BEFORE THE OHIO POWER SITING BOARD

In The Matter Of The Application Of Black Fork Wind Energy, LLC For A Certificate To Site A Wind-Powered Electric Generating Facility In Richland And Crawford Counties.

CASE NO. 10-02865-EL-BGN

NOTICE OF INTERVENTION BY THE BOARD OF COUNTY COMMISSIONERS OF CRAWFORD COUNTY, OHIO

Pursuant to R.C. 4906.08(A)(2) and OAC Rule 4906-7-04(A)(1), the Board of County Commissioners of Crawford County, Ohio (the "Board of Commissioners") hereby submits this Notice of Intervention in this proceeding. In support of this Notice of Intervention, the Board of Commissioners states:

- 1. On March 10, 2011, Black Fork Wind Energy, LLC ("Applicant") filed with the Ohio Power Siting Board an application for a certificate of environmental compatibility and public need to site a wind-powered electric generation facility in Richland and Crawford counties pursuant to OAC Chapter 4906-17. The Board of Commissioners was served with a copy of the application on or about June 20, 2011 pursuant to R.C. 4906.06(B).
- 2. The Board of Commissioners is the duly organized and existing board of county commissioners of Crawford County, Ohio and has the authority provided under Chapters 305 and 307, Ohio Revised Code. The Board of Commissioners is authorized to intervene in this action pursuant to the Resolution attached hereto as Exhibit A.
- 3. Part of the proposed facility is to be located within Crawford County, Ohio, the geographical area under the jurisdiction of the Board of Commissioners.
- 4. The Board of Commissioners intends to intervene in this proceeding in order to represent its interests under the authority provided by Chapters 305 and 307, Ohio Revised Code. Criteria for approval of a certificate of environmental compatibility and public need includes a consideration of a broad variety of environmental and socioeconomic factors, both for the preferred project area and any alternative project area site, as provided in OAC Chapter 4906-17. These criteria include specifically the social and

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ecological criteria in OAC Rule 4906-17-08 as well as the specific economic, land use and community development criteria under OAC Rule 4906-17-08(C), (D) and (E). These criteria, in turn, include general land use considerations, economic impacts, public service and facilities impacts and anticipated impact to road and bridges associated with construction and equipment delivery including mitigation measures under OAC Rule 4906-17-08(E)(5). These criteria directly relate, and impact on, the interest, rights and obligations of the Board of Commissioners under Chapters 305 and 307, Ohio Revised Code.

Wherefore, the Board of Commissioners is entitled to intervene in this proceeding as a party pursuant to R.C. 4906.08(A)(2) and OAC Rule 4906-7-04(A)(1) with all rights, benefits and obligations of a party as provided by OAC Chapter 4906-7. This Notice of Intervention is timely and well-made and should be granted.

Of Counsel:

Stanley E. Flegm Crawford County Prosecutor 112 East Mansfield Street Suite 305 Bucyrus, Ohio 44820 Telephone: (419) 562-9782

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Respectfully submitted,

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Attorneys for Board of County Commissioners of Crawford County, Ohio

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by regular mail, facsimile and/or electronic mail on this 27 day of June, 2011, upon the following parties of record:

M. Howard Petricoff Michael J. Settineri Vorys Sater Seymour and Pease LLP 52 East Gay Street P.O. Box 1008 Columbus, Ohio 43216-1008

Attorneys for Applicant

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Attorneys for Staff

Orla E. Collier

COMMISSIONERS' OFFICE, CRAWFORD COUNTY, OHIO

JUNE 23, 2011

In the matter of authorizing intervention in the Application of Black Fork Wind Energy, LLC, Ohio Power Siting Board (OPSB) Case No. 10-02865-EL-BGN.

Mo Ressallat made the motion to adopt the following

RESOLUTION

WHEREAS, on March 10, 2011, Black Fork Wind Energy, LLC filed with the Ohio Power Siting Board (OPSB) an application for certificate of environmental compatibility and public need to site a wind-powered electric generation facility in Richland and Crawford counties (OPSB Case No. 10-02865-EL-BGN); and

WHEREAS, the Board of Commissioners of Crawford County was served with a copy of the application on or about June 20, 2011 pursuant to R.C. 4906.06(B); and

WHEREAS, the Board of Commissioners is entitled to intervene in OPSB Case No. 10-02865-EL-BGN to represent its interests under the authority provided by Chapters 305 and 307; Ohio Revised Code pursuant to R.C. 4906.08(A)(2) and ORC Rule 4906-7-04(A)(1); therefore, be it

RESOLVED, by Crawford County Board of Commissioners, that:

- Section 1. The Board of Commissioners hereby authorizes its intervention in OPSB Case No. 10-02865-EL-BGN pursuant to R.C. 4906.08(A)(2) and ORC Rule 4906-7-04(A)(1) and directs its counsel to take the appropriate action to file the required notice of intervention.
- Section 2. The Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of the Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.
- Section 3. This Resolution shall be in full force and effect immediately upon its adoption.

Jenny Vermillion seconded the above motion and the roll being called upon its adoption, the vote resulted as follows:

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BOARD OF COMMISSIONERS
CRAWFORD COUNTY, OHIO

The foregoing is a true and correct copy of a Resolution adopted by the Board of County Commissioners of Crawford County, Ohio on June 23, 2011

Barbara A. Leuthold, Clerk

Black Fork Wind Energy LLC-Authorizing Intervention.BAL

EXHIBIT

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