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PUCO EXHIBIT FILING

Date of Hearing: 1/5/10

Case No. 09-479-EL-BGN

PUCO Case Caption: Hardin Wind Energy, LLC

List of exhibits being filed:

Written Statements from public hearing.

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Reporter's Signature: Maria Di Paolo Jones
Date Submitted: 1/19/10

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BEFORE THE OHIO POWER SITING BOARD

- - -

In the Matter of the
Application of Hardin :
Wind Energy, LLC for a :
Certificate to Site a : Case No. 09-479-EL-BGN
Wind Powered Electric :
Generation Facility in :
Hardin County, Ohio. :

- - -

PROCEEDINGS

before Mr. Gregory Price and Ms. Rebecca Hussey,
Administrative Law Judges, at the Hardin County
Courthouse, 1 Courthouse Square, Kenton, Ohio, called
at 6:00 p.m. on Tuesday, January 5, 2010.

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**HARDIN COUNTY ENGINEER'S OFFICE
WRITTEN TESTIMONY
BEFORE THE OHIO POWER SITING BOARD**

**Local Public Hearing January 5, 2010, at 6:00 p.m., at Hardin County Courthouse,
Veterans Hall, One Courthouse Square, Kenton, Ohio 43226**

Good Evening. My name is Mike Smith and I am the Hardin County Engineer and am here representing the Engineers Office.

I am here tonight to voice my opinion neither in favor nor against the proposed wind farm but to make the board aware of road issues that would need to be addressed prior to certification of Hardin Wind Energy LLC.

I would like to start out by saying that Hardin Wind Energy LLC has been very cooperative and forth coming. We have met with representatives of their company on many occasions, the first being almost a year ago. Having said this I feel like we have made some positive progress with them and they have verbally agreed to comply with our regulations.

We are requiring Hardin Wind Energy LLC or any other developer to determine the load capacity that will be required to accommodate any increased traffic by the proposed improvement on any county or township road that will be affected. They will then be required to core the existing pavement at intervals determined by The County Engineers Office to determine the existing load capacity. If the existing load capacity is less than the required load capacity the company must determine appropriate mitigations to be carried out by them and approved by this office. This is all to be done prior to construction. Failure to do so will result with no overload permits issued.

This issue was addressed by Hardin Wind Energy LLC in their original application ¹ to the board and they stated "The applicant will work with the county to determine the existing capacity of the pavement to support loads. If the capacity does not equal the anticipated actual loads the applicant will work with the county to determine appropriate mitigations. .Mention was also made in the Minimum Adverse Environmental Impact ² consideration in the Staff Report of Investigation that was released on December 21, 2009. It was stated that "The applicant, working with the Hardin County Engineer, will prepare analyses that show where the existing pavement on the county roads have the capacity to support any permit loads, or loads heavier than the state legal loads. The County will require the developer to obtain roadway pavement cores and perform an engineering analysis to determine the allowable load capacity of the road, and to

¹ Application of Hardin Wind Energy LLC for a certificate to site a wind-powered electric generation facility in Hardin County, OH filed by S. Bloomfield.

² Staff Report of Investigation Hardin Wind Farm Case Number 09-0479-EL-BGN page 24

determine the required road capacity based on the permit loads. This analysis will have to be approved by the County.” No action plan was discussed though as to what would be done if the existing road capacity was less than the proposed capacity. The OPSB Staff Report went on to state in their recommended conditions³ of the certificate that the applicant was to post a surety bond to cover damages and repair impacted roads following construction. The staff report recommended conditions of certificate failed to mention any required actions if the roads did not meet the required load capacities. We would like for the staff to amend their Conditions of Certificate specifically Item # 25 to reflect the applicants intentions and our recommendations. We would also recommend that the OPSB staff amend their Conditions of Certificate to include similar language for decommissioning. If this issue is not resolved prior to construction no over sized load permits will be issued for county roads.

The County appreciates that the OPSB staff has recommended a surety bond for the Applicant. However in the staff report there is no recommendation on how to establish surety bond values. The County feels it is necessary to not only require a surety bond but to determine an accurate surety bond value prior to certification.

We are also requiring that the applicant submit engineered plans for any modifications that will be made on ditches under county maintenance. The County maintains all County Ditch records and the Applicant can request information pertaining to any affected ditches.

The County looks forward to continuing our relationship with Hardin Wind Energy LLC into the future. Thank you for your time and I will continue to make the County available to OPSB staff and Hardin Wind Energy LLC in the future.

³ Staff Report of Investigation Hardin Wind Farm Case Number 09-0479-EL-BGN page 50-51



January 5, 2010

Hardin Wind Farm - Case No.: 09-0479-EL-BGN Board
Ohio Power Siting Board
180 East Broad Street
Columbus, OH 43215

To whom it may concern:

This letter is to express my support to the proposed Hardin Wind Farm Project in Hardin County. As a former educator for over thirty years and presently Vice President of Economic Development for the county, I strongly believe that the Hardin Wind Farm Project will provide many positive benefits to our entire community and give complete support for the project.

It will generate clean renewable electric energy for thousands of homes and businesses and pay millions in tax revenue to our schools and local government.

The Project will contribute to Ohio and U.S. energy independence and assist Ohio in achieving its Advanced Energy Portfolio Standard.

Most importantly, the Hardin Wind Farm Project will create hundreds of needed construction and manufacturing jobs and establish permanent operational and maintenance jobs.

The development of the Hardin Wind Farm has been the catalyst for other economic development opportunities in Hardin County.

As the Gene Autry cap pistol was to our residents in the 1930's, the wind turbines will be for the 21st century. Records indicate that over 6 million Gene Autry guns were manufactured. In his autobiography *Back in the Saddle Again*, Autry suggests that it was this toy that reversed an economic decline and "Saved Kenton."

Sincerely,

J. John Hohn
Vice President of Economic Development
Hardin County Chamber & Business Alliance

Testimony in Favor of Hardin Wind Energy Project 1/05/'10

I am Jim Bowser 203 Main Street in McGuffey Ohio and I appreciate this opportunity to thank your honors and the Public Utilities Commission for the opportunity to testify in favor of the Hardin Wind Energy Project for Hardin County. As an employee of the Upper Scioto Valley School District and its sponsored Community School, the Upper Scioto Wind/Energy Academy I, bring not only my support and that of our respective boards to this project but I believe the strong support of a majority of the voters as well as the staff and students in the districts.

Over a year and a half ago Upper Scioto Valley Schools (USV) with the support and guidance of our Board of Education established a goal to take a leadership role in encouraging economic development for our district, county and region. Following discussions with local and state educational and economic leaders it was established that the heart of this development effort would be the development and implementation of wind and alternative and renewable energy programs.

The goal was divided into two modes, one designed to create energy savings for the school and educational programming for district residents and their families; the second was to define and use district resources to create "value added" services which could produce not only additional revenues and jobs for and in the districts but also develop a collaboration of industry (Algaeventure,

Nex Gen Energy Partners, and Invenergy aka Hardin Wind Energy), higher education(Rhodes State College, Ohio Northern University) the Ohio Department of Education' Career-Tech and Community School's sections and our district's public schools .Included in this collaboration was the renovation of the district's Alger School Building to be offered and used as a K-16 training center for the partners and area residents. This building its partner "Green Lab", built in 2009 on the USV campus; and a 640 acre "land lab" near Alger define the land and structures of the current Upper Scioto Wind Energy Academy (the Academy).

The Educational and Economic Development benefits to our district and county of the awarding of this project to our partner Hardin Wind Energy goes far beyond the obvious financial gain and stability provided to the district and its residents. The Academy is in final negotiations with Ohio Northern University and Rhodes State College and the Ohio Department of Education to finalize the first Career-Tech Programs in Ohio that incorporates actual operating and functioning wind turbines with the expertise of operators of "small turbines"- two 100 KW commissioned turbines - and the support and leadership of Hardin Wind to tie our training to a 300 MW operating Wind Farm. A huge majority of the turbines defined in the Hardin County Project are scheduled to be commissioned in the USV District.

Having operated the two 100KW turbines since September, the USV District has first hand experience on the positive aspects of deploying Wind Energy. Our two

Nex Gen leased turbines stand to save USV some \$1.7 million over the life of the 15 year lease. In addition, these turbines reduce CO2 emissions by the equivalent of operating a motor vehicle for over 430,000 miles per year and produce enough electricity to operate 21 family residences for a year.

We have also shown the relative effectiveness and desirability of having wind facilities. We have had numerous visitors come to our campus and view our turbines in operation. Basic myths that accompany any new venture are quickly turned aside when individuals actually walk under and look upon a real operating turbine- one their own son or daughter may have watched being assembled from their classroom with appropriate related wind energy instruction. The technology accompanying the turbines provides direct data reporting for our students and anyone visiting the USV website- www.usv.k12.oh.us – concerning power generation, wind speed and other related data. This is using two 100 Kilo Watt turbines.

We are scheduled in the initial placement plan to have 15 Mega Watts on our 640 acres as well as a 10 MW Solar Facility by one of Invenergy's related companies in the Hardin Wind Grid Facilities. Multiply the above emissions information by the difference between 200 KW and 25 Mega Watts and one can easily see the benefits to our environment using alternative energy systems related directly to USV. Add to the above the 20-30 full time jobs the total Grid Project will bring to the area tied to the ability to serve as a training facility for the companies involved and USV and the Academy takes pride in indicating that

our initial goal will be achieved with Hardin Wind's deployment.

The long constructive dialog (more than 8 months) with more than one wind energy company regarding the lease of our 640 acres has convinced my Superintendent, my Board , our community and me that wind energy companies share a desire to be responsible in resource use, effective in energy production, and involved in community and educational activities.

In particular, Invenergy aka Hardin Wind Energy has proven to district personnel and the county that although they are in business to make a profit they are open, fair, dedicated to the need and value of alternative energy, responsible protectors of the environment and the agricultural land our district and county hold so dear, and flexible in their planning and development.

"Naz" as we have affectionately dubbed him, from Hardin Wind has become an honorary member of the USV and Academy staff and a friend to our programs. He was not hesitant to make a trip from the D.C. area to McGuffey to make a three hour presentation to a curriculum "test" group at our Academy in November. This "test" group is a class of unemployed adults referred to the Academy by Mr. Norman and his staff at Hardin County Department of Job and Family Services to give them advanced real time training which will hopefully provide them a tie to potential jobs in the alternative and renewable energy arena. The Academy is committed to helping all of our residents reach employment and educational goals. As one of our Collaborative Partners Hardin Wind has committed their knowledge and resources to this pursuit as well.

Due to the short and long term financial, social, economic, and educational advantages provided by the deployment of the 300 MW Hardin Energy Project I, on behalf of the Board, Superintendent, staff and students of the Upper Scioto Schools and the Upper Scioto Wind /Energy Academy wholeheartedly support this application and request that your honors provide this strong support back to the Board.

Thank you for this opportunity to speak on behalf of our collaborators, Hardin Wind Energy.

James M. Bowser, Upper Scioto Schools/ Upper Scioto Wind/Energy Academy

WIND TURBINE HEARING

January 5, 2010

Gerald Potter, 7881 County Road, Ada, Ohio; I am a resident of Cessna Township, Hardin County, Ohio. My family settled in Cessna Township in 1847 and we have lived and farmed here continuously since that time.

By erecting wind turbines in Hardin County we will become a part of Governor Strickland's initiative as addressed in SB 221 requiring a renewable energy initiative by 2025 and requiring 12 ½% of this renewable energy to be produced by Ohio-based facilities. This is something that will have a long term effect on both our own county and also the entire State of Ohio.

The installation of wind turbines in the Hardin County area is a step forward for the economics of the county. We have the products needed to make this an effective addition to the county. The requirements set forth in HB 562 will protect both the land owners and the developers along with all the residents of the affected development areas.

The continuous wind is a big factor and access to the electrical grid; also the willingness of the residents of the county to participate in the program is a great message to send to the companies seeking to move into Hardin County.

As a former County Commissioner, I was in office when the wind turbine program was first introduced to the county. The acceptance on the part of the residents was overwhelming. In fact, most of the people affected seem to be very willing to see wind farms developed in Hardin County.

The economic factor will be a benefit to Hardin County. The payments to land owners for options and leases will have a trickle-down effect throughout the entire area.

Because our county is an agricultural area, the impact on farmland will not be a huge factor once the wind turbines are in place because farming can continue with very little disruption where the wind turbines will be erected. The erection of wind turbines could certainly allow many land owners to continue their farming operations because they will be receiving lease income in addition to their farm income; this is especially important in years that prices are low or weather has

adversely impacted crop yields.

I feel that Hardin Wind Energy ^{LLC} will be providing a valuable contribution to the economic and ecological well being of Hardin County and the entire state.

Gerald Potter
7881 C. R. 95
Ada, OH 45810
419-673-0511

I'm Steve Stambaugh. My wife and I have travelled here from our home in Bend, Oregon to speak in favor of the wind project proposed by Hardin Wind Energy. I speak both as a partner in a family partnership and as a trustee of the Jennings Stambaugh Trust. Together we own over 1,100 acres on the Scioto Marsh. Last year, after weighing proposals from four different developers, we signed lease agreements with Hardin Wind Energy. Since then, I have maintained a close working relationship with Hardin Wind and have closely followed the certification process using documentation posted on the Internet.

Our family has been farming in this area for a very long time. My great-grandfather, John B. Stambaugh, came here in 1888 and was an onion grower when McGuffey was the Onion Capital of the World. He was also the committee chairman that oversaw construction of this Courthouse. My grandfather, Jennings Stambaugh, was also an onion grower. You can read about his experiences as a farmer during the Great Depression on the Internet. My Dad, John Stambaugh, grew potatoes on the marsh for over 40 years. In summers past, I pulled weeds in those fields for \$1.00 an hour.

Tonight, I want to make three points. 1) This is the right project and 2) this is the right developer. But 3), I have some questions and concerns about the development process going forward.

First, This 300 MW project involving 200 turbines spread across 20,000 acres is the right project for both the State of Ohio and Hardin County. In 2008, the Ohio Senate unanimously adopted a Renewable Portfolio Standard with the requirement to generate 12.5% of the state's electricity from renewable sources by 2025. The project proposed by Hardin Wind Energy is an ideal solution to meet this requirement. If you look at a wind map for the state of Ohio, you will see that McGuffey is centrally located in a small area where winds speeds reach their maximum in the state. It is also fortuitous that high power transmission lines needed to deliver the electricity from a wind facility already run across the project area. Being an agricultural area, it is sparsely populated which allows turbines to be well offset from residences. And a wind project, as opposed to solar, can have a very light footprint on the land. The magnitude of the project will broaden the economic base of the County and result in significant new tax revenues. It will provide much-needed long-term employment opportunities in an expanding technology sector. And for landowners, leases will result in additional income to supplement that from farming. This will provide a strong incentive to preserve some of the best farmland in the

country for agriculture. In short, this project has so many positive attributes, that it represents the ideal starting point for Ohio to meet its RPS goals.

Second, Hardin Wind Energy is the right company to complete this project. As I mentioned before, I reviewed proposals from at least four developers. In the end, it came down to two. I performed a trade-off based on various criteria including lease terms and the record of past accomplishment. At the end of the day, Hardin Wind Energy and its parent organization, Invenergy, were the winners hands-down. At that time, Invenergy had already brought 18 wind projects totaling 1,700 MW of power online. I was particularly concerned about their experience in siting facilities in areas where farms involve smaller acreages. Invenergy provided me with the layout for their Grand Ridge facility in Illinois. The pattern of fields there looks very similar to that here in McGuffey. It was evident to me that Invenergy had worked closely with landowners to site turbines and access roads in a manner to minimize the impact on farm operations. That was very important to us in making our decision.

Finally, we get to my concerns about the development process. Hardin Wind Energy has provided a siting plan as part of its application for certification. I have downloaded the part of the plan pertaining to our acreage from the Internet and spent some time reviewing it. I consider it a reasonable preliminary plan. However, I believe it needs some fine-tuning during the final design to insure that it minimizes the impact on our farming operation. Let me give an example. The preliminary plan shows two turbines in a 300 acre field where corn and carrots are grown. However, these turbines would interfere with the operation of an irrigation pivot. Maybe, the engineer sited these turbines at his desk not knowing the pivot was there. Or, maybe a site survey was performed on a day when the pivot had been dragged up to the other end of the field. But, in the end, we need to work with Hardin Wind to resite these two turbines.

Hardin Wind is willing to do this. I've already had a Web conference with their project engineer and he has revised the plan to incorporate my suggestions. We even worked together to eliminate 700 feet of access road across our farmland in McDonald Twp. But, this needs to be incorporated into the final design. Hardin Wind has documented their contractual obligation to obtain mutual agreement with landowners on siting issues during the final design in interrogatories submitted to the Board. It is my strong desire that the State's processes will allow for this to happen.

However, after several inquiries, I'm still unable to verify that the Board has this same view of the process. I'm also concerned that the Staff Report does not directly address this issue. I attribute this to the fact that this is the first wind facility to make it through the State's certification and development process. And a wind facility, being geographically distributed, is very different from a centrally located power generation plant. So processes that worked well in the past may not be fully applicable to a wind facility. I continue to look forward to seeing written confirmation from the Board that their processes will support cooperation between the developer and landowners during final design to minimize the impact of the wind facility on farming.

Finally, I hope that Hardin Wind Energy, the community, the Board and the State of Ohio will work together to see this project through to operational status next year. This is a test for all of us on whether we're really serious about meeting our own renewable energy requirements.

**Ohio Power Siting Board Public Hearing
January 5TH, 2010 Hardin County Court House
Hardin Wind Farm Project
Mark S. Lowery**

Your Honor, my name is Mark Lowery; I'm the oldest son of Steve & Madelyn Lowery. On their behalf, I'm representing my parents today due to they are on vacation in Florida.

Our family and I have been life long Hardin County residents. The 79-acre family farm, located in Cessna Township that my parents own and where I was born and raised has been in the family since the early 1900's spanning five generations. Farms in the Hardin County area are owned and operated by families that were established several generations ago. Invenenergy has a long-term perspective on projects and takes a pro-active approach to building strong relationships with the local area landowners. Hardin Wind LLC understands that the projects are based on a partnership with landowners and their land. Just like farmers across Hardin County, they pride their selves in being responsible stewards of the land.

During my work experience working on these family farms, & working for the Hardin Soil & Water Conservation District as a District Technician for the last 15 years, I have witness and know that these family farms in Hardin County are the economic engine and tax structure of the local community.

During the past 10 to 15 years it has been very important to diversify your

family farm income to survive by either having a person within the family farm to obtain an outside job or new means of income from the farm. This project can do that by providing a significant impact to the community through approximately 20,000 acres of leased private land payments, which will provide additional revenue source for the participating landowners. This extra income source has the potential to assist the local community through increased spending from the landowners. Also, there is a possibility that local manufacturing in the county are looking into providing parts and services for renewable technology. This supply and services could lead to more local jobs and other economic endeavors for people living in Hardin County.

The facilities impact on the viability as agriculture land in construction related activities around the wind turbine could lead to temporary reductions in farm productivity caused by soil compaction, broken drainage tiles and direct crop damage. However, Hardin Wind LLC intends to take steps in order to address such potential impacts to farmland, including repairing or replacing damaged drainage tiles to the landowners satisfaction, and de-compaction and rock picking prior to re-spreading of the topsoil. Hardin Wind LLC would reimburse any additional crops damaged by construction

activities to the landowner. Also, Hardin Wind LLC shall employ best management practices to maintain erosion, dust and sedimentation control measures with several state agencies including Ohio EPA, Departments of Agriculture and Natural Resources. This is another fine example on how they pride themselves of being responsible stewards of the land.

Your Honor – I thank you for listening to my testimony.

To: Ohio Power Siting Board (OPSB)
From: Chris Richards
Subject: Support for the Hardin Wind Farm Project (Project)
Date: 1-5-10

To the "OPSB"

My name is Chris Richards; I am the General Manager of Golden Giant Inc. located at 13300 South Vision Dr. Kenton, (Hardin County) Ohio 43326. Golden Giant Inc. is in the business of designing, fabricating and erecting steel buildings. We employ 35-40 people during our ^{Peak} "high" business cycle and have been in business since 1971.

I am in support of the wind energy project because I believe:

- It will have a positive financial impact on the land owners.
- It will have a net positive impact on the environment (considering how energy is produced in the country but more specifically here in the Midwest).
- Hardin County has not kept up with other Counties from a business development perspective over the years and this "Project" should have a "more positive" impact on the land owners and neighbors compared to other potential business development projects that could be located in close proximity.
- Hardin Wind Energy will create a few service related jobs for the long term and will hopefully create work for various qualified local subcontractors in the area on a short term basis.
- The "Project" will potentially bring other interested businesses/people to the County if for no other reason than to see the structures, hopefully a few will stay.
- The "Project" will allow Hardin County to be associated with a leading/cutting edge technology.

Thank you for the opportunity to express my opinion.

The Future of Hardin County

Wind Farm Concerns and Area to be addressed

Submitted by: Ed Rogers

Phone 419-673-8955

Information contained in the following topics were taken from the report submitted to P.U.C.O. by Hardin Wind Energy LLC(Inverenergy), case number 09-0479-el-bgn and from concerning the subject.

The topics concerned in this submission may be found on line.

Governmental Impacts Locally

I. **Safety**-There will be nearly 300, ¼ mile or longer access lanes built. Who will patrol them and who will pay for it? Their plan now is a small sign posted at the entrance.

-If some one is hurt (ie-from ice being thrown from the 160' blade) who is liable, he farmer and /or Inverenergy??

II. **Taxing**-How will the wind farm be taxed?

-It should be fairly taxed like the normal tax payer within the county..real estate tax on the value of the tower, Income tax on the company, and sales tax on the selling of the electric.

III. **Road Damage/Enhancement** -The Wind Farm hasn't addressed what needs to be done to roads and who is to pay for it.

IV. **Decomissioning Funds with Plan**- Before construction is to begin the wind farm needs to submit a decommissioning plan for the dismantling of the wind farm. I suggest, to protect the county, we need to have them set aside the funding for this much like Wyandot County did for their 88 acre solar farm.

V. **Airport's Future**- The adverse impacts on the airport need to be explored. Can the runway be added onto to support future industrial growth?

VI. **Sheriff Communication Tower**- How will this be affected by interference from the Turbines? The Comsearch Report does not address this.

VII. **Life Flight Helicopter**- How will the flight path, area of response, and its response time be altered especially during in climate weather?

VIII. **Property Values Decline**- How much will they decline? What are the impacts?

Quality of Life Concerns

- I. **NOISE**-The sound study submitted state that at 1,000 feet from a tower the noise emitted from the turbine's blades is over 40 decibels with the wind moving at 10mph.. That's almost the level of a noisy classroom or office. What is the noise put off at higher wind and what will they do for me as an adjacent property owner?
- II. **CELL PHONES**-There will be microwave disruption surrounding the and inside of the wind farm as stated in the Comsearch report. This will affect cell phone usage. How much will it effect it and what can be done about it?
- III. **AM and FM INTERFERENCE**-Radio transmission and reception will be affected.

Television Reception Degraded or Lost- Inverenergy has a "mitigation plan" devised for those residents who suffer television reception loss.

-"In no case should any community lose all of its available stations." (source cited above)