

BEFORE THE OHIO POWER SITING BOARD

- - -

In the Matter of the :  
Application of JW Great :  
Lakes Wind, LLC for a :  
Certificate to Construct : Case No. 09-277-EL-BGN  
a Wind Powered Electric :  
Generation Facility in :  
Hardin County, Ohio. :

- - -

PROCEEDINGS

before Mr. Gregory A. Price, Administrative Law  
Judge, at the Ohio Power Siting Board, 180 East Broad  
Street, Room 11-C, Columbus, Ohio, called at 10:00  
a.m. on Monday, February 1, 2010.

- - -

ARMSTRONG & OKEY, INC.  
222 East Town Street, 2nd Floor  
Columbus, Ohio 43215  
(614) 224-9481 - (800) 223-9481  
Fax - (614) 224-5724

- - -

1 APPEARANCES:

2 McMahon DeGulis, LLP  
3 By Mr. David E. Nash  
4 The Canton Building, Suite 650  
5 812 Huron Road  
6 Cleveland, Ohio 44115

7 On behalf of JW Great Lakes Wind, LLC.

8 Mr. Larry Gearhardt  
9 Chief Legal Counsel  
10 280 North High Street  
11 Columbus, Ohio 43213-8256

12 On behalf of the Ohio Farm Bureau  
13 Federation.

14 Richard Cordray, Ohio Attorney General  
15 By Ms. Christina E. Grasseschi  
16 Ms. Erica M. Spitzig  
17 Assistant Attorneys General  
18 Environmental Enforcement Section  
19 30 East Broad Street, 25th Floor  
20 Columbus, Ohio 43215

21 On behalf of the Ohio Environmental  
22 Protection Agency.

23 Richard Cordray, Ohio Attorney General  
24 Duane W. Luckey, Section Chief  
25 Public Utilities Section  
By Mr. William L. Wright  
Mr. Werner Margard III  
Assistant Attorneys General  
180 East Broad Street, 9th Floor  
Columbus, Ohio 43215-3793

On behalf of the staff of the  
Ohio Power Siting Board.

- - -

Monday Morning Session,

February 1, 2010.

- - -

ADMINISTRATIVE LAW JUDGE: Good morning.

The Ohio Power Siting Board has set for hearing at this time and this place case number 09-277-EL-BGN, being In the Matter of the Application of JW Great Lakes Wind, LLC for a Certificate to Construct a Wind Powered Electric Generation Facility in Hardin County, Ohio.

My name is Gregory Price. I am the administrative law judge assigned to preside over today's hearing.

Let's begin by taking appearances of the parties. Mr. Wright.

MR. WRIGHT: Thank you, your Honor. I have been authorized to make appearances on behalf of all parties in the case today with the understanding that today is going to be a continuation of the hearing to a later date.

On behalf of the applicant I would like to enter the appearance of David E. Nash, N-a-s-h, Mr. Nash is with the firm of McMahon, that's M-c-M-a-h-o-n, DeGulis, D-e-G-u-l-i-s, LLP, The Canton Building, Suite 650, 812 Huron Road,

1 Cleveland, Ohio 44115.

2 On behalf of intervenor the Ohio Farm  
3 Bureau Federation, Larry Gearhardt,  
4 G-e-a-r-h-a-r-d-t, Chief Legal Counsel, 280 North  
5 High Street, PO box 182383, Columbus, Ohio  
6 43213-8256.

7 And on behalf of the Ohio Power Siting  
8 Board staff, Richard Cordray, Ohio Attorney General,  
9 by Vern Margard, and Bill Wright, 180 East Broad  
10 Street, Columbus, Ohio 43215.

11 And, finally, on behalf of the Ohio  
12 Environmental Protection Agency, Christina  
13 Grasseschi, G-r-a-s-s-e-s-c-h-i, middle initial E,  
14 and Erica, E-r-i-c-a, M, Spitzig, S-p-i-t-z-i-g, Ohio  
15 Attorney General's office, Environmental Enforcement  
16 Section, 30 East Broad Street, 25th floor,  
17 Columbus, Ohio 43215.

18 ADMINISTRATIVE LAW JUDGE: Thank you.

19 I understand you have a motion for us  
20 before we take our first witness.

21 MR. WRIGHT: Yes, your Honor. At this  
22 time, after discussion with counsel from the  
23 applicant and also with counsel for the Ohio Farm  
24 Bureau, we would like to request that this matter be  
25 continued to Friday, February 12. The parties are

1 currently engaged in settlement discussions. We were  
2 on the -- we've actually begun the drafting of a  
3 document towards that end, and we are hopeful that  
4 that's where we would end up. We need that time to  
5 complete the process.

6 ADMINISTRATIVE LAW JUDGE: Thank you.  
7 Seeing no objections to the motion for a continuance,  
8 the continuance will be granted. We are adjourned.  
9 Thank you.

10 (The hearing adjourned at 10:04 a.m.)

11 - - -  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, February 1, 2010, and carefully compared with my original stenographic notes.

---

Maria DiPaolo Jones, Registered  
Diplomate Reporter and CRR and  
Notary Public in and for the  
State of Ohio.

My commission expires June 19, 2011.

(MDJ-3507)

- - -

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**2/16/2010 12:20:00 PM**

**in**

**Case No(s). 09-0277-EL-BGN**

Summary: Transcript Transcript of JW Great Lakes Wind, LLC hearing held on 02/01/10.  
electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Jones,  
Maria DiPaolo Mrs.