



Power Siting Board

Mike DeWine, Governor
Sam Randazzo, Chairman

Board Members

Director, Ohio Environmental Protection Agency
Director, Ohio Development Services Agency
Director, Ohio Department of Health
Director, Ohio Department of Natural Resources
Director, Ohio Department of Agriculture
Public Member
Ohio House of Representatives
Ohio Senate

September 3, 2019

Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

Dear Docketing Division:

Please file this letter in case number 16-1871-EL-BGN, *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*.

Pursuant to Ohio Adm.Code 4906-3-12, Ohio Power Siting Board (OPSB) expenses associated with review, analysis, processing, and monitoring of OPSB applications are borne by the project applicant. On August 1, 2017, Icebreaker Windpower Inc. (Applicant or Icebreaker), pursuant to the filing fees delineated in Ohio Adm.Code 4906-3-12(B), paid an initial \$50,000 application fee for its OPSB application in Case No. 16-1871-EL-BGN. However, this initial application fee was exhausted and funds are no longer available to adequately pay for remaining OPSB expenses.

Pursuant to R.C. 4906.06(F), if an applicant's initial fee is not sufficient to pay the OPSB's expenses associated with its review of an application, the Ohio Controlling Board must approve the assessment of any supplemental fee on an applicant. Therefore, on May 21, 2019, the OPSB Chairman submitted a request to the Ohio Controlling Board to invoice the Applicant for \$150,000 in additional costs incurred by the OPSB due to the unique nature of the project and its application process which were over and above the amount of the original application fee. (See Attachment A.) Specifically, as of May 21, 2019, this case included: five supplements to the application, two local public hearings, seven days of adjudicatory hearings, six extensions of the briefing schedule at the request of the Applicant, and a recently revised stipulation. On July 22, 2019, the Ohio Controlling Board approved the request to invoice the Applicant \$150,000 for its additional costs.

On August 12, 2019, OPSB staff (Staff) notified the Applicant that its initial application fee had been exhausted and that the Ohio Controlling Board approved the request to submit an additional invoice to the Applicant. (See Attachment B.) Pursuant to Ohio Adm.Code 4906-3-12(H), payment shall be due upon receipt. Staff's August 12, 2019 invoice provided two additional weeks for Applicant to pay the invoice and listed a due date of August 26, 2019 for receipt of the additional amount. However, to

date, this amount remains delinquent. Therefore, there are insufficient funds for the OPSB and Staff to continue the review of Icebreaker's application.

Sincerely,

A handwritten signature in black ink, reading "Tamara Turkenton". The signature is fluid and cursive, with the first name "Tamara" and last name "Turkenton" clearly distinguishable.

Tamara Turkenton
Executive Director, Ohio Power Siting Board

ATTACHMENT A

STATE OF OHIO
CONTROLLING BOARD
30 East Broad Street, 34th Floor
Columbus, Ohio 43215-3457
(614) 466-5721 FAX:(614) 466-3813

OPERATING REQUEST

[Attachments](#) [Print](#) [Print PDF](#) [Close](#)

Controlling Board No.
PUC0100063

Status: Approved
Meeting Date: 7/22/2019

GENERAL INFORMATION

Agency Public Utilities Commission	<input checked="" type="radio"/> Waiver of Competitive Selection (Revised Code Section 127.16B) <input type="checkbox"/> No Competitive Opportunity <input type="checkbox"/> Agency Released Competitive Opportunity <input type="radio"/> Agency Released Competitive Opportunity (Revised Code Section 127.162) <input checked="" type="radio"/> Other Statutory Authority/Bill Section:4906.06 <input type="radio"/> Operating Transfer Request (Revised Code Section 127.14) <input type="checkbox"/> Appropriation <input type="checkbox"/> Cash <input type="checkbox"/> Other Statutory Authority/Bill Section:	Fiscal Year(s) 2020 Bill No. Eligible for OBM Director Approval? No
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VENDOR INFORMATION

For	FY	Amount	Name	Address	City	State	County	Zip Code

FUNDING INFORMATION

Fund Group	Fund Code	Appropriation Line Item	Appropriation Line Item Name	FY	Amount	FY	Amount
	5610	870606	Power Siting Board	2019	\$220,000.00		\$.00

SIGNATURES

	07/22/2019
Agency Director or Authorized Agent	On The Date Of
05/21/2019	
Date	Controlling Board President/OBM Director

AGENCY CONTACT

Name: Beverly Hoskinson	Title: Chief Financial Officer
Phone: (614) 644 - 8950	Fax: (614) 752 - 2392
E-Mail: Beverly.Hoskinson@puc.state.oh.us	

REQUIRED EXPLANATION OF REQUEST

The Ohio Power Siting Board (OPSB) respectfully requests Controlling Board approval, in accordance with R.C. 4906.06(F), to invoice two OPSB applicants at a total of \$220,000 for additional costs incurred in Icebreaker Windpower, Inc. (Case No. 16-1871-EL-BGN, \$150,000 additional assessment) and Duke Energy Ohio, Inc. - Ohio Central Corridor Extension (Case No. 16-253-GA-BTX, \$70,000 additional assessment).

The request before the Board is not an increase in appropriation authority. The OPSB is seeking Controlling Board approval, pursuant to R.C. 4906.06(F) to invoice power siting applicants for additional costs incurred over and above the amount of the original application fee.

Before any entity can build a major utility facility, they must obtain a certificate from the OPSB. The OPSB is funded through application fees, the amount of which is determined by the type and size of the project. All billable hours spent by OPSB on the review or investigation are charged against the applicant's initial fee. Due to the unique nature of the projects and application processes for Icebreaker Windpower and Duke Energy, the OPSB has incurred, and will continue to incur, additional cost to fulfill our statutory duty in application review, certification issuance, and oversight of the projects during construction, reclamation, and operation.

Duke Energy's case involves an approximately 13-mile long, 20-inch diameter natural gas pipeline in the central Cincinnati, Hamilton County, Ohio area. The case has included the following activity: 4 public informational meetings, 5 amendments/supplements to the application, the procedural schedule suspended twice (once to investigate a federal SuperFund site along the alternative route), two 7-hour long public hearings, a three days of evidentiary hearing, and is pending OPSB decision.

Icebreaker Windpower, Inc. is an application to build a 20.7 megawatt, 6-turbine wind facility approximately 8 to 10 miles off the shore of Cleveland, Ohio, in Lake Erie. The case has included the following activity: 5 supplements to the application, 2 local public hearings, 7 days of adjudicatory hearings, 6 extensions of the briefing schedule at the request of the applicant, and recently a revised stipulation.

Attachments		Controlling Board Request No.: PUC0100063
Attachment Type	Attachment Description	
Other	Supporting Financial Documentation	

ATTACHMENT B



Power Siting Board

Mike DeWine, Governor
Sam Randazzo, Chairman

Board Members

Director, Ohio Environmental Protection Agency
Director, Ohio Development Services Agency
Director, Ohio Department of Health
Director, Ohio Department of Natural Resources
Director, Ohio Department of Agriculture
Public Member
Ohio House of Representatives
Ohio Senate

August 12, 2019

Case Number: [16-1871-EL-BGN](#)

Case Name: Project Icebreaker

Company: Icebreaker Windpower, Inc

Re.: Supplemental Application Fee

Dear Christine Pirik,

The initial application fee in the amount of \$50,000 for Project Icebreaker (Case No. [16-1871-EL-BGN](#)) has been exhausted. Your current balance is \$76,840.34. The funds are no longer available, from the initial application fee, to adequately pay for the Power Siting Board's expenses. The Public Utilities Commission of Ohio requested permission with the [Ohio Controlling Board](#) to invoice a supplemental application fee in the amount of \$150,000. The Controlling Board approved the supplemental fee request at its July 22, 2019 meeting (attached to email).

Please submit a Supplemental Application Fee of \$150,000 to cover current and future Power Siting Board expenses.

Please make checks payable to: Ohio Power Siting Board, Fund 5610

And mail to: Public Utilities Commission of Ohio
Finance Department, 4th Floor
180 East Broad Street
Columbus, Ohio 43215

Due Date: 08/26/2019

If dropping the check off in-person, please contact Jason Cross at (614) 466-7804.

Sincerely,

Ray Strom

Public Utilities Commission of Ohio

Rates & Analysis Department

Siting, Efficiency & Renewables Division

Raymond.Strom@puco.ohio.gov



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INCLUDE THIS PAGE WITH PAYMENT

Case Number: 16-1871-EL-BGN

Case Name: Project Icebreaker

Company: Icebreaker Windpower, Inc

AMOUNT DUE (Supplemental Fee): \$150,000

Check Number: _____

Please make checks payable to: Ohio Power Siting Board, Fund 5610

And mail to: Public Utilities Commission of Ohio
Finance Department, 4th Floor
180 East Broad Street
Columbus, Ohio 43215

Due Date: 08/26/2019

<u>Speed code</u>	<u>Deposit Unit</u>	<u>GL Unit</u>	<u>Fund</u>	<u>ALI</u>
PUCPSITING	PUC01	STATE	5610	n/a

<u>Account Code</u>	<u>Department</u>	<u>Program</u>	<u>Agency Use</u>	<u>ISTV Xref</u>
425049	PUC701310	n/a	n/a	n/a

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/3/2019 3:52:23 PM

in

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

Summary: Correspondence Letter filed by PUCO Staff electronically filed by Docketing Staff
on behalf of Docketing