BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application of :

Republic Wind, LLC for a Certificate of

Environmental Compatibility and Public : Case No. 17-2295-EL-BGN

Need for a Wind-Powered Electric

Generating Facility in Seneca and

Sandusky Counties, Ohio :

PREFILED TESTIMONY OF Grant Zeto

ON BEHALF OF THE STAFF OF THE PUBLIC UTILITIES COMMISSION OF OHIO POWER SITING DEPARTMENT

STAFF EX. ___

September 9, 2020

Q. Please state your name and your business address. 2 A. My name is Grant Zeto, and my business address is 180 East Broad Street, 3 Columbus OH 43215. 4 Q. 5 2. By whom are you employed and what is your position? 6 A. I am employed by the Public Utilities Commission of Ohio (PUCO) as a 7 Utility Specialist 2 in the Power Siting Department. 8 9 3. Q. Please summarize your educational background and work experience. 10 A. I received a Bachelor of Science Degree in Environment and Natural 11 Resources from The Ohio State University in Columbus, Ohio. 12 13 I have been employed by the PUCO since August 2011. My responsibilities 14 during this time have primarily involved review of Power Siting cases. 15 4. What was your role in this case? 16 Q. 17 A. I was a Staff subject analyst for portions of the staff report by contributing 18 to the overall staff investigation. 19 20 5. Q. What sections of the staff report of investigation did you work on? 21 Surface Waters, Threatened and Endangered Species, and Vegetation A. 22

1

1.

- 1 6. Q. Does the occurrence of additional bald eagle nests near or within the project
 2 area effect your conclusions or recommendations in the staff report of
 3 investigation?
- 4 No. Condition 40 states the following, "The Applicant shall coordinate with A. 5 the USFWS to determine the adequacy of preconstruction eagle use surveys and assure that impacts to bald eagles are minimized. If recommended by 6 7 the USFWS, the Applicant shall develop and implement an Eagle 8 Conservation Plan. The Eagle Conservation Plan shall be developed in 9 coordination with the USFWS and in accordance with the USFWS's Eagle 10 Conservation Plan Guidance document and 2016 Revised Eagle Take 11 Permit Regulations (50 CFR 22). Further correspondence with USFWS shall be provided to Staff 30 days prior to turbine construction to confirm 12 13 compliance with this condition." Requiring the Applicant to comply with the terms of condition 40 would adequately minimize potential impacts to 14 15 bald eagles even if there are new nests in the project area since the issuance 16 of the staff report.

17

18

- 7. Q. Does this conclude your testimony?
- 19 A. Yes, it does. However, I reserve the right to submit supplemental
 20 testimony, as new information subsequently becomes available or in
 21 response to positions taken by other parties.

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing **Prefiled Testimony of Grant Zeto**, submitted on behalf of the Staff of the Ohio Power Siting Board, was served via electronic mail, upon the following parties of record, this 9th day of September, 2020.

/s/ Jodi J. Bair

Jodi J. Bair

Assistant Attorney General

Parties of Record:

Sally W. Bloomfield
Dylan F. Borchers
Devin D. Parram
Dane Stinson
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215-4291
614.227.2300 (telephone)
614.227.2390 (facsimile)
sbloomfield@bricker.com
dborchers@bricker.com
dparram@bricker.com
dstinson@bricker.com

Counsel for Republic Wind, LLC

Miranda R. Leppla
Trent A. Dougherty
Christopher D. Tavenor (0096642)
The Ohio Environmental Council
1145 Chesapeake Avenue, Suite I
Columbus OH 43212
614.487.7506 (telephone)
(614) 487-7510 (facsimile)
mleppla@theoec.org
tdougherty@theoec.org
ctavenor@theoec.org

Chad A. Endsley
Leah F. Curtis
Amy M. Milam
Ohio Farm Bureau Federation
280 North High Street, P.O. Box 182383
Columbus, OH 43218-2383
614.246.8256 (telephone)
614.246.8656 (facsimile)
cendsley@ofbf.org
lcurtis@ofbf.org
amilam@ofbf.org

Counsel for Ohio Farm Bureau Federation

Jack Van Kley Christopher A. Walker Van Kley & Walker LLC 120 West Second Street, Ste 1700 Dayton, OH 45402 937.226.9000 (telephone) 937.226.9002 (facsimile) jvankley@vankleywalker.com cwalker@vankleywalker.com

Counsel for Local Resident Intervenors

Counsel for Ohio Environmental Council and Environmental Defense Fund

Derek W. DeVine Joshua D. Clark

Seneca County Prosecutor 79 South Washington Tiffin, OH 44883 419.448.4444 (telephone) 419.443.7911 (facsimile) dwd@senecapros.org jclark@senecapros.org

Counsel for Seneca County Commissioners, Adams Township, Scipio Township, Reed Township, and Seneca County Park District

Dennis & Leslie Hackenburg

6015 County Road 191 Bellevue Oh 44811 dennyh7@frontier.com

Pro Se Counsel

Administrative Law Judges:

Jay S. Agranoff Amrita A. Sanyal

Public Utilities Commission of Ohio 180 East Broad Street Columbus, OH 43215-3763 614.644.7694 (telephone) 614.728.8373 (facsimile) Jay.Agranoff@puco.ohio.gov Anna.Sanyal@puco.ohio.gov

Mark E. Mulligan

Sandusky County Prosecutor's Office 100 North Park Avenues Suite 220 Fremont, OH 43420 419.334.6221 (telephone) 419.334.6232 (facsimile) mulligan_mark@co.sandusky.oh.us

Counsel for Petitioner the Board of Trustees of York Township, Sandusky County, Ohio

Michael & Tiffany Kessler

4133 N Township Road Republic Oh 44867 mkessler7@gmail.com

Pro Se Counsel

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/9/2020 3:05:48 PM

in

Case No(s). 17-2295-EL-BGN

Summary: Testimony Prefiled Testimony of Grant Zeto electronically filed by Mrs. Kimberly M Naeder on behalf of OPSB