Vorys, Sater, Seymour and Pease LLP Legal Counsel RECEIVED-DOCKETING DIV

52 East Gay St. PO Box 1008 Columbus, Ohio 43216-1008

614.464.6400 | www.vorys.com

Founded 1909

2011 JUL 27 PM 2: 14 PUCO

Michael J. Settineri Direct Dial (614) 464-5462 Direct Fax (614) 719-5146 Email mjsettineri@vorys.com

July 25, 2011

## **VIA HAND-DELIVERY**

Mr. John H, Jones Assistant Attorney General Public Utilities Section 180 E. Broad St., 6th Floor Columbus, Ohio 43215-3793

Re: OPSB Case No. 10-2865-EL-BGN

Black Fork Wind Energy, LLC

Dear Mr. Jones:

Please find enclosed responses by the Applicant, Black Fork Wind Energy, LLC, to the Ohio Power Siting Board Staff's June 29, 2011 Miscellaneous Clarifications data requests.

Please call me or Scott Hawken, Black Fork Wind Energy Project Manager, if there are any questions regarding these responses.

Sincerely

Michael J. Settineri

MJS/drd Enclosures

cc: Scott Hawken

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician Am Date Processed 7/27/11

## Black Fork Wind Energy Project Case No. 10-2865-EL-BGN July 25, 2011 Responses to June 29, 2011 Data Requests

Miscellaneous clarifications - Black Fork Wind Energy project

June 29, 2011

1. Please list all airports within the project vicinity that are designated "public use".

The nearest "Public Use" airport is the Shelby Community Airport, which is located approximately 1-mile from the eastern project boundary. Other "Public Use" airports in the Project vicinity are The Galion Municipal Airport, in Galion, and the Port Bucyrus-Crawford County Airport, in Bucyrus. Galion Municipal Airport is approximately 3.6 miles from the southern Project boundary and Port Bucyrus-Crawford County Airport is approximately 8.6 miles from the southeast Project boundary.

2. Pg. 9 – What clearance height was filed with FAA and ODOT Aviation? Please submit all received determinations (FAA form 7460-1) to Staff for review.

The clearance height filed with the FAA and ODOT Aviation was 492 feet. The Applicant has not yet received FAA determinations (FAA Form 7460-1), but will provide them to the OPSB once they are received.

3. Pg.9 – "...as well as others." Which other turbines are under consideration?

At this time, no other turbine models are under consideration besides the models identified in the Application: GE 1.6 XLE, Vestas V-100 and Siemens SWT-2.3.

4. Page 9 - 14 turbines near airport had smaller (80 meter) hub heights. The maps indicate that there are nine 80 meter height turbines. Which is correct?

Fourteen turbines have smaller (80 meter) hub height, turbines 24, 25, 27, 29, 30, 41, 42, 43, 44, 61, 78, 79, 81 and 82.

5. Page 13 – After construction, access roads will be reduced from 40-50 feet to 16 feet. Will access roads remain gravel when permanent, or other material?

The permanent access roads will remain gravel when they are converted from 40-50 feet, to 16 feet.

6. Pg. 21 – Constraints were said to be considered for any turbine models under consideration. Does this list include the unnamed "other" turbine technologies?

The constraints mentioned on page 21 do not include the "other" turbine models. If a different turbine model is ultimately selected and the maximum turbine height is greater than

156 meters, the constraints analysis will be updated to ensure that turbine operation will be consistent with the necessary setbacks.

7. Pg. 34 – "...typical drawings of the substation..." Is this the substation layout and location expected to be constructed, or a generic schematic?

The substation layout and location provided in Appendix A are not generic schematics; the Applicant intends to construct the substation as depicted.

8. Pg. 141 – "...generation facility has been sited to avoid close proximity to these towers..." Has the Facility been sited as to avoid adverse impact to the communication services provided by these towers? What notice/discussions have taken place with the owners/operators and what was the outcome?

The turbines were sited to avoid the beam paths that are depicted in Appendix P, eliminating the potential impact to communication services. No discussions have occurred with the owner/operators.

9. Appendix D. – Please provide new photo simulations which utilize a clear, blue sky day as background and not grey, overcast skies that may mask turbine appearances.

The Applicant will provide updated photo simulations as requested. Our consultant expects those to be available by 8/5/2011.

10. Pg. 85 of the application states a 1,100 meter shadow flicker analysis was completed; while Appendix I, Pg. 4 states a 1,000 meter analysis was conducted? Which is correct?

Shadow flicker was calculated using a 1,000 meter distance limit for all residences.

11. Please indicate anticipated or likely foundation types and dimensions. Are impacts to aquifers or public and/or private water systems anticipated? Please explain.

The project turbine foundations will utilize a spread footer design. The approximate dimensions of each foundation will be 8 feet deep with a 40 foot radius spreadfooter design. Limited geotechnical work has been done to assess the general soil and geologic conditions in the Project area. A more detailed geotechnical survey will be conducted as part of the final design and will be provided to the OPSB.

As described throughout the Application, it is not anticipated that the Project will have an impact on public or private water systems. The majority of the water systems in the Project area are private residential wells. Turbine foundations are not expected to exceed 8 feet below ground surface (bgs), which is above the typical well depth in the Project area (available well logs report well depths of 30-60 feet bgs and water encountered at 5-30 feet bgs). It is possible that shallow groundwater may be encountered during excavation or that other extremely localized groundwater flow disruptions may take place downgradient of the turbine foundations. According to the preliminary geotechnical investigation in the Project area, the effect on groundwater movement at these locations will be negligible and localized to approximately 100 to 200 feet from the foundation and regional groundwater flow will be

unaffected. Because of the excavation depth relative to the groundwater table, the Project is not expected to affect private wells or the regional groundwater table. While unlikely, if bedrock is encountered during excavation and blasting is necessary, the Applicant will develop a blasting plan to ensure that all applicable laws and regulations are followed and that water resources, including private wells, are not affected by the blasting operations.

The nearest surface water public water system intake is located in Shelby, more than four miles from the nearest turbine. As a result of the appreciable distance between the surface water intake and the nearest turbine, we do not anticipate any impacts to surface water public water systems.