

FILE

CHESTER WILLCOX & SAXBE LLP

Attorneys and Counselors at Law

NATHANIEL S. OROSZ

DIRECT DIAL (614) 334-6117
norosz@cwslaw.com

October 24, 2007

The Honorable Alan R. Schriber
Chairman
Ohio Power Siting Board
180 East Broad Street
Columbus, OH 43215-3793

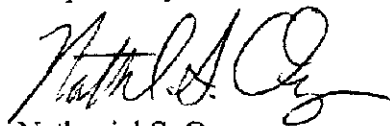
**RE: Case No. 06-1358-EL-BGN
Application of American Municipal Power-Ohio, Inc.**

Dear Chairman Schriber:

As required by OAC 4906-5-09, enclosed please find the proof of publication in the local newspaper of the second notice regarding Case No. 06-1358-EL-BGN, the application of American Municipal Power-Ohio, Inc. (AMP-Ohio, Inc.) for a certificate of environmental compatibility and public need for an electric power generation station and related facilities. Also enclosed is a copy of the notice as it appeared in *The Daily Sentinel*.

Please do not hesitate to contact me if you have any questions.

Respectfully,



Nathaniel S. Orosz
Attorney for AMP-Ohio, Inc.

NSO/acc

Enclosures

cc: Jonathan Pawley
Scott Kiesewetter

ND 4819-6662-0930, v. 1

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician TM Date Processed 10/24/2007

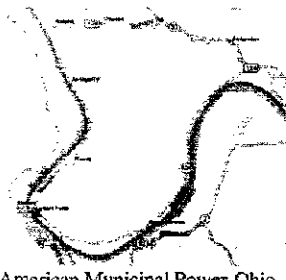
2007 OCT 24 PM 3:46
PUCO
RECEIVED-REGISTRATION DIV

Notice of Proposed Major Utility Facility

This is the second public notice published in regard to this Proposed Major Utility Facility. AMP-Ohio published the first notice in the *Daily Sentinel* newspaper, Pomeroy, Ohio, on August 24, 2007.

Name and Description of the Proposed Facility

American Municipal Power-Ohio (AMP-Ohio) proposes to construct a pulverized coal-fired electric power generation plant in Letart Township, Meigs County, Ohio, on apx. 1,000 acres adjacent to the Ohio River. This project is known as the American Municipal Power Generating Station (AMPGS). The proposed project will include a 960 megawatt net power generation plant, a 133 acre landfill and barge handling facilities on the Ohio River. The accompanying map depicts the proposed site for the AMPGS facility. It should be noted that due to reduced scale and limited detail this map should be used only as a general guide. More detailed information regarding the general layout of the proposed facility is included in the application, described below. That AMP-Ohio has filed with the Ohio Power Siting Board.



American Municipal Power-Ohio
Kent Carson, Director of Communications
2600 Airport Drive
Columbus, Ohio 43219
(614) 337-6222

An electronic version of the application can be found at the Ohio Power Siting Board's Web site at <http://opsb.ohio.gov>. To retrieve the application, search under "Current Cases" for Case # 06-1358-EL-BGN.

Application Now Pending

An application for a Certificate of Environmental Compatibility and Public Need to construct, operate and maintain the AMPGS facility is now pending before the Ohio Power Siting Board ("Board"). This application has been assigned case number 06-1358-EL-BGN. This case number should be included in all communications with respect to this proceeding. Specific detailed information on the proposed project is included in the application currently pending before the Board.

Copies of the application, including specific details of location and construction are available for public inspection at the following locations:

Meigs County District Library
Ms. Kristi Eblin, Director
216 West Main Street
Pomeroy, Ohio 45769
(740) 992-5813

Ohio Power Siting Board
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793
(866) 270-6772

Pursuant to Rule 4906-5-06 of the Ohio Administrative Code, the following local government officials in Meigs County have been served with a copy of the application:

Meigs County Commissioners
Mr. Michael Davenport, President
100 East Second Street
Pomeroy, Ohio 45769

Meigs County Health Department
Mr. Larry Marshall, Health Commissioner
112 East Memorial Drive
Pomeroy, Ohio 45771

Mr. Robert Morris
Letart Township Trustee
49435 Lighthouse Road
Racine, Ohio 45771

Meigs County District Library
Ms. Kristi Eblin, Director
216 West Main Street
Pomeroy, Ohio 45769

Meigs SWCD
Mr. Joe Bolin, Chairman
33101 Hiland Road
Pomeroy, Ohio 45769

Tuppers Plains-
Chester Water District
Mr. Donald Poole, Operations
General Manager
39561 Holly Lane
Pomeroy, Ohio 45769

Meigs County Office of Economic and Workforce Development
Mr. Perry Varnadoe, Executive Director
238 West Main Street
Pomeroy, Ohio 45769

The Ohio Power Siting Board has served the following state agencies with copies of the application:

Public Utilities Commission of Ohio
Ohio Department of Agriculture
Ohio Department of Development
Ohio Department of Health
Ohio Department of Natural Resources
Ohio Department of Transportation
Ohio Environmental Protection Agency
Ohio Historical Society

Criteria Used to Review the Application

The following eight criteria are set forth in Section 4906.10 (A) of the Revised Code and will be used, along with additional information, by the Board in the reviewing of the application for a certificate to construct, operate and maintain the AMPGS facility:

- The basis of the need for the facility. In the case of a major utility facility described in division (B)(1) of Section 4906.01 of the Revised Code, the Board shall presume the need for the facility as that need is stated in an application pursuant to division (A)(3) of Section 4906.06 of the Revised Code;
- The nature of the probable environmental impact of the proposed facility;
- Whether the facility represents the minimum adverse environmental impact, considering the state of available technology, the nature and economics of various alternatives, and other pertinent considerations;
- The facility is consistent with regional plans for expansion of the regional power grid of electric systems serving this state and interconnected utility systems, and the facility will serve the interests of electric system economy and reliability;
- The facility will comply with Chapters 3704, 3734, and 6111 of the Revised Code and all rules

and standards adopted under those chapters and under Sections 1501.33, 1501.34, and 4561.32 of the Revised Code. In determining whether the facility will comply with all rules and standards adopted under Section 4561.32 of the Revised Code, the Board shall consult with the office of aviation of the division of the multi-modal planning and programs of the Department of Transportation under Section 4561.341 of the Revised Code;

- The facility will serve the public interest, convenience, and necessity;
- The facility's impact on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Revised Code that is located within the site of the proposed major utility facility; and
- The facility incorporates maximum feasible water conservation practices as determined by the Board, considering available technology and the nature and economics of various alternatives.

Date, Time and Location of Public Hearing

Section 4906.07 of the Revised Code provides that:

- (A) Upon the receipt of an application complying with Section 4906.06 of the Revised Code, the Power Siting Board shall promptly fix a date for a public hearing thereon, not less than sixty nor more than ninety days after such receipt, and shall conclude the proceeding as expeditiously as practicable.
- (B) On an application for an amendment of a certificate, the Board shall hold a hearing in the same manner as a hearing is held on an application for a certificate if the proposed change in the facility would result in any material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of such a facility other than as provided in the alternatives set forth in the application.
- (C) The Chairman of the Power Siting Board shall cause each application filed with the Board to be investigated and shall, not less than fifteen days prior to the date of any application is set for hearing, submit

a written report to the Board and to the applicant. A copy of such report shall be made available to any person upon request. Such report shall set forth the nature of the investigation, and shall contain recommended findings with regard to division (A) of section 4906.10 of the Revised Code and shall become part of the record and served upon all parties to the proceeding.

The Board has scheduled the public hearing in two parts:

- 1) A non-adjudicatory hearing pursuant to Section 4906.08 (C), Revised Code, where the Board shall accept written or oral testimony from any person. The hearing will take place November 1, 2007, at 6:00 p.m., at Meigs High School, 42091 Pomeroy Pike, Pomeroy, Ohio 45769. And,
- 2) An adjudicatory hearing will take place November 8, 2007, at 10:00 a.m., in Hearing Room 11-C, at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.

Opportunity for Comment and Intervention

Section 4906.08(C) of the Revised Code provides that: The Board shall accept written or oral testimony from any person at the public hearing, but the right to call and examine witnesses shall be reserved for parties. However, the Board may adopt rules to exclude repetitive, immaterial, or irrelevant testimony.

The deadline for filing a petition to intervene in Case No. 06-1358-EL-BGN as established by the Ohio Power Siting Board or the administrative law judge is up to five days prior to the scheduled date for the non-adjudicatory hearing, or later if good cause is shown. However, the Board strongly encourages interested persons who wish to intervene in the adjudicatory hearing to file their petitions as early as possible. Petitions should be addressed to the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215-3793.



American Municipal
Power-Ohio
2600 Airport Drive
Columbus, Ohio 43219
(614) 337-6222
www.amp-ohio.org

10/22

The Daily Sentinel

Pomeroy, OH

PROOF OF PUBLICATION

The State of Ohio,

Meigs County, ss:

I, Charlene Hoefflich, General Manager,

The Daily Sentinel

Make solemn oath that notice, of which the attached

is a true copy, was published in The Pomeroy Daily Sentinel,

a newspaper printed in the Village of Pomeroy in said

County of Meigs, and of general circulation in said

County, 1 time(s), beginning on

10/25, 2007 and ending 10/27, 2007

Charlene Hoefflich

Pomeroy, OH *Judy A. Clark 10/27/2007*

Sworn to and subscribed before me this day.

Printer's fees \$589.38



Official Seal
Judy A. Clark
Notary Public - State of Ohio
My Commission Expires June 23, 2012
Recorded in Meigs County, Ohio