

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of Ashtabula)
Wind Farm, LLC for a Certificate to Site a) Case No. 11-2400-EL-BGN
Wind-Powered Electric Generation Facility in)
Ashtabula County, Ohio.)

ENTRY

The administrative law judge finds:

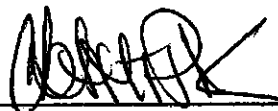
- (1) On April 14, 2011, as amended on June 13, 2011, Ashtabula Wind Farm, LLC (Ashtabula Wind), filed with the Board, a motion requesting a waiver of Section 4906.06(A)(6), Revised Code, which requires that an application filed with the Board be filed not less than one year nor more than five years prior to the commencement of construction. Ashtabula Wind explains that it will be filing an application for a wind-powered electric generation facility of more than 50 megawatts (MW) in Ashtabula County, Ohio. Ashtabula Wind states that it has not yet completed certain studies needed in order to provide information for its application; however, it would like to begin construction of the facility in May 2012.
- (2) On May 25, 2011, Staff filed a memorandum indicating that it does not contest Ashtabula Wind's motion for waiver. However, to the extent the waiver is granted, Staff states that Staff's ability to seek the information it requires during the course of the investigation should not be limited. In addition, Staff notes that, if the waiver is granted, it should not be perceived as any predetermination on Ashtabula Wind's stated intentions to commence construction in May 2012.
- (3) Section 4906.06(A)(6), Revised Code, provides that the time period set forth in the statute may be waived for good cause shown.
- (4) Upon consideration of Ashtabula Wind's request for waiver and Staff's response, the administrative law judge finds that, provided Ashtabula Wind complies with Staff's expectations, as set forth in Staff's May 25, 2011, memorandum, the motion for waiver is reasonable and should be granted.

It is, therefore,

ORDERED, That, in accordance with finding (4), Ashtabula Wind's motion for waiver be granted. It is, further,

ORDERED, That a copy of this entry should be served upon all interested persons of record in this proceeding.

THE OHIO POWER SITING BOARD



By: Christine M.T. Pirik
Administrative Law Judge

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/ vrm

Entered in the Journal
JUN 22 2011

Betty McCauley

Betty McCauley
Secretary