

BEFORE THE OHIO POWER SITING BOARD

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3 In the Matter of: :
4 : Case No. 06-1358-EL-BGN
5 In the Matter of the :
6 Application of American :
7 Municipal Power-Ohio, Inc.:
8 for a Certificate of :
9 Environmental :
10 Compatibility and Public :
11 Need for the Electric :
12 Generation Station and :
13 Related Facilities in :
14 Meigs County, Ohio. :

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PROCEEDINGS

13 before Mr. Gregory Price, Administrative Law Judge,
14 at the Public Utilities Commission of Ohio, 180 E. 12th
15 Broad Street, Room 11-C, Columbus, Ohio, called a
16 10:00 a.m. on Thursday, November 8, 2007.

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APPEARANCES:

Chester, Willcox & Saxbe, LLP
By Mr. John W. Bentine
Mr. Stephen C. Fitch
Mr. Nathaniel S. Orosz
65 East State Street
Columbus, Ohio 43215

On behalf of the Company.

Natural Resources Defense Council
By Mr. Shannon Fisk
101 N. Wacker Drive
Suite 609
Chicago, Illinois 60606

and

Ohio Environmental Council
By Mr. Trent A. Dougherty
1207 Grandview Avenue
Suite 201
Columbus, Ohio 43212-3449

On behalf of the Citizen Groups

Mark Dann, Ohio Attorney General
Duane W. Luckey, Senior Deputy
Attorney General
Public Utilities Section
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Mr. John H. Jones
180 East Broad Street, 9th Floor
Columbus, Ohio 43215-3793

and

Environmental Enforcement Section
By Ms. Margaret A. Malone
30 East Broad Street
25th Floor
Columbus, Ohio 43215

On behalf of the Staff of the Public
Utilities Commission.

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Thursday Morning Session,
November 8, 2007.

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THE HEARING EXAMINER: Good morning. The Ohio Power Siting Board has set for this time and this place case No. 06-1358-EL-BGN, In the Matter of the Application of American Municipal Power-Ohio, Inc. for a Certificate of Environmental Compatibility and Public Need for the Electric Generation Station and Related Facilities in Meigs County, Ohio.

My name is Gregory Price. I am the administrative law judge assigned to preside over this hearings. We will begin by taking appearances of the parties.

The company first.

MR. BENTINE: Thank you. If it please, your Honor and the Board, on behalf of American Municipal Power-Ohio, Inc., AMP-Ohio, the applicant in this proceeding, the law firm of Chester, Willcox & Saxbe, LLP, 65 East State Street, Columbus, Ohio 43215 by John Bentine, Steve Fitch, April Bott and Nate Orosz.

THE HEARING EXAMINER: Intervenors.

MR. SHANNON: Good morning, Your Honor,

1 Shannon Fisk from the Natural Resources Defense
2 Council on behalf of the Citizen Groups.

3 MR. DOUGHERTY: Trent Dougherty, Ohio
4 Environmental Council, on behalf of the Citizen
5 Groups.

6 MS. MALONE: On behalf of the staff,
7 Attorney General, Marc Dann, by Margaret Malone,
8 assistant attorney general, Environmental Enforcement
9 Section, 30 East Broad Street, 25th floor, Columbus
10 Ohio 43215.

11 MR. WRIGHT: Good morning, Your, Honor
12 also on behalf of the staff I would like to enter the
13 appearance of John Jones and Bill Wright, 180 East
14 Broad Street Columbus, Ohio 43215.

15 THE HEARING EXAMINER: Thank you.

16 Today's hearing was set by published
17 notice published by the applicant on October 31. We
18 had a prehearing conference at which the parties and
19 I discussed the hearing date. As a result of the
20 prehearing conference, today's hearing will be
21 continued to December 10, 2007, commencing at
22 10:00 o'clock at the Commission offices.

23 In addition, at the prehearing conference
24 the parties agreed that discovery responses,

1 notwithstanding the Administrative Code provisions,
2 will be due within 15 days of the service of the
3 discovery request. Discovery cutoff will be November
4 26, 2007. The parties agreed to best efforts to
5 respond to any discovery served on November 26 by
6 December 10.

7 In addition, prefiled expert testimony
8 will be due on December 3, 2007. All parties except
9 Ms. Young have agreed to electronic service of
10 discovery matters, papers and other pleadings.

11 Do we have any other issues we need to
12 discuss regarding the procedure schedule?

13 (No response.)

14 THE HEARING EXAMINER: Seeing none, we
15 will return December 10, 2007.

16 MR. BENTINE: Thank you, your Honor.

17 MR. SHANNON: Thank you, your Honor.

18 (Thereupon, the hearing adjourned at
19 10:07 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Thursday, November 8, 2007, and carefully compared with my original stenographic notes.

Rosemary J. Anderson

Rosemary Foster Anderson,
Professional Reporter and
Notary Public in and for
the State of Ohio.

My commission expires April 5, 2009.

(RFA-8052)

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