

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the :
Application of Firelands :
Wind, LLC, for a :
Certificate of :
Environmental : Case No. 19-1073-EL-BTX
Compatibility and Public :
Need to Construct a :
Transmission Line in Huron:
and Erie Counties, Ohio. :

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PROCEEDINGS

before Ms. Patricia Schabo and Ms. Jacky St. John,
Attorney Examiners, at the Ohio Power Siting Board,
via Webex, called at 6:00 p.m. on Tuesday,
February 9, 2021.

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1 APPEARANCES:

2 Dickinson Wright PLLC
3 By Ms. Christine M.T. Pirik
4 Mr. Terrence O'Donnell,
5 and Mr. Will Vorys
6 150 East Gay Street, Suite 2400
7 Columbus, Ohio 43215

8 On behalf of the Applicant.

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Tuesday Evening Session,
February 9, 2021.

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ALJ SCHABO: Let's go ahead and go on the
record.

Good evening, everyone, and welcome. My
name is Patricia Schabo, and with me is Jacky St.
John. And we are the Administrative Law Judges in
the Legal Department of the Ohio Power Siting Board
that have been assigned to this proceeding which is
Case No. 19-1073-EL-BTX.

One of our duties as the assigned
Administrative Law Judges is conducting a public
hearing in this case which involves the application
by Firelands Wind, LLC, for a Certificate to
Construct a Transmission Line in Huron and Erie
Counties in Ohio.

Due to the COVID-19 emergency that
remains in effect under Executive Order No. 2020-01D
issued by the Governor of Ohio in March 2020,
tonight's hearing is being held through Webex which
enables interested persons to offer testimony on the
proposed projects by telephone or video via the
internet. The hearing is also being live streamed at
www.youtube.com/user/pucohio.

Before we get started with the public hearing, I would like to address some preliminary issues. First, if you experience technical difficulties during the hearing, you have several options. If your internet connection drops at any point, you can try to join Webex again by video, or you can participate by phone by dialing 1-408-418-9388 and entering meeting No. 1738503264. If neither option is successful, please call the Board's Legal Department at (614) 466-6843 for assistance. Finally, if you merely wish to listen or watch the hearing, you can view the live stream on the YouTube channel.

More information about the Webex technical help options could be obtained through the chat feature which will be available throughout the hearing. You may click on the chat button at any time to obtain technical assistance or to ask procedural questions during the hearing. The chat feature should not be used for any other purpose such as to offer comments about the proposed project. Please be aware that chats are recorded, are not part of the official record for the case, and should not be considered private.

As indicated by the entry dated

November 6, 20 -- I'm sorry, 2020, witnesses were required to preregister to testify. Individuals who have registered to provide testimony should be ready to speak when we read their name from the registration list. Individuals who are commenting by video will be unmuted by Board staff when it is their time to testify. If you are providing testimony by telephone, a Board staff member will call you at the phone number you provided when it is your turn.

Please bear with us as we work to queue up each individual which may take some time. It may also temporarily divert our attention. If this happens, please be patient and know that we are working to ensure that everyone has an opportunity to participate.

Finally, to avoid unnecessary background noise, we ask that all participants keep their microphones on mute unless you are commenting. Again, if you have any questions about this process as the hearing proceeds, please use -- please use the chat function.

I will ask quickly if there are any questions before we officially get started. I don't see anything popping up in the chat box or anyone frantically waving.

1 So with that I will turn this over to
2 you, Judge St. John.

3 ALJ ST. JOHN: Thank you. The Ohio Power
4 Siting Board has scheduled for hearing at this time
5 and place Case No. 19-1073-EL-BTX which is captioned
6 in the Matter of the Application of Firelands Wind,
7 LLC, for a Certificate of Environmental Compatibility
8 and Public Need to Construct a Transmission Line in
9 Huron and Erie Counties, Ohio.

10 My name is Jacky St. John, and with me is
11 Patricia Schabo. We are Administrative Law Judges in
12 the Board's Legal Department, and we will be
13 conducting today's hearing. Also presiding with us
14 today is Ohio Power Siting Chair Beth Trombold.

15 Chair Trombold, would you like to make
16 any comments at this time?

17 CHAIRMAN TROMBOLD: Thank you. I just
18 want to say I'm here in a listening mode, and I
19 welcome all the participants that are going to
20 testify today. I'm interested in hearing what
21 everyone has to say about this project and thank you
22 for being willing to do this virtually as we have
23 been doing during the pandemic. And I think you'll
24 find it works out just fine. These ladies are very
25 professional, and our whole team has been able to

1 provide this virtual experience I think in a way that
2 works really well. So thanks everyone for
3 participating.

4 ALJ ST. JOHN: Thank you.

5 I would like to note that we also have
6 OPSB staff members attending this conference
7 including Micah Schmidt, Jill Kocher, Matt Butler,
8 and Brittany Waugaman who will be overseeing the
9 event on Webex and YouTube.

10 At this time we will take the appearances
11 of counsel for the parties to this case. We'll begin
12 with the Applicant.

13 MS. PIRIK: Thank you, your Honor. On
14 behalf of Firelands Wind, LLC, the law firm of
15 Dickinson Wright PLLC, by Christine Pirik, Terrence
16 O'Donnell, and Will Vorys, 150 East Gay Street,
17 Columbus, Ohio 43215.

18 ALJ ST. JOHN: Thank you. And I'll also
19 note for the record that counsel for Staff is not
20 present this evening.

21 The subject of today's hearing is an
22 application filed by Firelands Wind, LLC, for the
23 purpose of developing, constructing, and operating a
24 new approximately 9 mile long 345 kilovolt overhead
25 transmission line.

Specifically the proposed project would connect the Emerson Creek project which is a proposed wind-powered electric generating facility with the Davis-Besse/Beaver 345 kilovolt transmission line. The transmission line at issue in this case would pass through Lyme, Richfield, and Oxford Townships in Huron and Erie Counties.

Firelands' application was filed on August 28, 2019, and was supplemented on September 12 and September 30, 2019. On May 1, 2020, the Board's Staff filed a Report of Investigation. This report is a recommendation from the Board's Staff and does not necessarily reflect what the Board's final determination will be.

The purpose of today's public hearing is to receive testimony regarding Firelands' application from entities and persons in the local community who are affected by the proposed project but who are not parties to the case. The public hearing is not a question and answer session but is an opportunity to let the Board know what you think about the proposed project.

Today's public hearing is only one aspect of this case. An evidentiary hearing is scheduled to begin on Tuesday, February 23, 2021, via Webex. The

1 purpose of the evidentiary hearing is for the parties
2 in this case, including Applicant, Intervenors, and
3 Board Staff, to provide testimony and other evidence
4 regarding the project.

5 Today's hearing is being transcribed by a
6 court reporter, Karen Gibson from Armstrong & Okey.
7 If you plan to testify, please speak clearly so that
8 the court reporter can accurately reflect your
9 comments on the record. Please make sure that you
10 verbally respond to all questions asked so that they
11 can be properly transcribed.

12 After I finish with this introduction, we
13 will call the individuals on the registration list to
14 testify about the proposed project. Each person who
15 registered to testify will be permitted to speak once
16 about the project. If you are testifying tonight, we
17 will ask you to take an oath or affirmation that what
18 you are about to say is the truth. Your testimony
19 will then be considered as part of the official
20 record in this case, and it will be reviewed by the
21 Board before a final decision is made on the
22 application.

23 Additionally, counsel for the parties in
24 this case, as well as Judge Schabo and myself, will
25 be permitted to ask you questions about your

1 testimony. Should you decide that you do not want to
2 testify when we call your name from the registration
3 list, you can pass to the next witness. Also once
4 you have finished testifying or if you are here just
5 to observe, you may leave the hearing at any time you
6 wish.

7 If individuals wish to supplement their
8 testimony with an exhibit for the Board's
9 consideration, a copy of that document along with the
10 reference to Case No. 19-1073-EL-BTX must be provided
11 to the Board no later than February 12, 2021. The
12 document may be sent by e-mail to
13 contactopsb@puco.ohio.gov or by mail to Ohio Power
14 Siting Board, 180 East Broad Street, Attention
15 Docketing Division, Columbus, Ohio 43215.

16 For those of you not testifying but who
17 wish to file public comment regarding the proposed
18 project, you can do so in writing on the Board's
19 website by e-mail at contactopsb@puco.ohio.gov or by
20 mail to Ohio Power Siting Board, 180 East Broad
21 Street, Attention Docketing Division, Columbus, Ohio
22 43215. Written comments should reference Case No.
23 19-1073-EL-BTX.

24 The Board appreciates your participation
25 in tonight's hearing, and we want everyone who is

1 registered to testify to have the opportunity to do
2 so. At this time we're going to begin with the
3 testimony. The first witness on our list tonight is
4 William Seaman.

5 Mr. Schmidt, could you please promote the
6 witness to a panelist's role.

7 MR. SCHMIDT: Mr. Seaman, you've been
8 promoted. If you can enable your audio and video.

9 MR. SEAMAN: Okay. It looks like I'm
10 here.

11 ALJ ST. JOHN: It looks so. We can see
12 and hear you. And it looks like the name listed on
13 your screen is Dennis Schreiner but this is William
14 Seaman. I understand you are sharing a computer
15 tonight; is that correct?

16 MR. SEAMAN: Yes. Dennis is our
17 technical support person, so it's best to do it when
18 he's available.

19 ALJ ST. JOHN: Understood. Well, before
20 we get started, I would like to ask you to please
21 raise your right hand.

22 (Witness sworn.)

23 ALJ ST. JOHN: Thank you. Please state
24 and spell your name for the record.

25 MR. SEAMAN: My name is William Seaman,

1 that's W-I-L-L-I-A-M. My last name is spelled
2 S-E-A-M-A-N.

3 ALJ ST. JOHN: Thank you. Please provide
4 your address including the township.

5 MR. SEAMAN: My address is 4584 State
6 Route 547, that is Bellevue, Ohio, but that is in
7 Lyme Township, Ohio, in Huron County.

8 ALJ ST. JOHN: Thank you. Do you reside
9 or work within the project area?

10 MR. SEAMAN: I reside in the footprint of
11 the Emerson Creek wind project. My brother and I own
12 farm property in western Oxford Township as well.

13 ALJ ST. JOHN: Okay. Thank you. Please
14 proceed with your testimony.

15 MR. SEAMAN: As I said earlier, my
16 younger brother and I own more than 230 acres of farm
17 property and woods and one home in western Oxford
18 Township. The Emerson Creek transmission lines and
19 their towers skirt the western edge of one of those
20 farms. The transmission lines and their towers will
21 be easily visible from at least four of our farm
22 parcels.

23 I'm here remotely tonight to publicly
24 state my opposition to the Emerson Creek transmission
25 line. I've examined the maps listed in the case

1 details of the Ohio Power Siting Board website
2 showing the three variants of the path of the
3 transmission line from Huron County through Erie
4 County to the Board where it will interconnect with
5 the high voltage line that feeds power to the PJM
6 grid.

7 I have two major concerns with their
8 transmission line project. First is the potential
9 threat caused by the transmission lines and towers to
10 birds and bats in our neighborhood. There has been a
11 dramatic increase in the number of bald eagle
12 sightings in Erie and Huron County as there have been
13 in many portions of Ohio. The eagle populations are
14 moving steadily from the south shore of Lake Erie
15 into the rural landscapes of Erie and Huron County.
16 ODNR studies verify this fact.

17 Second, is there really an economic need
18 for this project? Apex wind complexes are private
19 projects. Their Emerson Creek projects are for the
20 benefit of Apex, it's few leaseholders, and the
21 governmental entities which believe they will benefit
22 from the tax receipts from the towers, transmission
23 lines, et cetera.

24 These wind complexes provide intermittent
25 heavily taxpayer-subsidized resource wasteful power

1 generation. You cannot compare these projects to the
2 public good, for example, of the Ohio Turnpike or
3 large hydroelectric dams in the western part of the
4 U.S.

5 It is easy to argue that every benefit
6 caused by the Emerson Creek wind complex comes with
7 an equal cost. Who will want to build a home near
8 large transmission towers? Will the transmission
9 towers cause local landowners and homeowners to seek
10 and receive local property valuations; and, thus, the
11 county township and school authorities will see less
12 in tax receipts.

13 Already in my neighborhood at Hunts
14 Corners in Huron County, a much improved home has
15 been for sale for longer than one year. And I would
16 posit the probable cause it is not selling is because
17 the house comes with a good neighbor wind lease, and
18 those wind leases can last up to 60 years.

19 Ultimately I'm against this project
20 because turning my neighborhood into an industrial
21 park is not a good thing, not for wildlife, not for
22 property values, not for the reliability of power
23 generation. One hopes through the state legislative
24 process local control will be given to township
25 residents, not CEOs from Charlottesville, Virginia,

1 not lobbyists in Columbus and Washington, D.C., which
2 would enable us to vote these projects up or down.
3 Some townships would vote for the projects; others
4 would not. A local vote is our best chance for fair
5 play in the siting of these wind projects.

6 Thank you for listening.

7 ALJ ST. JOHN: Thank you for your time.

8 Are there any questions for this witness
9 from counsel or the Bench?

10 MS. PIRIK: Your Honor, I just --

11 ALJ SCHABO: No questions.

12 MS. PIRIK: I'm sorry, just have one
13 clarification question.

14 Mr. Seaman, it's good to see you. I
15 guess my one question is when you referenced that you
16 are opposed to the project, are you talking about the
17 transmission line project, or are you talking about
18 the wind farm project which is a separate case?

19 MR. SEAMAN: I'm talking about both, but
20 I also object to the transmission line project simply
21 because that is so close to one of our farms in
22 Oxford Township.

23 MS. PIRIK: Okay. Thank you.

24 ALJ ST. JOHN: All right. Seeing no more
25 questions, thank you very much for your testimony.

1 You are excused.

2 MR. SEAMAN: Thank you.

3 ALJ ST. JOHN: Have a nice evening.

4 The next witness on our list tonight is
5 Patricia Didion.

6 MR. SCHMIDT: Ms. Didion, you've been
7 promoted. If you can enable your audio and video.

8 MS. DIDION: Okay. Can you see it?

9 ALJ ST. JOHN: We can hear you, but we
10 cannot see you.

11 MS. DIDION: Okay. Is it working now?

12 ALJ ST. JOHN: Yes. We can see you.
13 Thank you.

14 MS. DIDION: Okay.

15 ALJ ST. JOHN: Before you begin, could I
16 ask you to please raise your right hand.

17 MS. DIDION: Sure.

18 (Witness sworn.)

19 ALJ ST. JOHN: Please state and spell
20 your name for the record.

21 MS. DIDION: Okay. My name is Patricia
22 Didion, P-A-T-R-I-C-I-A D-I-D-I-O-N.

23 ALJ ST. JOHN: Please provide your
24 address including the township.

25 MS. DIDION: Okay. I reside at 4765

1 Williams Road, that's Lyme Township, Bellevue, Ohio
2 44811.

3 ALJ ST. JOHN: Do you reside or work
4 within the project area?

5 MS. DIDION: Yes. I live within the
6 project area, the footprint.

7 ALJ ST. JOHN: All right. Thank you.
8 Please proceed with your testimony.

9 MS. DIDION: Okay. Okay. My name is
10 Patricia Didion, and I reside at Williams Road in
11 Lyme Township, Bellevue, Ohio. I am in the Emerson
12 Creek wind farm footprint.

13 My husband and I built our home 52 years
14 ago on land that's been in the family for many
15 decades. Subsequently two other family members built
16 their homes on the family land on Williams and Mead
17 Road. My late husband and his two brothers farmed
18 950 acres in Sherman, Lyme, and Richfield Townships.

19 Little did we know when we built our home
20 that we would be faced with this turbine issue today.
21 We and many others did not sign a wind turbine lease
22 and are strongly opposed to them for many reasons.
23 We reside very close to the proposed collection
24 substation and overhead transmission lines. Our
25 family owns 140 acres located on Williams, Mead, and

Yingling Roads in direct view of the proposed collection substations, several transmission lines in the west and north, and industrial-sized 660 foot turbine 23 in the immediate adjacent field and turbine 22 to the north close to 113.

A great deal of -- oh, my gosh. Wait a minute. Okay. Excuse me. I thought that was turned off.

We reside very close to the proposed collection substation and overhead transmission lines. I think I said all this. Our family owns 140 acres located on Williams, Mead, and Yingling Roads in direct view of the proposed collection substation, several transmission lines in the west and north, and industrial-sized 660 foot tall turbine 23 in the immediate adjacent field and turbine 22 to the north close to Road 113. A great deal of our land has road frontage. Actually several, if not all, Emerson Creek 650 foot turbines located within 5 to 10 miles of our home will be visible.

We and many other people have been cast into an industrial zone on just about all sides of our properties. Note, please note, one cannot talk about the collection substation, the overhead and underground transmission lines, and the point of

1 intersect substation without referring to the 71
2 proposed 660 foot tall industrial-sized wind turbines
3 being widely spread throughout our rural landscapes,
4 our townships, and communities.

5 Landscape appeal has a lot to do with
6 property value. Many rural residents cherish their
7 unobstructed countryside views. Many, including me,
8 want to look at the landscape and skies unimpeded by
9 660 feet tall turbines, collection stations, and
10 overhead transmission lines.

11 Consequently, we are very concerned about
12 our property value as are other non-leaseholders. In
13 2010 Appraiser Michael McCann as quoted in Paradise
14 Destroyed testified to an Illinois Adams County Board
15 about property devaluation due to wind farms. He
16 concluded real estate sales data typically reveals a
17 range of 25 percent to 40 percent of value loss with
18 some instances of total loss as measured by
19 abandonment and demolition of homes.

20 Many, many other studies also show
21 property devaluation. However, few, if any, studies
22 are available for 660 foot turbines which are those
23 proposed for the Emerson Creek project. The
24 turbine -- the turbine noise, infrasound, shadow
25 flicker, seismic vibrations, water issues, wildlife

1 suppression, nighttime lighting, and potential for
 2 serious safety and real health risks decrease
 3 property appeal and value. People will not want to
 4 buy or build anything in an area that has all of
 5 these huge problems. They will move away. I asked
 6 my grandson if he would want to build on our property
 7 with a turbine nearby, and he said no, absolutely no.
 8 Many, many people will say no.

9 Then when we had the presence and issues
 10 of a collection substation, overhead H-frame
 11 transmission lines, linkage of underground lines with
 12 additional turbines, and the point of interconnect
 13 substation property values will decrease even
 14 further. The issues related to the substations and
 15 transmission lines include noise; electric and
 16 magnetic fields; interference with radio, T.V.,
 17 internet, wifi, and microwave signals; potential for
 18 health risks, maybe cancer, leukemia; loss or
 19 disturbance of wildlife and their habitat; potential
 20 damage to existing gas lines, watersheds, and other
 21 environmental concerns.

22 The collection substation on Yingling
 23 Road is near a natural gas line. Many other gas
 24 lines exist in the proposed transmission line
 25 project. Also the collection substation and a number

1 of overhead lines and turbines sit on the Ohio
2 Department of Natural Resources identified 2008
3 Groundwater Contribution Zone for Flooded Area.
4 Note, this was published in the Ohio Division of
5 Natural Resources Groundwater Induced Flooding in the
6 Bellevue, Ohio, Area Spring and Summer 2008 report
7 which was published in 2009.

8 In addition to the gas line and water
9 issue, there is a deer crossing nearby. Thus, we
10 will see there are many issues contributing to the
11 loss of property value and appeal for the residents
12 and owners.

13 Next, I would like to speak to the need
14 for the Emerson Creek transmission line, and again,
15 one cannot speak to that without reference to the
16 Emerson Creek wind farm. There is not a need for
17 this project. We are fortunate to have more than
18 adequate long-term supply of electricity available to
19 us in Huron and Erie Counties, Ohio, and many other
20 states.

21 We know the wind energy is not reliable.
22 According to an April 2020 report from the Office of
23 Nuclear Energy located in Washington D.C., nuclear
24 energy has been rolling up its sleeves for six
25 decades now to provide constant, reliable,

1 carbon-free power to millions of Americans. The
2 population density of Erie and Huron Counties is
3 significant.

4 Why should we as community members suffer
5 in so many ways to supply and sell expensive,
6 unreliable, intermittent energy to others? This is a
7 project benefiting those interested in tax credits
8 and relying on governmental subsidies. Great humor
9 in Paradise Destroyed reports, as we already know,
10 the wind farm is not being built to harvest
11 electricity or profit landowners but to harvest the
12 Production Tax Credit and make their profit
13 themselves.

14 So why then do we destroy agricultural,
15 residential areas in our communities for projects
16 like these? Do you know they are not making any more
17 land anywhere? Why keep taking rural residential and
18 agricultural land away and replacing it with massive
19 turbines, collection substations, H-frame poles, and
20 points of interconnect stations? Agricultural is one
21 of Ohio's greatest industries.

22 In conclusion, we see there is much at
23 stake including the loss of real estate and country
24 landscape values, increased health and safety
25 hazards, harmful soil and watershed effects, wildlife

1 and environmental impacts. Thus, I'm asking you to
2 deny the Emerson Creek transmission line and the
3 related Emerson Creek wind farm. Thank you for your
4 time.

5 I do have one additional comment, if I
6 may say that. I would like to state that these
7 virtual meetings have seriously hindered the ability
8 of our community to participate and communicate their
9 concerns. If any further hearings are conducted, I
10 suggest meetings are held with social distancing and
11 use of masks and other precautions or propose
12 postponing these meetings further until the virus has
13 subsided. I believe if we had a public meeting,
14 there would probably be a great deal of people
15 present and would readily supply more testimony than
16 what we are providing.

17 So I appreciate the fact the virus issues
18 and everything else, but I think it needs to be on
19 the record that this has seriously hindered our
20 participation. And thank you for your time and your
21 consideration. I appreciate it very much. Thank
22 you.

23 ALJ ST. JOHN: Thank you for your
24 testimony and comments.

25 Are there any questions for this witness

1 from counsel or the Bench?

2 MS. PIRIK: No, your Honor.

3 ALJ ST. JOHN: Thank you. Hearing none,
4 we appreciate your testimony, and you are now
5 excused. Have a nice evening.

6 The next witness on our list tonight is
7 Dennis Schreiner.

8 MR. SCHMIDT: Mr. Schreiner, you've been
9 promoted. If you can enable your audio and video.

10 MR. SCHREINER: All right. Can you see
11 my video feed and hear me?

12 ALJ ST. JOHN: Yes, we can. Thank you.

13 MR. SCHNEIDER: Very good.

14 ALJ ST. JOHN: Please raise your right
15 hand.

16 (Witness sworn.)

17 ALJ ST. JOHN: Please state and spell
18 your name for the record.

19 MR. SCHREINER: My name is Dennis W.
20 Schreiner, D-E-N-N-I-S., middle initial W, last name
21 S-C-H-R-E-I-N-E-R. My address is 8403 State Route
22 99, Sandusky, Ohio. I live in Groton Township, and I
23 am an abutting property owner to the Emerson Creek
24 industrial wind farm.

25 ALJ ST. JOHN: Thank you. Do you reside

1 or work within the project area?

2 MR. SCHREINER: Yes.

3 ALJ ST. JOHN: All right. Please proceed
4 with your testimony.

5 MR. SCHREINER: Your Honors, Acting
6 Chairman Trombold, Mr. Butler, thank you for giving
7 me the opportunity to talk to you tonight.

8 My wife and I live on property abutting
9 the proposed Emerson Creek wind project. The subject
10 of this communication though tonight is primarily
11 concerning the transmission line that's been
12 identified as Case No. 19-1073-EL-BTX. My wife and I
13 are in opposition to the transmission line because it
14 is an integral part of the Emerson Creek industrial
15 wind project.

16 These two projects are inextricably tied
17 and not possible to have one exist without the other.
18 The transmission line project, although at first
19 flush appearing to be based on accepted engineering
20 practices and adhering to PJM standards, allows the
21 Emerson Creek wind project to be connected to the PJM
22 grid.

23 We oppose building this project and the
24 Emerson Creek transmission line. My primary
25 opposition was presented in the Emerson Creek wind

1 farm adjudicatory hearing in pages and pages of
2 testimony, cross-examination, and discovery that was
3 submitted for this. I won't belabor you with that.
4 That's all part of the record.

5 An interesting aspect is an Apex
6 development manager for Republic wind project stated
7 there is no testimony against the transmission line
8 project at the local public hearing; therefore, we
9 can conclude that this is -- no one has a problem
10 with it. This public hearing was held virtually on
11 January 7 of this year. This testimony should then
12 let Apex know that there is some opposition to this
13 project.

14 I believe that development manager's
15 statement to be at best nonfactual because he
16 absolutely knows that there is opposition to these
17 projects because we've seen him at county
18 commissioner meetings and he's well aware that we
19 denied the pilot and that every turn in hearings
20 we've had opposition.

21 And like Ms. Didion from -- has put up we
22 would have hundreds of people show up to these
23 meetings, but now that it's virtual, Mr. Seaman has
24 to come and use my computer. A lot of us out here
25 don't have high speed internet connections, but I'm

1 kind of like a technical guy, so I pay the extra
2 money to get the higher speed feeds so we can use my
3 house to coordinate some of this.

4 The opposition to this entire project has
5 hundreds of letters in your case file. Those are
6 handwritten letters by people that actually live in
7 the project area or very close to the project area;
8 whereas, the people that support the project are from
9 Toledo, Cleveland, Columbus, and don't live in this
10 area. They were all also computer-generated form
11 letters that virtually there's four or five versions
12 but that's what was there.

13 My testimony here is going to be talking
14 about a little bit different aspect. We are often
15 told by Apex that once this industrial wind complex
16 is built, that the area electrical rates will be
17 reduced because, you know, the wind is free. The
18 cost of actually producing electricity has dropped
19 significantly in the last decade. Think about that.

20 So why aren't we seeing reduced prices in
21 our electricity bills? Well, Charles McDonald,
22 former Assistant Secretary of Energy for the Obama
23 Administration, answered this riddle in a timely
24 article he posted February 1 of this year. So why
25 does your electric bill keep going up when the cost

1 of producing electricity keeps going down? Well,
2 since 2010, the price of natural gas has dropped
3 43 percent, and coal prices have dropped 11 percent.
4 However, the price of electricity for residential
5 users in the U.S. has risen 13 percent over that
6 time.

7 How could this be? Because all the money
8 that Americans should have saved, and we're talking
9 about serious money right here, all went to subsidize
10 renewable energy. Wind and solar, as it turns out,
11 are much more expensive than the wind companies and
12 the solar companies advertise.

13 Perhaps if this renewable energy is what
14 has made our air cleaner or what has caused a
15 dramatic reduction in CO-2 over the last decade, you
16 might say maybe it was all worth it. But our air was
17 already being dramatically cleaner long before wind
18 and solar ever came on the scene and was identified
19 as environmentally critical. Emissions of harmful
20 pollutants have decreased 77 percent in the U.S.
21 since 1970, and those reductions have absolutely
22 nothing to do with wind and solar.

23 Later on you find out whenever you put a
24 wind or solar farm in, you put combustion turbines or
25 some kind of natural gas device to back them up 60

1 percent of the time that it doesn't really make that
2 big a change. So it's almost entirely due to the
3 switch from natural -- from coal to natural gas and
4 then adding some nuclear power plants to our industry
5 mix, though the nuclear aspect isn't that
6 significant.

7 So if we are getting no cost savings from
8 wind and solar and minimal benefits in terms of
9 cleaner air or reductions in CO-2, so why are we so
10 obsessed with it? Well, the question becomes even
11 sharper if we take a look at your electric bill
12 because it has three parts. One is called generation
13 cost. Part 2 of it is called transmission cost. And
14 part 3 is taxes and fees. The cost of generation and
15 reliably maintaining electric -- electricity
16 comprises about 50 percent of your power bill. And
17 in order to keep the lights on, the demand for and
18 the supply of electricity must be satisfied at all
19 times.

20 Fossil fuel and electricity is somewhat
21 inexpensive, and the fuel can be stored and sourced
22 on-site. The electricity is there when you need it.
23 In contrast wind and solar are based on the mood of
24 mother nature and this is known as the great
25 intermittency problem. Here is what it means in

1 practical terms because for every wind and solar farm
2 you build, you need a fossil fuel facility somewhere
3 nearby to supply electricity to meet demand. This is
4 what filmmaker Michael Moore and his team found out
5 much to their shock when researching green energy for
6 their documentary Planet of the Humans.

7 All that wasted money is reflected in
8 your electricity bill. Transmission costs, the cost
9 to transmit electricity, is determined by the
10 distance between the power source and the end users.
11 This is one of the reasons fossil fuel and nuclear
12 plants are ideally suited to power big, high dens --
13 high density cities and industries. They require
14 very little land, and they can be situated near or
15 within population centers so that they need
16 relatively few transmission lines.

17 The length of the transmission line also
18 you lose power much as in an extension cord. If you
19 have a real long cord, you know, the cord heats up,
20 and you lose some of the power that you are trying to
21 direct. But wind and solar resources require large
22 tracts of land. For Emerson Creek it's 32,000 acres
23 for 300 megawatts where you can do 900 megawatts on
24 150 acres if you would go with a more dense source.

25 Like I said, they require large tracts of

land, and they are usually placed in remote locations. These longer transmission distances are less efficient than a shorter distance line. The remoteness associated with industrialized wind and solar requires expensive new infrastructure.

Texas, for one example, has already spent \$7 billion in new transmission lines to bring their distant wind power to cities in the east and south. Billions more will be required. Texans are already seeing those costs in their energy bills. But Texas is not unique. It's happening everywhere, and you see it in California too.

And then the last part is taxes and fees. Most taxes are plainly stated on your bill, state taxes, city taxes, county taxes, plus a bewildering assortment of fees. These are bad enough but what you don't see on your electric bill are the federal and in many places state taxes that you pay to subsidize wind and solar generation.

Federal subsidies alone for wind and solar total more than \$70 billion from 2010 to 2019. Most state governments take in their own incentives as does Ohio. The subsidies for wind and solar are in a class all by themselves and have been protected for decades. We are not incentivizing any new

1 technology, but we are artificially supporting an
2 industrial that apparently cannot pay for itself in a
3 level playing field. Take away the subsidies and
4 very likely that industry will not exist.

5 So add it all up, generation costs, the
6 transmission costs, the taxes, and the fees, and
7 you're paying a lot more than you should. But maybe
8 you can afford it. Or many can't. An electric bill
9 is an aggressive expense meaning it takes up a lot
10 bigger chunk of the budget of lower class and middle
11 class families than it does an upper middle class
12 family. Many poor families devote more than
13 10 percent of their income for food, rent, and
14 transportation, to electricity while those further up
15 the income scale only spend a few percent.

16 It's one of the reasons in Ohio we have
17 to have subsidy laws, because of the rural poor. We
18 have to subsidize their electric bills because
19 electricity in Ohio is becoming expensive, and if you
20 approve the Emerson Creek wind farm and the Emerson
21 Creek transmission line, you will be adding to the
22 woes of those people in our rural communities.

23 That is all I have to say unless you have
24 some questions.

25 ALJ ST. JOHN: Thank you for your

1 testimony.

2 It looks like counsel might have dropped
3 off, might be having some connectivity issues. In
4 the meantime do we have any questions for this
5 witness from the Bench?

6 ALJ SCHABO: No.

7 MS. PIRIK: Your Honor, can you hear me?

8 ALJ SCHABO: I was going to say can you
9 still hear us?

10 MS. PIRIK: I can -- I can still hear
11 you. I mean, I just rebooted.

12 ALJ SCHABO: Okay. Great. Do you have
13 any questions for Mr. Schreiner?

14 MS. PIRIK: Yes, I have one question for
15 Mr. Schreiner.

16 Mr. Schreiner, it's good to see you
17 tonight. My one question has to do with I know early
18 on you said that you were within the footprint of the
19 project area. I just want to be sure, are you
20 talking about within the footprint of the
21 transmission line project area, or are you referring
22 to the wind farm?

23 MR. SCHNEIDER: In my introduction I
24 stated that I was an abutting property owner for the
25 Emerson Creek industrial wind complex.

1 MS. PIRIK: Correct. But my question is
2 are you located within the project area for the
3 transmission line?

4 MR. SCHREINER: Since the transmission
5 line is needed for the project, I guess I would be.

6 MS. PIRIK: Thank you, your Honor.
7 That's the only question that I had.

8 ALJ ST. JOHN: Thank you.

9 Thank you for your testimony. I'm not
10 seeing any other questions, so you're excused.

11 MR. SCHREINER: Thank you, your Honor.

12 ALJ ST. JOHN: The next witness on our
13 list tonight is Walt Poffenbaugh.

14 MR. SCHMIDT: Mr. Poffenbaugh, you've
15 been promoted. If you can enable your audio and your
16 video.

17 ALJ ST. JOHN: Mr. Poffenbaugh, we are
18 not able to see you at this time. Could you say
19 something and see if we might be connected via audio?

20 MR. POFFENBAUGH: Yes, I can see you. I
21 am just clicking start video, but it doesn't seem to
22 want to do it. Can you hear me?

23 ALJ ST. JOHN: We can hear you, yes. We
24 do allow testimony over the phone, and one of our
25 witnesses tonight plans to participate over the

1 phone, so if you would be comfortable proceeding
2 without your video and just provide audio testimony,
3 we can move forward in that way if you are okay with
4 that.

5 Great. We can see you. It sounded like
6 you cut out for a moment there, but we can see you
7 now.

8 MR. POFFENBAUGH: Well, that's --

9 ALJ ST. JOHN: Mr. Poffenbaugh, it sounds
10 like we are having some audio issues now. The audio
11 that I am hearing is choppy. Could you -- it looks
12 like your video is turned back off again. That might
13 save some bandwidth and maybe allow your audio to
14 come in a little bit clearer.

15 So if you are okay with that, let's
16 proceed with just the audio and hope that that will
17 make things a little bit more clear for all of us; is
18 that all right?

19 MR. POFFENBAUGH: Okay. That's fine. I
20 can leave the video off. Is the audio okay?

21 ALJ ST. JOHN: Yeah. The audio sounds
22 much better. Thank you.

23 MR. POFFENBAUGH: Okay.

24 ALJ ST. JOHN: Even though --

25 MR. POFFENBAUGH: We will give it the

1 best shot we can.

2 ALJ ST. JOHN: Even though we can't see
3 you right now, I would like to ask you to raise your
4 right hand.

5 (Witness sworn.)

6 ALJ ST. JOHN: Please state and spell
7 your name for the record.

8 MR. POFFENBAUGH: Mu name is Walter E.
9 Poffenbaugh, W-A-L-T-E-R E P-O-F-F-E-N-B-A-U-G-H.

10 ALJ ST. JOHN: All right. Please provide
11 your address including the township.

12 MR. POFFENBAUGH: We live at 5094 North
13 Greenfield Road, Willard, Ohio 44890. That is in
14 Norwich Township in Huron County.

15 ALJ ST. JOHN: Mr. Poffenbaugh, we're
16 hearing you I would say maybe about 75 percent of the
17 time, and occasionally it is cutting out. I'm
18 wondering if we might be able to get clearer audio by
19 having you call in. Would you be able and willing to
20 do that?

21 MR. POFFENBAUGH: I can sure give it a
22 try.

23 ALJ ST. JOHN: All right. Micah, would
24 you like to jump in now and possibly help
25 Mr. Poffenbaugh get connected over the phone?

1 MR. SCHMIDT: Mr. Poffenbaugh, are you
2 connected using a computer or a tablet?

3 MR. POFFENBAUGH: I'm using my laptop.

4 MR. SCHMIDT: Okay. Do you have your
5 cell phone or another phone handy right there?

6 MR. POFFENBAUGH: I have my cell phone
7 right here.

8 MR. SCHMIDT: Okay. If you could do me a
9 favor. Across the top of the Webex screen you'll see
10 a menu that says "File, Edit, Share, View," and then
11 there is a tab that says "Audio & Video"?

12 MR. POFFENBAUGH: Right.

13 MR. SCHMIDT: If you click on "Audio &
14 Video," one of the options on that list that you will
15 see is "Switch Audio."

16 MR. POFFENBAUGH: Okay.

17 MR. SCHMIDT: If you click on "Switch
18 Audio," it will have a box where you can type in your
19 phone number, and then when you click the button that
20 says "Switch," Webex will actually call you.

21 MR. POFFENBAUGH: Done. Hello.

22 ALJ ST. JOHN: Could you turn off the
23 volume on your laptop? It sounds like we are getting
24 a bit of an echo, Mr. Poffenbaugh.

25 MR. POFFENBAUGH: Yes. I'm here.

1 ALJ ST. JOHN: Okay. Great. Thank you.
2 It sounds like we might have just lost him.

3 MR. SCHMIDT: I think -- I think he
4 closed Webex on his -- on his laptop once he got
5 connected on the phone because he just dropped off.

6 ALJ ST. JOHN: I see.

7 MR. SCHMIDT: Let me get with the crew
8 here behind the scenes and we'll have somebody call
9 him. In the meantime we have the last witness,
10 Mr. Adams, is on the phone if you would like to
11 proceed with Mr. Adams while we get ahold of
12 Mr. Poffenbaugh.

13 ALJ ST. JOHN: That sounds great. Thank
14 you.

15 MS. KOCHER: Your Honor, I have telephone
16 witness Mr. Adams on the phone.

17 ALJ ST. JOHN: Thank you.

18 Good evening, Mr. Adams.

19 MR. ADAMS: I'm doing good.

20 ALJ ST. JOHN: Good. I note that we are
21 just over the phone right now, but I would like to
22 ask you at this time to please raise your right hand.

23 MR. ADAMS: Okay.

24 (Witness sworn.)

25 ALJ ST. JOHN: Please state and spell

1 your name for the record.

2 MR. ADAMS: My name is Douglas Adams,
3 D-O-U-G-L-A-S A-D-A-M-S.

4 ALJ ST. JOHN: Please provide your
5 address including the township.

6 MR. ADAMS: Okay. Oxford Township, 3711
7 Strecker Road, Monroeville, Ohio 44847.

8 ALJ ST. JOHN: And, I'm sorry, did you
9 include -- did you state the township as well that
10 you live in?

11 MR. ADAMS: Yes, Oxford Township.

12 ALJ ST. JOHN: Thank you. Do you reside
13 or work within the project area?

14 MR. ADAMS: Yes, I am.

15 ALJ ST. JOHN: Do you reside in the
16 project area, or do you work in the project area?

17 MR. ADAMS: I reside. This is my
18 residential home.

19 ALJ ST. JOHN: Okay. Thank you. Please
20 proceed with your testimony.

21 MR. ADAMS: Okay. I support the power
22 lines. The Company has worked very well and very
23 close with me and they are working on my property and
24 they've given me a lot of understanding of what
25 they've been doing. And one thing that has really

1 impressed me with this Company is they have already
2 sold their product before it is even made. So to me,
3 I mean, that is something that is needed. If you can
4 sell something you make before you can get it made, I
5 mean, that's great to me. And, I mean, I don't have
6 a lot to say, but they are just a good company to
7 work with.

8 That's, you know, what I got.

9 ALJ ST. JOHN: All right. Thank you for
10 your testimony. I do have one quick question for
11 you. You had -- you had noted that the Company sells
12 their product before they made it. Could you explain
13 a little bit more what you mean when you say that?

14 MR. ADAMS: Yes. So they're -- they're
15 making power, and they have had a company have --
16 already come to them to purchase the power that they
17 are going to be making. And as soon as they get up
18 and running, that power has already been bought -- or
19 been spoken for by the Company that stepped up and
20 wants to buy the power.

21 ALJ ST. JOHN: I understand. Thank you
22 for that clarification.

23 Are there any other questions for this
24 witness from counsel or the Bench?

25 MS. PIRIK: Your Honor, I just have one

1 question.

2 Mr. Adams, how close to the transmission
3 lines do you live?

4 MR. ADAMS: Actually the transmission
5 line will be coming across the street and across my
6 field. I have a small field, and they will be coming
7 across my field. So I would say I am going to be
8 living within 2, 3 hundred feet of them.

9 MS. PIRIK: Okay. Thank you, Mr. Adams.
10 Thank you, your Honor.

11 MR. ADAMS: Bye.

12 ALJ ST. JOHN: Thank you for your
13 testimony, Mr. Adams. Have a nice evening.

14 MR. ADAMS: All right. Thank you.

15 MR. BUTLER: Judges, this is Matt Butler
16 and I have Mr. Poffenbaugh on the phone.

17 ALJ ST. JOHN: Great. Thank you.
18 Mr. Poffenbaugh, can you hear me right now?

19 MR. POFFENBAUGH: I can hear you just
20 fine. Can you hear me?

21 ALJ ST. JOHN: We can hear you, yes.
22 Thank you. I know that I did already swear you in
23 when we spoke earlier, but just to close the loop
24 here, if you wouldn't mind if I go ahead and swear
25 you in just one more time now that we are connected

1 and have a really good audio connection. Please
2 raise your right hand.

3 (Witness sworn.)

4 ALJ ST. JOHN: Please state and spell
5 your name for the record.

6 MR. POFFENBAUGH: Walter E. Poffenbaugh,
7 W-A-L-T-E-R E P-O-F-F-E-N-B-A-U-G-H.

8 ALJ ST. JOHN: Please provide your
9 address including the township.

10 MR. POFFENBAUGH: 5094 North Greenfield
11 Road, Willard, Ohio 44890, Norwich Township, Huron
12 County.

13 ALJ ST. JOHN: Do you reside or work
14 within the project area?

15 MR. POFFENBAUGH: I do.

16 ALJ ST. JOHN: Do you reside in the
17 project area or work in the project area?

18 MR. POFFENBAUGH: We reside in the
19 project area.

20 ALJ ST. JOHN: Thank you. Please proceed
21 with your testimony.

22 MR. POFFENBAUGH: Thank you, your Honor.
23 My wife and I live in the footprint of and are
24 Intervenor of the Emerson Creek wind project
25 identified as Case No. 18-1607-EL-BTN in your files.

1 This case is currently under
2 consideration by the Ohio Power Siting Board, or the
3 OPSB. My testimony tonight is directed to the
4 Emerson Creek transmission line identified as Case
5 No. 19-1073-EL-BTX by your Board. We are opposed to
6 the transmission line because it is part of the
7 overall Emerson Creek project. It is impossible to
8 separate the two projects because neither of them can
9 show a public need without the other.

10 The transmission line is not needed, and
11 it would be folly to build it without the wind
12 turbine project connected to it. The wind turbine
13 project makes no sense to build if it can't be
14 connected to the PJM grid by the transmission line.
15 The transmission line project, although appearing to
16 be based on sound engineering and adhering to the
17 standards of PJM, is by default connected to the
18 Emerson Creek wind project.

19 We oppose Emerson Creek wind and as a
20 natural extension oppose the Emerson Creek
21 transmission lines. It is again logical to assume
22 that other residents of the area feel the same and
23 see the same nexus as we do between the two projects.
24 The case this public hearing is centered on and the
25 previous public hearing and adjudicatory hearing for

1 the Emerson Creek industrial wind project are all
2 centered on the public need for both projects. We
3 question this so-called public need.

4 On February 6, 2021, at 3:00 p.m., the
5 total electricity being distributed by the 13 state
6 PJM grid was 93,381 megawatts. At that time the
7 temperature in the area of the Emerson Creek project
8 was 19 degrees Fahrenheit, and the wind was from the
9 south-southwest at 9 miles per hour. Of the 93,381
10 megawatts on the PJM grid on that date and at that
11 time, 1,987 megawatts of power was being generated by
12 wind. That is 2.1 percent of the total power on the
13 grid at that time coming from wind.

14 The percent of total power generated by
15 wind turbines remains close to that 3 -- 2 percent
16 figure no matter what time of year you check or how
17 many years back you go. We are of the opinion the
18 main negative aspects of wind generation entered into
19 the record during the Emerson Creek wind adjudicatory
20 hearing which began on October 5, 2020, showed there
21 is no public need for the wind project and by
22 extension there is no public need for the
23 transmission line.

24 In supplemental testimony filed
25 January 15, 2021, for the Republic transmission line,

1 which is Case No. 19-1066-EL-BTX, Dalton Carr, the
2 development manager for the project with Apex Clean
3 Energy, stated, and I quote, "There was no testimony
4 against the transmission line project at the public
5 hearing."

6 This public hearing was held virtually on
7 January 7, 2021. This assertion by Mr. Carr can be
8 found on page 2 of his submitted written supplemental
9 testimony in lines 17 and 18 as part of the answer to
10 question No. 8. Republic wind and the transmission
11 line proposed to be connected to it are located in a
12 neighboring county just west of where we live. The
13 wind developer of four adjacent projects, Republic
14 wind, Republic transmission line, Emerson Creek wind,
15 and Emerson Creek transmission line is Apex Clean
16 Energy.

17 Dalton Carr's statement can easily be
18 construed to indicate there is no opposition to the
19 public transmission line as no opposing testimony was
20 presented at the public hearing for the transmission
21 line. We believe Dalton Carr's statement to be
22 disingenuous at the very least.

23 It seems likely to us that Apex Clean
24 Energy will follow the same tactics with the OPSB
25 Emerson Creek transmission line project as they

1 followed for the Republic transmission line project.
2 We will probably see a future stipulation agreement
3 between Apex and the OPSB Staff for the Emerson Creek
4 transmission line.

5 The purpose of my testimony tonight is to
6 go on the record in this proceeding to make sure the
7 Ohio Power Siting Board knows there is definitely
8 opposition to the Emerson Creek transmission line.
9 We do not wish the project manager for the Emerson
10 Creek transmission line to proclaim after tonight
11 that there was no local opposition voiced at this
12 hearing for the Emerson Creek transmission line
13 project.

14 My testimony is designed to bring the
15 Board's attention to the fact there is resistance to
16 both projects because the two projects are so closely
17 tied together. Those opposed to the entire concept
18 of the Emerson Creek industrial wind project
19 collected over 700 petition signatures from local
20 residents declaring their opposition. The petitions
21 are all on file at the OPSB for Case 18-1607-EL-BGN.

22 During testimony before the Ohio Senate,
23 I was present when over 300 handwritten letters were
24 submitted to the committee advocating passage of
25 legislation which would give local citizens a vote in

1 approving or denying an industrial wind turbine
2 project in the township. In fact, all of those
3 heartfelt and written letters came from local
4 residents actually living in the area of the Emerson
5 Creek project.

6 The contrast between those letters and
7 the form letters submitted in support of the project
8 found in the public comments of your agency which
9 were mostly written by people in large urban areas is
10 striking. This statement by the Apex project manager
11 that there is no local opposition stretches in
12 perpetuity. We feel there are many local residents
13 who oppose the Emerson Creek transmission line.

14 It is only natural that the two projects
15 are closely tied together should cause anyone with
16 any semblance of reason to understand that opposition
17 to the project which generates the electricity would
18 automatically mean those same people are opposed to
19 the transmission line which connects the generating
20 project to the grid. No amount of spin by the wind
21 developer and its attorneys can overcome the logic of
22 that argument. Local residents have let their voices
23 be heard in a variety of ways over the past three
24 years during public participation at many different
25 forums involving all things associated with the

1 Emerson Creek industrial wind project. Any claim to
2 the contrary is suspect at best.

3 We respectfully request the OPSB deny the
4 certificate for the Emerson Creek transmission line.
5 Thank you for allowing me to voice my thoughts on
6 this matter.

7 ALJ ST. JOHN: Thank you for your
8 testimony.

9 Are there any questions for this witness
10 from counsel or the Bench?

11 MS. PIRIK: Yes, your Honor, I have one
12 question.

13 Mr. Poffenbaugh, could you please
14 estimate approximately how many miles from the
15 transmission line is your property located?

16 MR. POFFENBAUGH: I would estimate I'm
17 7 miles from probably the transmission line at the
18 outside, but again, the connection between the two
19 projects can't be denied.

20 MS. PIRIK: Thank you, Mr. Poffenbaugh.
21 Thank you, your Honor. That's all.

22 ALJ ST. JOHN: All right. Seeing no more
23 questions, I want to thank you for your testimony
24 tonight. Have a nice evening.

25 MR. POFFENBAUGH: Thank you.

ALJ ST. JOHN: This concludes the statements from those individuals who registered to provide testimony this evening. The Board appreciates your participation in this public hearing. I would like to thank all those who provided testimony or joined us for this public hearing whether via Webex, over the phone, or the YouTube live stream.

With that this concludes today's public hearing. Enjoy the rest of your evening. We are adjourned.

(Thereupon, at 7:10 p.m., the hearing was adjourned.)

- - -

CERTIFICATE

I do hereby certify that the foregoing is
a true and correct transcript of the proceedings
taken by me in this matter on Tuesday, February 9,
2021, and carefully compared with my original
stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-7036)

- - -

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Case No(s). 19-1073-EL-BTX

Summary: Transcript February 9, 2021

In the Matter of the Application of Firelands Wind, LLC, for a Certificate of Environmental Compatibility and Public Need to Construct a Transmission Line in Huron and Erie Counties, Ohio. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.