

BEFORE  
THE OHIO POWER SITING BOARD

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In The Matter Of The Application Of )  
American Municipal Power-Ohio, Inc. )  
For A Certificate Of Environmental )  
Compatibility and Public Need For ) Case No. 06-1358-EL-BGN  
An Electric Power Generating Station )  
And Related Facilities )

**MOTION TO REQUEST SERVICE BY FAX AND BY  
ELECTRONIC MESSAGE AND EXTEND TIME/POSTPONE TESTIMONY PORTION  
OF ADJUDICATORY HEARING OF ELISA YOUNG**

Elisa Young respectfully requests the Ohio Power Siting Board (OPSB) pursuant to Rule 4906-7-06(C)(3) and (4) the ability to file both electronically and by fax; and respectfully requests the OPSB to extend and/or postpone the testimony portion of the adjudicatory hearing for 60 days to allow her to obtain time off work to attend the hearing.

Ms. Young's request is based on the following grounds:

1. **Request ability to file by fax and electronic mail.** Ms. Young lives three (3) hours' drive from Columbus, and U.S. mail takes longer than in most of Ohio, due to the rural nature of her community. The nearest town, Racine, has only one public internet line that Ms. Young will need to use. However, because Ms. Young can find intermittent access to fax lines and use friends' email, the ability to file electronically and by fax will greatly increase her ability to participate in a meaningful way.
  - a. Because both Ms. Young and her property will be personally and physically impacted by the AMP-Ohio plant, Ms. Young requests that she be allowed to file both by fax and electronically.
2. **Ms. Young's participation is essential in this proceeding,** since it will determine:
  - a. the environmental impact of the proposed facility,

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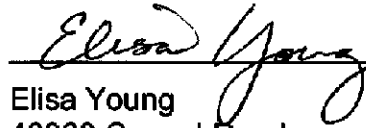
- b. whether or not the facility represents the minimum adverse environmental impact, considering available technology and the nature and economics of alternatives;
  - c. whether the facility will comply with all air and water pollution control and solid waste disposal laws and regulations;
  - d. whether the facility will serve the public interest, convenience and necessity;
  - e. the facility's impact on the continued agricultural viability of any land in an existing agricultural district; and
  - f. whether the facility incorporates maximum feasible water conservation practices as determined by the Board, considering available technology and the nature and economics of various alternatives.
3. The underlined sections above are particularly relevant to Ms. Young, since she lives in such close proximity to the facility and the plant's emissions will have a direct impact on the agricultural viability of her property, as well as health and safety.
4. **Request to extend and/or postpone testimony portion of hearing** for the following reasons:
- a. In communications with other intervenors as well as OPSB attorney Greg Price, it was unclear whether the adjudicated hearing would be one day or four days. Various newspaper articles refer to the "November 8<sup>th</sup>" adjudicated hearing, and the posting on the OPSB website states that the adjudicated hearing will "commence on November 8<sup>th</sup>" but does not give any specifics about whether the hearing will last one day or as long as a week.
  - b. Since Ms. Young wishes to attend the hearing in person, and has only limited time off from her job, she requests that the OPSB delay the hearing for 60 days so that she can obtain the necessary time off to attend. Since Ms. Young's interest is so directly affected, not allowing her to attend the hearing would be a grave injustice, and would so prejudice the results that the outcome could be legitimately questioned.

- c. In addition, Ms. Young's testimony and those of her expert witnesses and other community members will be affected by other intervenors. Neither Ms. Young nor the OPSB nor the other intervenors know at this time just how many parties will be participating.
- d. If the number of intervenors is double or triple what the OPSB was expecting based on past hearings, it will directly impact the schedule and amount of time it will take for direct testimony and cross-examination.

In sum, Ms. Young respectfully requests that the OPSB:

- 1. allow fax and email filings to all parties
- 2. postpone the hearing for 60 days so that Ms. Young can attend the hearing in person.

Respectfully submitted this 25 day of October, 2007.

 10/25/07  
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ORIGINAL

**CERTIFICATE OF SERVICE**

I hereby certify that on 10/25/07, the original and 12 copies of the foregoing **MOTION TO REQUEST EMAIL AND FAX FILING AND POSTPONE OR EXTEND ADJUDICATED HEARING** was served by U.S. mail on:

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x Elisa Young 10/25/07  
Served by Elisa Young