

**From:** [Puco ContactOPSB](#)  
**To:** [Puco Docketing](#)  
**Subject:** Public comment - Jim Feasel - Case No. 19-1831-EL-BGN  
**Date:** Monday, November 4, 2019 3:07:36 PM  
**Attachments:** [Seneca Wind LLCs own List of Issues.pdf](#)

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please post the text below and the attached .pdf as a public comment on Seneca Wind 19-1831-EL-BGN

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**From:** Jim Feasel <jfeasel@woh.rr.com>  
**Sent:** Monday, November 4, 2019 12:57 PM  
**To:** Butler, Matthew <matthew.butler@puco.ohio.gov>  
**Subject:** Public comment for Seneca Wind 19-1831-EL-BGN

Matt, could you please post the text below and the attached .pdf as a public comment on Seneca Wind 19-1831-EL-BGN?

Thanks,

Jim Feasel  
Seneca County

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Ohio Power Siting Board  
180 East Broad Street, 11th floor  
Columbus, OH 43215-3793

RE: Pre-application for the Seneca Wind project 19-1831-EL-BGN

From the information presented at the pre-application Public Information Meeting held on 10/23/19 it is clear that this is essentially the same project as Seneca Wind 18-0488-EL-BGN which sPower applied for in July 2018 and then withdrew application in August 2019. It follows that every issue which plagued the first application applies as well to the new project. These issues include but are not limited to:

9 turbine locations less than 1 mile of Seneca East School and 16 turbine locations less than 2 miles from the school.

Airport and aviation issues with a substantial number of turbine locations.

Setback issues (due to insufficient landowner agreements) with over 24 of the turbine locations.

Still unresolved lawsuit in Seneca County OH over expired leases affecting at least 2 dozen turbines.

13 turbine locations in close proximity to Garlo Nature Preserve.

3 turbine locations in close proximity to Forrest Nature Preserve.

An almost total lack of support by the local community including opposition by the Seneca Board of County Commissioners, 4 out of 5 township Boards of Trustees, Seneca County Park District, Seneca East School District, and the aforementioned leaseholders whose leases have expired and are in litigation with Seneca Wind for not cancelling the agreements. The Seneca County Commissioners have also rescinded the AEZ and resolved to withdraw the PILOT tax break previously approved for the first Seneca Project if at all legally possible.

Also, essentially every issue that staff had with the original Seneca Wind project, as listed in the attached docket submission, remains with the newly submitted project.

These include:

- Staff's findings regarding aviation

- Staff's findings regarding endangered and threatened species

- Staff's findings regarding LifeFlight

- Staff's findings regarding safety

- Staff's findings regarding setbacks

- Staff's findings regarding communication systems

- Staff's orders in Conditions 26-28, 30-33, 36, 38-46

It is imperative that the Ohio Power Siting Board and Staff keep these recurrent issues top of mind when considering the approval of an application for Seneca Wind 19-1831-EL-BGN.

Jim Feasel

Eden Township

Seneca County OH

**BEFORE  
THE OHIO POWER SITING BOARD**

|  |                        |
|--|------------------------|
| In the Matter of the Application of Seneca )     |                        |
| Wind, LLC for a Certificate of Environmental )   |                        |
| Compatibility and Public Need for a Wind- )      | Case No. 18-488-EL-BGN |
| Powered Electric Generating Facility in Seneca ) |                        |
| County, Ohio. )                                  |                        |

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**SENECA WIND, LLC’S LIST OF ISSUES FOR CROSS-EXAMINATION**

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On July 8, 2019, the Ohio Power Siting Board’s (“OPSB” or “Board”), through its administrative law judge (“ALJ”), issued an entry that ordered parties to file their lists of issues for cross-examination by July 30, 2019. In the July 8, 2019 entry, the ALJ instructed the parties to list the “specific concerns about which they may be interested in pursuing cross-examination of witnesses at the evidentiary hearing.” Seneca Wind, LLC (“Seneca”) hereby submits its cross-examination issues list:

1. All aspects of the Staff’s report and investigation including, but not limited to:
  - a. Staff’s investigation and findings regarding aviation;
  - b. Staff’s investigation and findings regarding endangered and threatened species;
  - c. Staff’s investigation and findings regarding Lifeflight;
  - d. Staff’s investigation and findings regarding safety;
  - e. Staff’s investigation and findings regarding setbacks;
  - f. Staff’s investigation and findings regarding communication systems;
  - g. Staff’s investigation and findings regarding potential noise impacts and Seneca’s noise study;
  - h. Staff’s review and investigation regarding the Federal Aviation Administration’s determination of no hazard regarding turbines involved in the project; and

- i. Staff's correspondence and coordination with Ohio Department of Transportation regarding aviation.
2. All of Staff's recommended conditions, included but not limited to conditions 20-22, 26-28, 30-33, 36, and 38-46.
3. Seneca may pursue cross-examination regarding any filed testimony, including exhibits, of any party to this proceeding including Staff.
4. Seneca may pursue cross-examination of any party called as a witness to the case regarding matters relevant to this proceeding.
5. Seneca may pursue cross-examination from any individual subpoenaed to attend this proceeding.
6. Seneca reserves the right to amend or supplement this issues list. Further, Seneca's failure to include an issue on this list does constitute a waiver of Seneca's right to cross-examine witnesses on additional issues at the hearing.

Respectfully submitted,



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Sally W. Bloomfield (0022038)  
Dylan F. Borchers (0090690)  
Devin D. Parram (0082507)  
Dane Stinson (0019101)  
BRICKER & ECKLER LLP  
100 South Third Street  
Columbus, OH 43215-4291  
Telephone: (614) 227-2300  
Facsimile: (614) 227-2390  
E-Mail: [sbloomfield@bricker.com](mailto:sbloomfield@bricker.com)  
[dborchers@bricker.com](mailto:dborchers@bricker.com)  
[dparram@bricker.com](mailto:dparram@bricker.com)  
[dstinson@bricker.com](mailto:dstinson@bricker.com)

***Counsel for Seneca Wind, LLC***

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served upon the following parties listed below by electronic mail, this 30<sup>th</sup> day of July 2019.



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Devin D. Parram

[jstock@beneschlaw.com](mailto:jstock@beneschlaw.com)

[cendsley@ofbf.org](mailto:cendsley@ofbf.org)

[lcurtis@ofbf.org](mailto:lcurtis@ofbf.org)

[amilam@ofbf.org](mailto:amilam@ofbf.org)

[jclark@senecapros.org](mailto:jclark@senecapros.org)

[jvankley@vankleywalker.com](mailto:jvankley@vankleywalker.com)

[cwalker@vankleywalker.com](mailto:cwalker@vankleywalker.com)

[SShuff@foreignjourneys.com](mailto:SShuff@foreignjourneys.com)

[abauer@ohioedlaw.com](mailto:abauer@ohioedlaw.com)

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

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**Case No(s). 19-1831-EL-BGN**

Summary: Public Comment of Jim Feasel via website electronically filed by Docketing Staff  
on behalf of Docketing