerous reasons, my family has refused to sign a Wind Easement Agreement otherwise known as a "Good Neighbor Agreement" (GNA) designed to waive project setbacks and nuisance effects (see attached). We contacted both our mortgage holder and our insurance company regarding the impact of signing such an Agreement. Our mortgage holder indicated that the salability of our home would be affected and told us we could not sign such an agreement, placing a permanent lease on our home property (see attached). Our insurance company indicated that we would need additional commercial insurance about \$500/year to cover that exposure (see attached).

Many of our neighbors in Thompson Township have signed wind easements for an average of \$500 up front and then \$500 a year after the wind project is built. Many of these wind easement agreements were sold by the immediate family member of one of our Thompson Township Trustees, Troy Warner, who just happens to be a leaseholder in Emerson West and Republic Wind LLC.

Although Thompson Township is now full of Wind Easement Agreements on home properties, I have not met one neighbor who thought to call their mortgage holder or insurance

company before signing such an agreement. At the time, our Bellevue School Board was supporting the wind development and “who wouldn’t want to be a friend of wind and the Bellevue Redmen”? Since the wind projects have been made public, the Bellevue School Board has rescinded their support of wind projects in their district as have many other school districts with concern over the cumulative impacts to our communities. Unfortunately, the wind developers will not allow homeowners out of these leases which will devalue their properties. In addition to the homes with wind easement leases, thousands of homes within a mile of the 600 Ft. turbines stand to lose significant property value in the Republic Wind Project alone. The wind industry will counter with their flawed study saying there is no effect on home values. The truth is for every flawed study the wind industry cites there are ten more legitimate studies showing a significant loss of value within a mile or more of the turbines. This could have property tax revenue impacts on our community.

Since two of the Seneca County Commissioners were not responding to local concerns, area residents turned to their township trustees to intervene at the OPSB from the township level. Five townships in the Republic Wind voted to intervene against the project (York, Scipio, Reed, Adams, and Pleasant). Thompson Township was the only township that did not vote to intervene. Two of the three Thompson Trustees are leaseholders and would benefit financially from the wind development. Those two trustees, Dave Ziegler and Troy Warner would not intervene against their own financial interests. This is yet another reason why local township voters should have a voice in accepting or rejecting the project.

On November 15, 2018 at 5:00 PM, I attended the Ohio Power Siting Board-mandated public meeting in Norwalk for the Firelands Wind project. I was followed closely by Apex employees at this event. I assume it is because I have been vocal locally in opposition to wind development in our area. I had many questions and concerns regarding this wind project.

At one point during the meeting, I stopped to speak with a couple I knew from Erie County. I had opened my folder to make a note of the location of one of the turbines in that county. An Apex employee rushed at me and loudly stated “she is signing people up”. I showed her what I had written on my folder but she (Apex employee) proceeded to insist that the sheriff deputies make me leave. The sheriff deputies were polite and explained that because this was a private venue and Apex had rented it, Apex had the authority to make me leave.

I questioned how this could be considered a public event, posted in the Sandusky Register, yet I could be discriminated against in this way. The officers explained that I had done nothing wrong and if it was a public venue, such as a school building, they would not have to make me leave. I did leave as the officers said they would have to charge me with trespassing if I did not leave at the request of Apex. The exchange which occurred between me and the Apex employee/officers was recorded. You can view it at this link: [Apex Emerson Creek Public Meeting - 11-15-2018.MOV](http://www.sanduskyregister.com/story/201903080012).

- Apex Clean Energy has not stopped there in publicly humiliating me. In March of 2019, Apex representatives stated in the Sandusky Register that I was removed from a public meeting for yelling at people, being disruptive, and harassing landowners, <http://www.sanduskyregister.com/story/201903080012> also <http://www.sanduskyregister.com/story/201902280013>.

My employer even contacted me the next day to ask me about the allegations published in the

Sandusky Register. An Apex representative even took the extraordinary step to write a letter to the OPSB <http://dis.puc.state.oh.us/TiffToPDF/A1001001A19C06B72201I00621.pdf> indicating that one person was removed from their public meeting in November 2018 for causing a disturbance. I have multiple witnesses that will step forward to confirm that I was not yelling, harassing, or disturbing others in any way. If anything, an Apex representative, Santa Brescia, was harassing me at the November 2018 meeting (see Brescia profile attached). She tried to tell me I couldn't enter the venue and then followed me closely, questioning my presence at the meeting until she finally had officers remove me. Since the defamation, I suffered in the local newspapers, I have sought legal counsel. Unfortunately, their advice was that it would be too costly, both financially and emotionally for me to take Apex to court over defamation charges.

- Does this defamation by Apex send a message to others in the community, that would dare stand up and question wind development? It surely does! Apex is an aggressive out of state developer with deep pockets who apparently has determined they can say or do anything to the people affected by these projects in order to accomplish their goals. They are well aware there is no need for them to conduct themselves in a more collaborative way with the community because the community has no voice in whether or how their projects are built.

My husband and I have lived in this area our entire lives. We have raised four children here. I volunteer and work in this area. We attend church in Bellevue. I can't tell you how many people have come up to me expressing concern over the statements Apex has made about me publicly. I believe that my experience is just one more example of the disregard wind developers show toward the people in their targeted communities. Because we have no say in approving projects or how they will be sited, they really do not think they need to be accountable to us or to take our concerns seriously. And they can throw me out of a public meeting and say whatever they want about me publicly! Who would wish for a neighbor like that? Why should we have confidence in them?

Recently, both Erie and Huron Counties denied tax abatement via PILOT to the Firelands Wind LLC proposed by Apex. That has not stopped them. Apex representatives have said publicly that they can proceed without a PILOT being granted. There is no mechanism in place to give local communities a voice before being impacted by wind development. Dayna Baird Payne of AWEA and Terrence O'Donnell of the Mid-Atlantic Renewable Energy Coalition have repeatedly testified in the General Assembly that projects are not built where PILOT is denied. This is false. In fact, the Innogy Scioto Ridge project had their groundbreaking in Hardin and Logan County last week despite having been denied PILOT in Logan County.

Please give those directly affected by wind development the ability to have a voice. These wind energy companies have been working under a cloak of obscurity in our counties for years. It just could be that if wind developers knew local communities had a voice in the matter, they would respect us and be transparent from the very outset of planning these projects.

Thank you for your kind consideration.

Sincerely,

Deborah Hay  
14040 Twp. Rd 178  
Bellevue, OH 44811

CC: Senator Theresa Gavarone (Wood, Ottawa and Erie parts of Fulton and Lucas) District  
2

Senator Nathan Manning (Huron and Lorain County) District 13

Senator Rob McColley Auglaize (part), Defiance, Fulton (part), Hancock, Hardin,  
Henry,

Logan (part), Paulding, Putnam, Van Wert, Williams (District 1)

Representative Bill Reineke (Seneca County)

Representative Dick Stein (Huron County)

Representative Steve Arndt (Erie County)

Representative Bill Seitz (Majority Floor Leader of the House)

Samuel Randazzo, Chairman Public Utility Commission

Chief PUCO Aide, John Ryan

Matt Butler (Ohio Power Siting Board)

Governor DeWine Chief of Staff, Laural Dawson

# EMERSON WEST WIND PROJECT PROFILE



**LOCATION:** Seneca County

**TOTAL CAPACITY:** Approximately 200 MW

**NUMBER OF TURBINES:** Roughly 75

**ANTICIPATED START DATE OF COMMERCIAL OPERATION:** 2021

Apex Clean Energy is in the early stages of developing Emerson West Wind, a wind energy project located in Seneca County. A project like Emerson West will bring economic growth to you and your community, while also preserving your agricultural heritage.

Preliminary plans show that Emerson West may include 75 wind turbines placed on land leased from participating landowners that could produce 200 MW of electricity. This is enough safe, pollution-free, home-grown energy to power up to 59,000 homes.

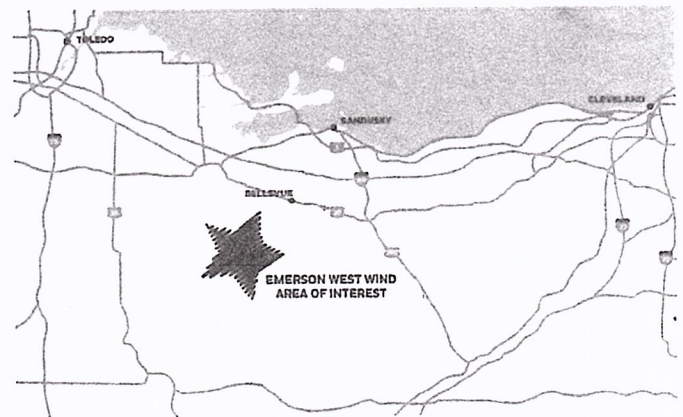
## Investing in Seneca County

Emerson West Wind will benefit the economy of Seneca County in the near-term with ongoing landowner payments, construction jobs, and local purchasing of materials and services. In the long-term, the project will generate millions of dollars in tax revenue for the county, local townships, and area school districts, as well as over 30 years of local purchasing, employment, and investment.

Landowners with wind facilities on their property will receive annual lease payments. These payments will continue over the projected 30-year lifespan of the wind farm, injecting millions of dollars into the local economy to support local merchants, contractors, equipment suppliers, auto dealers, and so on.

Wind turbines complement working farms, because they allow for existing agricultural operations to continue around them. In addition, they help farmers by diversifying the rural economy and providing a steady source of income during lean years.

The cost of wind energy has dropped more than 66% over the past seven years, providing a cost-competitive source for clean electricity across the US. In addition to new jobs and sustained investments in local communities, benefits of wind energy include reduced pollution, increased employment, consumer cost savings, water conservation, and increased American energy independence.



## Local Economic Benefits

- More than \$30 million in landowner payments
- \$36 million in school payments
- \$18 million in county and township payments
- 95 local jobs during construction and 10 long-term local operations jobs

\*Estimated total payments and jobs created over full life of the project



[Redacted]  
From:  
Sent:  
To:  
Subject:

[Redacted]

I am following up with you on a conversation that we had last week about a windmill scenario. I did a little research and in my opinion here is how I see it. I am not aware of any exclusions for windmills within our forms. I know you mentioned some carriers in Illinois have begun to exclude noise damage but I do not believe that to be the case with our forms. If a windmill is not on the insured's property and falls and can reach the insured's property and does some damage the owner of the windmill would be liable in my opinion. We may pay up front but I would imagine there would be good potential for subrogation. If the windmill is not owned by the insured but the insured allowed it to be on the property this would be a risk that we would decline up front due to the business exposure. Hopefully this helps explain/answer your scenario. Please keep in mind if a situation were to occur it would ultimately come down to how claims interprets the forms.

Thanks and have a great day!

[Redacted]

***Auto-Owners***  
**INSURANCE**  
LIFE • HOME • CAR • BUSINESS



Here's a follow-up to our phone conversation this morning.

I heard back from the Claims Supervisor regarding wind farms. He is familiar with them, but has not had any large claims regarding these so far. Your Erie policy would cover you if your home is damaged by flying debris from a turbine. My Claims Supervisor suggested that I speak with my Underwriter to see if there are any other issues regarding wind farms.

I spoke with my underwriter this morning. Erie's home policy will NOT cover you regarding a wind turbine. If you lease a portion of your land to a wind farm, that becomes a commercial exposure, and your home policy will not cover you for that.

You would be required to obtain a Commercial General Liability policy for that portion of land that is being leased. Even though you do not own the turbine, you could still be brought into a lawsuit for damage caused by the turbine. You would also want to make sure you are covered under the liability policy of the wind farm – listed as an Additional Insured.

There would be significant coverage issues and costs involved if you allow a wind turbine on your property. Please let me know if you have any other questions. Thanks!

\*\*\*





**Santa Brescia**

Solar & Wind Land Agent at Timmons Group

Mansfield, Ohio Area

Oil & Energy



Timmons Group



Big Bend Community College

22 connections

**View Santa Brescia's full profile. It's free!**

Your colleagues, classmates, and 500 million other professionals are on LinkedIn.

[Join LinkedIn](#)

## Summary

Experienced Field Representative with a demonstrated history of working in the civil engineering industry.





[Redacted]

to me ▾

[Redacted]

Sep 17, 2018, 10:29 AM (7 days ago)



After a lot of digging I got some answers.

Any part of your land that is leased to the windmill company, liability or medical payments coverage will NOT extend from your home policy. Also, if the windmill workers, or sub-contractor's got hurt going thru any part of your property there would be NO coverage for them either.

The structure coverage for your home would not be affected, there would still be coverage on the home.

They also sent me this below regarding windmills to make sure the windmill company is not trying to pass on liability to you and that the windmill company has adequate insurance coverage.

**Commercial Cell Towers and Windmills**

Cell towers or windmills owned by commercial entities and installed on an insured's property are becoming more common. Generally, we don't have a concern. However, a review of the contract between the cellular or power company and our insured is very important if the company is asking to be added to the Homeowners Policy as an additional insured. The commercial entity must have a complete program of liability insurance and must not be attempting to transfer any liability related to the commercial operation to our insured. If the company is just requesting proof of insurance from our insured, the agent should provide a certificate of insurance.

Thank you,

[Redacted]

State Farm Insurance

[Redacted]





Register photo/WANDA CHANDLER

Ryan Rakosky, Cub Scout Pack 331, won Best of Show for his cake in the cake bake off on Tuesday evening. See more photos online at [sanduskyregister.com](http://sanduskyregister.com).

The cakes were auctioned by Port Clinton auctioneer Bob Kaspar. Cakes were sold from \$12 to \$50 and won by family members, troop members and friends. More than \$250 was raised from bids. \$135 was won by parents purchasing their scouts' cakes.

The Marblehead scouts have been sponsored by the Marblehead Chamber of Commerce since 1946.

"It's great to support the scouts," Deerhake said. "It was more difficult than we anticipated because all the kids did a wonderful job."

Winners included Killian Marsden, Best Theme; Benjamin Biers, Tallest; Connor Ward, Flattest; and Ryan Rakosky, Best of Show.

# Huron County turns back on wind farm

By MICHAEL HARRINGTON

[harrington@sanduskyregister.com](mailto:harrington@sanduskyregister.com)

## NORWALK

The Huron County commissioners joined their Erie County counterparts and denied the payment in lieu of taxes (PILOT) for a local wind project.

Apex Clean Energy is hoping to place up to 71 wind turbines in Erie and Huron counties as part of its Emerson Creek Wind Project.

The Huron County commissioners — Terry Boose, Joe Hintz and Bruce "Skip" Wilde — previously supported the project and the PILOT, according to minutes from meetings in March 2018.

But in February the commissioners reversed their previous support because they said the scope of the project and the economic benefit had been reduced, according to the Norwalk Reflector.

After holding a public hearing last week, the three commissioners unanimously voted Thursday to deny the payment in lieu of taxes for the project, according to the resolution.

"There is no guarantee on how long the wind turbines will last, that being said we chose to have regular taxes paid rather than lower equal payments over the 30 years," Wilde said. "The difference in the first year would be approximately \$1 million and then decrease each year after. But there are variables as to how

much they might decrease."

A PILOT is a set payment over the life of the project and doesn't change like property taxes do. Apex argued the payment helps spread the cost of the investment over the project's lifespan.

"By opting out of the PILOT system, Huron county commissioners decided to forgo long-term benefits and a significant sustainable revenue source for the community," Apex spokeswoman Jaci Friedley said. "Regardless of the Huron County commissioners' decision on the PILOT, Apex is committed to the development of the Emerson Creek project."



Provided photo/APEX CLEAN ENERGY

A simulation of what the view could look like from West Willard Road in Richmond Township if the Emerson Creek Wind Project is approved.

Erie and Huron counties could only decide how the money would be received if the project happens. The ability to approve or deny the project is in the hands of the Ohio Power Siting Board.

The board recently ordered Apex to host another public information meeting because of changes to the project and allegations they had a woman removed from the first meeting in November. The new meeting is scheduled for 5-7 p.m. April 3 at the Bellevue VFW, 6104 U.S. 20.

Huron County commissioners Hintz and Boose couldn't be immediately reached for comment.

# Milan named Tree City USA for 16th year

By MICHAEL



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

**Commission of Ohio Docketing Information System on**

**6/14/2019 4:28:27 PM**

**in**

**Case No(s). 17-2295-EL-BGN, 18-0488-EL-BGN, 18-1607-EL-BGN**

Summary: Public Comment received via website electronically filed by Docketing Staff on behalf of Docketing.