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TRANSCRIPT TO THE TESTIMONY OF:

THE PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC HEARING
SHELBY, OHIO

~ ~ ~ ~

IN RE: CASE NUMBER: 10-2865-EL-BGN

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THE PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC HEARING

~ ~ ~ ~ ~

IN RE: CASE NUMBERS: 10-2865-EL-BGN

Thursday, September 15, 2011

- - - - -

Public Utilities Commission of Ohio Local Public
Hearing, 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, Ohio.

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1 MR. FARKAS: If I could have your
2 attention, we're going to start the
3 hearing. Let's go on the record. The Ohio
4 Power Siting Board has assigned for public
5 hearing at this time and place, Case Number
6 10-2865-EL-BGN which is captioned: In the
7 Matter of the Application of Black Fork Wind
8 Energy, LLC for a certificate to site a wind
9 powered electric generating facility in
10 Richland and Crawford Counties, Ohio.

11 My name is Scott Farkas. I'm the
12 administrative law judge with the Ohio Power
13 Siting Board. Sitting next to me is Dan
14 Fullin, he is also an administrative law
15 judge assigned to hear this case.

16 We will be conducting the hearing
17 in this case. Also at the front of the room
18 is Matt Butler and Jonathan Tauber. They
19 are both with the -- Jonathan is with the
20 legal department. Also, he's the young man
21 walking up to the podium. And Matt Butler
22 is with the Office of Public Affairs. He's
23 the gentleman outside the theater that is
24 taking names.

25 At this time I'll take

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1 appearances. I believe somebody from the
2 company is here.

3 MR. SETTINERI: Yes, Your Honor.
4 On behalf of the Applicant, Michael J.
5 Settineri, Vorys, Sater, Seymour and Pease,
6 52 East Gay Street, Columbus, Ohio, 43215.
7 Also appearing at this proceeding with me,
8 M. Howard Petricoff and Steven M. Howard.

9 MR. FARKAS: And I believe there
10 are other members of the company that are
11 here present and in the hearing room.

12 MR. SETTINERI: Yes, Your Honor. I
13 would like to introduce David Stoner, Vice
14 President of Development for Element Power
15 and Scott Hawkin, Senior Project Manager for
16 Element Power. Mr. Hawkin is the project
17 manager of the Black Fork Wind Energy
18 Project.

19 MR. FARKAS: Okay. Thank you. Are
20 there any other parties that are here
21 present, individuals that have filed a
22 motion to intervene in the case?

23 Okay. Would you like to make an
24 appearance at the hearing?

25 MR. HEFFNER: No.

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1 MR. FARKAS: Just stating your name
2 as being here is not giving testimony. It's
3 just indicates you're here. You don't have
4 to if you don't want to.

5 MR. HEFFNER: Brett A. Heffner. I
6 intend to be at the adjudicatory hearing in
7 Columbus, so I will not be speaking
8 tonight.

9 MR. FARKAS: Okay. Thank you.

10 MR. BIGLIN: Gary J. Biglin, and I
11 intend not to be speaking tonight.

12 MR. FARKAS: Okay. Thank you.

13 MR. RICHLAND: Nick Richland. I
14 won't be speaking tonight.

15 MS. PRICE: Katherine Price. I
16 won't be speaking tonight. I'll be in
17 Columbus on Monday.

18 MR. FARKAS: Okay.

19 MS. DAVIS: Carol Davis. I will
20 not be speaking tonight.

21 MR. FARKAS: Thank you.

22 MR. PRICE: Alan Price. I wont be
23 speaking either.

24 MR. FARKAS: Okay. Thank you.

25 Okay. I believe that's --

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1 MR. WARRINGTON: John Warrington.

2 By your rules, we're disallowed from
3 speaking here, unless you'll waive that --

4 MR. FARKAS: No.

5 MR. WARRINGTON: -- and I'll speak
6 here as well as. Otherwise we'll be there.

7 MR. FARKAS: This proceeding is
8 really of testimony of people that are not
9 parties to the case. And the local public
10 hearing, this hearing, is really one aspect
11 of the case. And the process of dealing
12 with applications that are filed with the
13 Power Siting Board, there is an evidentiary
14 hearing also scheduled to commence on
15 September 19th in Columbus at the board
16 offices.

17 The purpose of the public hearing
18 tonight is to receive your comments
19 regarding the application. It is not a
20 question-and-answer session. As you may
21 have noticed, there is a court reporter
22 sitting to my left. And she is the most
23 important person here. She will be
24 transcribing everything that is said here.
25 And basically what that means is, she will

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1 be recording, in typewritten fashion, the
2 statements that are made. And if you have
3 an exhibit or something you want to offer
4 the board, we will accept that. Just at the
5 time you're making it, indicate what it is
6 and we will accept that as part of your
7 testimony.

8 I will begin -- after I finish my
9 statement, I will begin calling the
10 witnesses forward that have signed the sign-
11 up sheets and who -- anyone who wants to
12 give a statement for the record. And I'll
13 ask you to come up to the podium. And
14 before you begin your statement, I'll ask
15 you to state your name and your address.
16 And your testimony will be considered part
17 of the official record of the case. And it
18 will be reviewed by the board before they
19 make their final decision.

20 Before presenting your sworn
21 testimony, I'll be asking you to take an
22 oath or affirmation that what you're about
23 to say is the truth. Attorneys for the
24 company -- there is one attorney for the
25 company -- will be allowed to ask you

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1 questions about your statement and also the
2 administrative law judges, Dan and myself,
3 if we are interested in asking a question to
4 explore what your testimony is, we -- we are
5 -- we might do that also.

6 Should you decide that you do not
7 want to testify when I call your name, you
8 can merely pass to the next witness. Once
9 you finish testifying or if you're just in
10 attendance to observe the hearing, you can
11 leave at any time you wish.

12 Since tonight's hearing is being
13 transcribed, I would ask that if you plan to
14 testify, please speak plainly and clearly so
15 that the court reporter can accurately
16 reflect your comments on the record. If you
17 have a prepared written statement, it will
18 be helpful for you to provide a copy to the
19 court reporter.

20 We appreciate your participation in
21 tonight's hearing and we want everyone who
22 wishes to make a public statement to be able
23 to do so. If you choose to make a public
24 statement, please be considerate of others
25 waiting to give their testimony and keep

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1 your statements to a reasonable period of
2 time.

3 Are there any questions as to the
4 process that we'll follow tonight?

5 Yes, sir.

6 MALE AUDIENCE MEMBER: How many
7 minutes for comments? And where will the
8 records be posted for tonight?

9 MR. FARKAS: Okay. There is no
10 official -- we're not going to keep time.
11 We'll -- we want you to testify. We want to
12 hear what you have to say. And it's
13 important that everyone be allowed to say
14 whatever they want to say. I guess my point
15 is, that because there are so many people
16 here, we -- we want people to be able to
17 testify. So there is no time limit. You
18 can basically say whatever you want to say.
19 And I'm just asking you to, you know,
20 just --

21 MALE AUDIENCE MEMBER: Be
22 considerate.

23 MR. FARKAS: Just be considerate.

24 Is there anybody else?

25 Yes, sir.

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1 MALE AUDIENCE MEMBER: Where will
2 these be posted?

3 MR. FARKAS: I'm sorry. They will
4 -- once the transcript is docketed -- and
5 tonight -- this is going to be -- it will be
6 docketed, I believe, three days. The
7 transcript, like all documents that are
8 filed in this case, are on -- online
9 available to look at. There will be an
10 image of the transcript that you can look at
11 and read online. And you go to the Power
12 Siting Board website. And I can give that
13 to you at -- let's see if I have it. If I
14 can't find it here, I'll -- I think at the
15 front of the -- where Matt was taking names,
16 he can give you the address.

17 MR. BUTLER: OPSB.ohio.gov.

18 MR. FARKAS: What you want to look
19 at is the case number, and that will get you
20 to the docket and then you can look at
21 everything that's been filed in --

22 MALE AUDIENCE MEMBER: And you'll
23 have the date there anyway?

24 MR. FARKAS: What's that?

25 MALE AUDIENCE MEMBER: You'll have

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1 the date there anyway?

2 MR. FARKAS: Yes.

3 And the case number -- this case is
4 10-2865-EL-BGN. But for purposes of the
5 docketing system, you just need the 10-2865
6 and then you'll get into the case.

7 FEMALE AUDIENCE MEMBER: Can you
8 repeat that website again?

9 MR. FARKAS: I'm sorry. Matt.

10 MR. FULLIN: We'll repeat it a
11 little bit later on when we can get it.

12 Jonathan, can you get Matt to give
13 the website one more time?

14 MR. FARKAS: What's the website
15 again?

16 MR. BUTLER: It's
17 WWW.OPSB.ohio.gov. And it's on the
18 literature that's out on the table. If you
19 want to grab any of those pieces out there,
20 it will have it.

21 MR. SETTINERI: Your Honor, just to
22 clarify, for those people who may have
23 brought written statements tonight, will
24 they have an opportunity to submit those?

25 MR. FARKAS: Yes.

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1 MR. SETTINERI: Okay. And how
2 should they do that?

3 MR. FARKAS: If they have a written
4 statement, they just offer it to the -- make
5 a copy available to the court reporter.

6 Anybody else have any questions
7 about the process?

8 If you have a statement that you
9 are providing that is the statement of
10 somebody else, we're just going to ask you
11 to provide that to us and we'll file that
12 with the -- it will be docketed.

13 MR. FULLIN: Just like the
14 transcript we talked about being docketed,
15 it will be docketed as a public comment in
16 the record. It won't be exactly the same as
17 if you came tonight and testified. That
18 would be testimony. This will be a public
19 comment that's part of the record. We'll
20 take it with us and docket it when we get
21 back to Columbus. But if you're testifying
22 on your own behalf, then that's what we're
23 really here for tonight.

24 MR. FARKAS: Any other questions?

25 Yes, ma'am.

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1 FEMALE AUDIENCE MEMBER: Is that
2 microphone hooked up there?

3 MR. FARKAS: Yes, it is.

4 FEMALE AUDIENCE MEMBER: It might
5 be a good idea, anybody speaking would go up
6 there. Because I didn't hear anything.

7 MR. FULLIN: That's the plan.

8 MR. FARKAS: That's -- we'll have
9 you come up to the podium.

10 MR. FULLIN: When you testify,
11 we'll have you make that statement from
12 there.

13 MR. FARKAS: Yes, sir.

14 MALE AUDIENCE MEMBER: Would that
15 be considered a power of attorney type
16 situation, would that be acceptable to voice
17 my opinion?

18 MR. FARKAS: You mean from your --
19 you want to present the testimony of
20 somebody else?

21 MALE AUDIENCE MEMBER: Correct.

22 MR. FARKAS: Yes, that's what we're
23 talking about. If you have a statement from
24 somebody else, we'll accept that as a public
25 comment.

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1 MALE AUDIENCE MEMBER: Okay.

2 MR. FARKAS: Yes.

3 FEMALE AUDIENCE MEMBER: We're
4 having a hard time hearing you two and we're
5 not getting anything from the gentleman in
6 the front row when they stand up and speak.

7 MR. FARKAS: Okay. You can't hear
8 with this mic?

9 FEMALE AUDIENCE MEMBER: We're just
10 -- no.

11 MR. FULLIN: Well, we'll make an
12 effort to try to speak a little louder and
13 just try to be a little more conscious than
14 we have been about trying to be heard.

15 FEMALE AUDIENCE MEMBER: Thank you.

16 MR. FARKAS: Yes, sir.

17 MALE AUDIENCE MEMBER: If they face
18 us, we can hear better. I'm hard of
19 hearing. I couldn't hardly hear a word they
20 said.

21 MR. FARKAS: Okay. Does anybody
22 else have a question about the process?

23 Okay. Then I will call the first
24 person that's signed up. Okay. Judy
25 Lawrence.

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- - - - -
JUDY LAWRENCE

After having been first duly sworn, as
hereinafter certified, was examined and testified
as follows:

MR. FARKAS: State your name and
address, please.

MR. FULLIN: Please speak into the
microphone.

MS. LAWRENCE: Judy Lawrence. 967
Highland Avenue, Galion, Ohio.

MR. FARKAS: Can everybody hear
her?

AUDIENCE: No.

MS. LAWRENCE: Is this better?

All right. I am concerned about a
pending case before the Ohio Power Siting
Board called the Black Fork Wind Farm
Project. The project will be both in
Crawford and Richland Counties. There will
be 91 wind turbines, about 450 to 500 feet
tall, from what I understand.

Doctors in many countries have
found people living near wind turbines have
developed the same symptoms after the

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1 turbines were installed, and the symptoms
2 disappeared after the people moved away or
3 spent sufficient time away to experience
4 relief.

5 Dr. Nina Pierpont is a highly
6 qualified licensed physician in New York.
7 Her qualifications include she has a BA from
8 Yale, Cum Laude, an MA from Princeton, Ph.D.
9 from Princeton and an MD from John Hopkins
10 University School of Medicine, also post
11 doctoral training. And she has written a
12 book called The Wind Turbine Syndrome. She
13 found the following symptoms in families
14 living near turbines. Some experience sleep
15 problems. Headaches are increased in
16 frequency and severity. Dizziness,
17 unsteadiness and nausea. Exhaustion,
18 anxiety, anger, irritability, panic attacks
19 and depression. Children have problems with
20 concentration and learning and people have
21 ringing in the ear. Now, some people have a
22 sensitivity to the low frequency vibration.
23 The visual disturbance of the moving blades
24 shadows and noise or vibrations impact our
25 inner ear. Not everyone has these

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1 symptoms. The difference is known as risk
2 factors.

3 Doctors and most people living near
4 the wind turbines agree that a setback of at
5 least a mile, preferably more, would be the
6 best outcome for people living near the wind
7 turbines.

8 And I have a picture of a wind
9 turbine that's near a gentleman's home
10 that's 1,400 feet away. And it looks like
11 it's right out his back door. You probably
12 won't be able to see this from here. But if
13 you go on
14 LIFEWITHDEKALBTURBINES.BLOGSPOT.COM, they
15 have a blog about how the wind turbines --
16 what they've done to their life and their
17 family.

18 Let's see here. The gentleman that
19 has this blog says people told him that the
20 turbines sound like a refrigerator. And
21 this is not the case. We hear low frequency
22 sounds on our property, as well as in the
23 home. He has two wind turbines 1,400 feet
24 from the foundation of his home. He is
25 bothered by noise, whistling, constant

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1 swirling movement and a shadow flicker. And
2 the shadow flicker is like strobe lights.
3 And that happens when the sun is shining
4 behind the blades or the moon also.

5 And I'm asking that you please
6 consider the following things: Since wind
7 turbines work only, from what I understand,
8 60 to 80 percent of the time, there's still
9 going to be backup power. And why are there
10 so many abandoned wind turbines? Online
11 I've seen that there are about 14,000 that
12 are abandoned. And why are land owners
13 forced to sign a confidentiality agreement
14 so if they have any problems, they can't say
15 anything? I'm also wondering if anybody
16 from the company or the board has slept in a
17 home in close proximity to a turbine for a
18 few days when the turbine blades are pitched
19 into the wind. We also know that there is a
20 problem with birds and bats that are dying.
21 There is a court case in California that the
22 environmentalists are suing wind turbine
23 companies. Also, is it safe to crop dust
24 with turbines on your property. And
25 evidently you can't.

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1 Do turbines interfere with the
2 television or cell phone? I'm not sure
3 about that. And also, what happens when ice
4 forms on the blades of the turbines? I've
5 read that when ice -- when it's going to be,
6 like, cold enough for ice, they have to turn
7 them off. And there has been incidences of
8 the blades falling off and also some of the
9 turbines catching fire.

10 So I'm asking that people, please
11 take into consideration a setback of at
12 least a mile or a mile and a half. Because
13 many doctors in many countries have found
14 the same symptoms in people. And it doesn't
15 affect all people. But some people are more
16 susceptible. And I do thank you for your
17 time.

18 MR. FARKAS: Thank you. Do you
19 live in the project area?

20 MS. LAWRENCE: No, I do not. But I
21 do know people that will.

22 MR. FARKAS: Okay. Thank you.

23 MS. LAWRENCE: Do you need a copy
24 of this?

25 MR. FARKAS: Sure. If you want to

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1 provide a copy of your statement, that would
2 be helpful.

3 Gary Cole.

4 - - - - -

5 GARY COLE

6 After having been first duly sworn, as
7 hereinafter certified, was examined and testified
8 as follows:

9 MR. FARKAS: You can grab and take
10 the microphone and hold it and people will
11 be --

12 MR. COLE: It may work all right
13 this way.

14 MR. FARKAS: Okay. He should be
15 doing this. He's got a good voice.

16 MR. COLE: I do have a copy to give
17 to you, if you would like.

18 MR. FARKAS: Yes. Would you state
19 your name and address for the record?

20 MR. COLE: My name is Gary

21 **A. Cole. I live at 7350 State Route 96,**
22 **which is just west of Shelby a ways.**

23 MR. FARKAS: And do you live in the
24 project area?

25 MR. COLE: Yes, I do.

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1 MR. FARKAS: Thank you. You may
2 proceed.

3 MR. COLE: Our representatives of
4 the Ohio Power Siting Board, good evening
5 and thank you for the opportunity to speak.
6 I am a lifetime resident of Crawford County,
7 mostly in Vernon Township where I am a
8 landowner. There are no turbines to be
9 located on my property but several will be
10 easily visible from my home. My background
11 as a science teacher gives me some ability
12 to understand evidence being presented about
13 wind turbines. I have attempted to
14 objectively evaluate the arguments for and
15 against the project, this includes studying
16 literature, listening to presentations and
17 personal visits to wind turbine
18 installations.

19 I have considered the effect on
20 birds, ground water, shadow flicker and
21 noise. My visits have included Benton
22 County Indiana, Story County and Worth
23 County in Iowa, the Bowling Green wind
24 turbines. The new project in Van Wert and
25 Paulding Counties in Ohio and several large

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1 wind farms in Oklahoma and Kansas. I
2 stopped at large working turbines, pacing
3 off various distances from the bases of
4 individual turbines, observing noise
5 levels. I was particularly interested in a
6 1,400 foot distance because my front door
7 will be about that distance from one of the
8 turbines in this project. According to
9 documents on file at the OPSB, that would
10 slightly exceed the minimum distance from
11 any home in this project.

12 I noticed that the older turbines,
13 eight to ten years older or so were much
14 noisier but the new turbines were very
15 quiet. Obviously, the large turbines will
16 create a difference in the landscape. In
17 discussing this with those living close to
18 similar projects, the comment is, that after
19 a period of time the uniqueness wears off
20 and less attention is give to the
21 structures. Farming is a predominant
22 economic activity in this area. Based upon
23 county records, land prices have continued
24 to increase, even during the initial phase
25 of the wind turbine project. Any decrease

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1 in building values can be attributed to the
2 general economy. In my opinion, due to the
3 very small area of the land used for the
4 wind turbines, the agricultural production
5 for this area will not be adversely affected
6 by this project.

7 I've also considered the direct
8 economic benefits to the community. Any
9 additional revenues would be welcome, due to
10 recent losses in tax revenues. In addition
11 to the contractual payments to land owners,
12 a significant amount of revenue will be paid
13 to local governments and schools in lieu of
14 property taxes. In Crawford County, this
15 payment will be \$9,000 per megawatt. Based
16 on the final number and size of turbines,
17 this could amount to as much as 1.2 million
18 dollars to be annually allocated to local
19 energies in Crawford County.

20 Wind turbines are not the only
21 solution to the energy problem. Just as
22 energy technology has changed in the past,
23 it will continue to change in the future and
24 the wind turbine will be a beneficial part
25 of this evolving technology that will look

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1 much different 10, 20 and more years from
2 now.

3 After considering my observations and
4 information presented in the staff report for the
5 Black Fork Project, I have concluded that the
6 benefits outweigh the negative aspects. I would
7 urge the OPSB to approve this project as a
8 positive step to help achieve energy self
9 sufficiency in Ohio and also to help meet any
10 mandates of the Ohio legislator. Thank you very
11 much.

12 MR. FARKAS: Thank you.

13 MR. FULLIN: Let me ask you a
14 question. You said you were a science
15 teacher.

16 MR. COLE: Yes.

17 MR. FULLIN: If you're willing to
18 share, would you tell us where you were a
19 science teacher.

20 MR. COLE: In this building.

21 MR. FULLIN: Okay. And how long
22 have you been?

23 MR. COLE: I taught for 33 years;
24 30 of it in Shelby.

25 MR. FULLIN: Okay. Thank you.

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1 MR. FARKAS: James Davis.

2 - - - - -

3 JAMES DAVIS

4 After having been first duly sworn, as
5 hereinafter certified, was examined and testified
6 as follows:

7 MR. FARKAS: Please state your name
8 and address for the record.

9 MR. DAVIS: James Davis.

10 MR. FARKAS: Yeah.

11 MR. DAVIS: 6675 Champion Road,
12 Shelby, Ohio.

13 MR. FARKAS: And do you live in the
14 project area?

15 MR. DAVIS: Yes, I do.

16 MR. FARKAS: And if you would hold
17 the mic, you can --

18 MR. DAVIS: I'll try to get close.

19 MR. FARKAS: Thank you.

20 MR. DAVIS: My name is Jim Davis.

21 I live in the northeast quadrant of the
22 proposed project. And I can't see very
23 well -- called the Black Fork Wind Energy.
24 Thank you for allowing me time to express
25 some of my thoughts.

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1 I began this process, along with my
2 wife, two-and-a-half years ago as a textbook
3 nimby. Just wanted to know what affect it
4 would have on us. However, I quickly
5 learned that it was a much bigger issue than
6 that. We traveled to western Indiana to
7 witness the wind farm environment, much like
8 the last speaker.

9 I talked with their county
10 officials who warned of infrastructure
11 changes that would have to be made and our
12 counties would have to deal with. We've
13 read countless articles and books on related
14 topics and we've come back to the old known
15 fact, if it doesn't make sense, follow the
16 money.

17 In my view, the structure of this
18 applicant brings to question many issues in
19 itself. The shell of Black Fork Wind Energy
20 is a limited liability corporation, which at
21 this point has nothing, but protects its
22 owner, Element Power.

23 Element Power was formed in 2009
24 and lists many wind and solar projects in
25 development but only one in construction or

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1 near completion in New Mexico with 28
2 turbines. Element Power is financed by a
3 third private company, Hudson Clean Energy
4 Partners. So who is responsible and liable
5 at this project?

6 Because these are all private
7 companies, very little is available to
8 anyone to determine the strength of their
9 balance sheet or experience of their
10 employees and management, making it
11 difficult to follow the money.

12 So who do we hold responsible if
13 damages befall us? Is the landowner
14 liable? Is the project manager liable? Our
15 study also convinced me that many of the
16 so-called nimby issues, such as inadequate
17 setbacks, property value decline, noise,
18 shadow flicker, water issues, electronic
19 issues, bird kill and other wildlife issues
20 are very real and can be a serious problem.
21 Will everyone be bothered by nimby issues?
22 Of course not. But a certain percentage
23 will. And this always correlates with
24 setting turbines too close to houses, as
25 well as weather variables. In fact, most

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1 projects end up with some contract holders
2 who ultimately feel the money isn't worth --
3 isn't worth it because they -- they, too,
4 are subject to these affects.

5 All of us who live in the quiet,
6 rural country will, in fact, be surrounded
7 by these huge structures with moving parts.
8 That will change the serenity our country
9 living for a very long time.

10 We have visited several different wind
11 generation projects in various population areas.
12 The population density in this project is much
13 greater than most others. Element Power's other
14 wind farm project in Luna County, New Mexico has
15 a population of 8.5 persons per square mile. And
16 the closest residence to that 50 megawatt field
17 is about five miles. Richland County has a
18 population of 250 persons per square mile and the
19 closest residence to a wind turbine is under
20 1,300 feet.

21 I have talked with people who work in
22 the electric generation field and have
23 communicated with at least 50 elected officials
24 at local, state and federal levels. All this
25 research has proven to me that wind is one of the

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1 most expensive and most unreliable sources of
2 energy known to man. So why is it being rammed
3 down our throat? Follow the money.

4 At a time when our country doesn't have
5 two nickels, we're still paying 30 to 50 percent
6 of the costs for these boondoggle projects with
7 tax payer funds, or worse yet, with borrowed
8 money from a foreign country.

9 The major components of the turbines
10 continue to come from foreign countries who
11 gladly accept our stimulus dollars. On top of
12 that, when politicians hopped on Al Gore's green
13 bandwagon, laws were put in place which required
14 utility companies to buy the expensive wind
15 energy when the wind blows and shut down the
16 other less expensive forms of generation. That
17 only makes everyone's electric rates go up,
18 contracted properties, as well as non contracted
19 properties.

20 Industrial wind energy cannot exist on
21 its own merits. No mandates, no subsidies equals
22 no wind energy. It's just that simple. And
23 don't forget, wind must be backed up 100 percent
24 by a reliable source of energy, such as coal, gas
25 or nuclear. Natural gas makes the best backup

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1 because it can be ramped up and down quicker. So
2 why don't we just use gas; natural gas from the
3 USA? We have plenty of it right here in Ohio,
4 from what I hear. The Black Fork Wind
5 application has left undecided many very critical
6 elements, such as wind turbine selection and the
7 final routing for construction, which leaves
8 everyone unable to really evaluate this project.

9 However, and finally, another side
10 effect of an industrial wind project which
11 occurs, but no one talks much about it, is the
12 effect on the people of the community. It seems
13 that two sides are developing. Those with
14 potential for profit and those with potential for
15 damage.

16 Folks who have been neighbors all their
17 lives barely speak, if at all. Church
18 congregations are fractured. Families can't see
19 eye to eye. Neighborhoods become "them" and
20 "us." Only time will tell if this has been worth
21 losing the feel of a rural small town.

22 The Ohio Power Siting Board has an
23 ominous job to do and I believe they will take it
24 seriously. Your mission is to provide sound
25 energy for the good of all citizens. That means

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1 sound, not unreliable; affordable, not most
2 expensive. And all citizens in the project
3 should be protected from proper siting -- by
4 proper siting to avoid foreseen health and safety
5 issues. There is plenty of evidence available
6 worldwide and, quite frankly, I would like to
7 have my neighborhood back without the 800-pound
8 gorilla in the room. Thank you.

9 MR. FARKAS: Thank you. Gilbert
10 Timmons.

11 MR. TIMMONS: I pass at the present
12 time. But I'm not interested in
13 communicating.

14 MR. FARKAS: Pat Timmons.

15 - - - - -
16 PATRICIA TIMMONS

17 After having been first duly sworn, as
18 hereinafter certified, was examined and testified
19 as follows:

20 MR. FARKAS: Please state your name
21 into the mic, and your address.

22 MS. TIMMONS: My name is Patricia
23 Timmons and my address is 3100 State Route
24 598, Crestline, Ohio.

25 MR. FARKAS: Is everybody able to

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1 hear?

2 AUDIENCE: No.

3 MR. FARKAS: Okay.

4 MS. TIMMONS: How's this? I can
5 really get loud if YOU need it.

6 MR. FARKAS: And do you live in the
7 project area?

8 MS. TIMMONS: Yes, I do.

9 MR. FARKAS: Okay. Thank you.

10 MS. TIMMONS: And I have a serious
11 problem with this pamphlet and any maps that
12 have been gotten from the libraries on the
13 project where the placement of the wind
14 turbines and where the cables lay, from what
15 I can see, it crosses my property and my
16 father's property.

17 MR. FARKAS: Just for the record,
18 the pamphlet you're speaking about is what?
19 What is it called?

20 MS. TIMMONS: Staff Report of
21 Investigation.

22 MR. FARKAS: Thank you. I just
23 wanted to get that for the record. Thank
24 you. Go ahead.

25 MS. TIMMONS: Now I've lost my

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1 place.

2 MR. FARKAS: I am sorry.

3 MS. TIMMONS: Don't confuse me
4 now. I'm new at this.

5 Turbines 73 and 72, unfortunately,
6 that's one to -- if you're facing my home,
7 that's one to the left of my property in the
8 back yard, and then there is one directly
9 back behind the woods of my property. And
10 they want to connect those two, evidently,
11 by a cable that crosses to the point of the
12 -- of my property line and my parents'
13 property line, which I understand salesmen
14 have a job. But when they approach 70- and
15 80-year-old people and they don't take no
16 for an answer, I have a problem with that,
17 especially if it is my parents.

18 My father has ran Black Fork off
19 his property too many times to mention.
20 They have called me on my cell phone when I
21 lived in South Carolina up until two weeks
22 ago, and I would hang up on them. I would
23 do so much as to say, go to hell, because
24 they harassed so bad, and then I look at
25 someone presents this map to me and shows me

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1 and says, I didn't think you were in on
2 this.

3 And I said, well, I'm not.

4 And well, they showed me this map
5 and said, well, you most certainly are.
6 Don't lie to us.

7 That's created a hardship for me.
8 It's created a hardship for my parents. And
9 these turbines aren't even up yet. Okay.
10 We have -- we have neighborhood -- people in
11 our neighborhood that we look up to and we
12 respect. And when you put something down on
13 paper like this and then you pass it out to
14 hundreds of folks and they see, well, Joe
15 blow or the Timmons or the Murphys or the
16 Neices or Lenhart, whoever, you think, well
17 my gosh, if those people did it, then it
18 must not be that bad.

19 Well, it is that bad when it's false,
20 when you've been hung up on, when you've been ran
21 off the property and you do not take no for an
22 answer. I don't trust them. If I do not trust
23 them to come to my door or to call my phone an
24 accept the answer of no, why on god's green earth
25 would I trust them to put a mechanical device up

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1 next to my back yard or at the back of my
2 property? You're only as good as -- as you, the
3 individual -- the work you do in this world is
4 only as good as you are. I don't trust that. I
5 don't want it anywhere near us. My parents and I
6 made a trip to Columbus to stop that harassment
7 and to get this fixed because we were being
8 questioned by so many about why we act on one
9 hand that we -- we're going to get this money
10 that they're going to pay us to run this cable
11 across our property but yet, we're standing up
12 saying, we don't want that. But on paper it's
13 saying that we're liars. And I'm here to say,
14 we're not liars. We do not want the wind
15 turbines or anything to do with it across the
16 property. This is false. And that's false
17 advertisement, as far as I'm concerned.

18 I also have a test tower where they're
19 wanting to put one of these turbines. I believe
20 it's number 72. There is a test tower there. I
21 don't sleep all that great at night. I worked
22 second shift most of my life, so I'm up in the
23 wee hours into the morning. And I sit out there
24 and drink my coffee and smoke my cigarette or
25 just sit there and stargaze or listen to the

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1 noise and nature. That is why I moved there. I
2 am actually no different than this gentleman at
3 the end of your table there. I was sitting there
4 when you gentlemen came in. You were very
5 selective about where you were going to sit. And
6 the gentleman to your right was very selective
7 about the chair he was going to sit in. Correct?

8 MR. FARKAS: That might have been
9 me.

10 MS. TIMMONS: No. That wasn't you.
11 This was the other gentleman.

12 MR. FULLIN: We were working
13 together on getting nice seats.

14 MS. TIMMONS: So tell me, sir, how
15 inclined would you be to sit in that chair
16 if I got me some big burly dudes to come up
17 here and move this podium and set it right
18 in front of your face?

19 MR. FULLIN: I'm going to treat
20 that and, really, other questions as a
21 rhetorical question.

22 MS. TIMMONS: Okay. I take it I
23 made my point.

24 MR. FULLIN: I'm not hear to
25 testify. You are.

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1 MS. TIMMONS: I understand. But I
2 want you to feel like I feel. I retired six
3 years ago. And in 2001 I built a brand-new
4 home. It was my dream home. And I built it
5 where it was so I could watch the deer and
6 listen to nature and sit out under my gazebo
7 and watch the snow fall and the rain and
8 just quiet, peace and quiet and beauty. The
9 test tower that's up there, it's squeals.
10 That's only a test tower and it's squeals.
11 And I hear it sitting on my gazebo and
12 sitting on my back porch. I cannot begin to
13 imagine what a wind turbine would do. Maybe
14 not right at first, but it's only made of
15 metal, nuts and bolts. It's going to do it
16 eventually.

17 I can't afford -- I'm retired. I
18 can't go back to work. I'm on disability.
19 I can't go back to work. I can't pick up
20 and move my chair somewhere where I can see
21 better or somewhere else where a big podium
22 is not sitting in front of me looking. I
23 can't afford to do that. That's not an
24 option for me. But there's a whole world
25 here for these turbines. They don't have to

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1 be in my backyard.

2 Sorry I wasn't more prepared for
3 this, but that's the best I can do. At
4 least I'll sleep a little bit better this
5 evening now that I've said is it.

6 MR. FARKAS: Okay. Thank you.

7 Larry Brown.

8 MR. BROWN: I pass, Your Honor. I
9 had a question more than a statement.

10 MR. FARKAS: J. L. Cellertoni?

11 MS. CELLERTONI: I pass.

12 MR. FARKAS: Betty Borgett?

13 MS. BORGETT: I pass also.

14 MR. FARKAS: Mike Cramer?

15 MR. CRAMER: Pass.

16 MR. FARKAS: Gary Siesel?

17 MR. SIESEL: Pass.

18 MR. FARKAS: Ismael Gutierrez?

19 MR. GUTIERREZ: Pass.

20 MR. FARKAS: Tom Ridenbaugh?

21 MR. RIDENBAUGH: Pass.

22 MR. FARKAS: Linda Weaver.

23 MS. WENZEL: Wenzel.

24 MR. FARKAS: Wenzel. I'm sorry.

25 - - - - -

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1 LINDA WENZEL

2 After having been first duly sworn, as
3 hereinafter certified, was examined and testified
4 as follows:

5 MR. FARKAS: Could you hold the
6 microphone? I think that helps.

7 MS. WENZEL: My name is Linda
8 Wenzel. I live at 6566 Loss Creek Road,
9 Tiro, Ohio.

10 MR. FARKAS: And do you live in the
11 project area?

12 MS. WENZEL: Yes.

13 I just want to say, that as
14 consumers of electricity, whenever we turn
15 that switch on, we don't think about where
16 that power comes from. But having worked
17 for over 20 years as an electrician, I would
18 like to say I spent the last six years
19 working in coal burners down on the river.
20 And my health has deteriorated from that
21 experience. I would invite any of you who
22 don't think that wind power isn't something
23 better to work one day with me in a
24 precipitator and expose yourself to the
25 inorganic arsenic and fly ash and the things

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1 that are there. It's real easy for us to,
2 maybe, embrace wind power if it's not in our
3 backyard, but the truth is, would you want
4 to live next to a coal burner? And so much
5 of our power now is coming from that area.
6 We need to embrace these cleaner, more
7 renewable sources of power. That's all I
8 have to say.

9 MR. FARKAS: Thank you.

10 Joe Lucas?

11 MR. LUCAS: Pass.

12 MR. FARKAS: Brian Day?

13 MR. FULLIN: Raise your right
14 hand.

15 - - - - -

16 BRIAN DAY

17 After having been first duly sworn,
18 as hereinafter certified, was examined and
19 testified as follows:

20 MR. FULLIN: Please state your name
21 and address for the record.

22 MR. DAY: Brian Day. Brian, it
23 is. 4279 Sheup Road, Shelby, Ohio. And
24 yes, it is in the area.

25 MR. FARKAS: You live in the

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1 project area?

2 MR. DAY: Yes.

3 MR. FARKAS: Thank you.

4 MR. DAY: Respected members of the
5 Ohio Power Siting Board staff, my name is
6 Brian Day. My family and I reside at 4279
7 Sheup Road, just north of Shelby, Ohio in
8 the northern area of the proposed Black Fork
9 Wind Project. My family has lived in
10 Richland County, Ohio for longer than a
11 century and I have lived my entire life in
12 the community of Shelby. Although, I do not
13 own enough land to have a turbine on my
14 property, I am in support of the project for
15 the following reasons: The City of Shelby
16 and the County of Richland are in desperate
17 need of an economic boost. With the influx
18 of workers for the coming months, this
19 provides the meat of economic activity.
20 Also, it is my belief that a wind farm will
21 draw a specific type of tourist or visitor
22 for years to come, providing an additional
23 boost to hotels, restaurants and other
24 businesses.

25 As a school teacher of 23 years, I

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1 recognize the value of an additional income
2 stream to the local school districts,
3 whether this comes from pilot payments, tax
4 agreements, additional income or property
5 tax revenue.

6 Having lived so long in this
7 community, I also understand the importance
8 of community pride. I believe this project
9 will have a positive impact on the future
10 outlook of our city, townships and
11 counties. Thank you for allowing me to
12 comment on this important matter and I urge
13 you to approve the Black Fork Wind Project.

14 MR. FARKAS: Thank you.

15 Mark Richland?

16 MR. RICHLAND: Pass.

17 MR. FARKAS: Charles Jones.

18 - - - - -

19 CHARLES JONES

20 After having been first duly sworn, as
21 hereinafter certified, was examined and testified
22 as follows:

23 MR. FULLIN: And if you'll begin by
24 stating your name and address for the
25 record.

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1 MR. JONES: My name is Charles
2 Jones. I live at 4848 Hazelbrush Road,
3 Shelby.

4 MR. FULLIN: And is that within the
5 project area?

6 MR. JONES: Yes, it is, sir.

7 MR. FULLIN: Thank you.

8 MR. JONES: My name is Charles
9 Jones. I'm speaking as a representative and
10 power of attorney for the Arlene Jones
11 Trust. The farm at 4815 Hazelbrush Road
12 will be directly impacted by the Black Fork
13 Wind Farm, as well as my personal residence
14 at 4848 Hazelbrush. I'm here today to voice
15 my support for the advancement of the Black
16 Fork Wind Farm. The positive results of the
17 Black Fork Wind Farm far outweigh the short-
18 term discomfort that I feel will be caused
19 by the project. I'm confident as the
20 program has presented been -- excuse me. I
21 am confident, as the program has been
22 presented to me that the Black Fork Wind
23 Farm will be an asset to our local economy
24 with long-term employment. I believe the
25 project will be a catalyst to breed life

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1 into not only our city, but our school
2 system and our local merchants in the
3 general area of the wind farm. Change is
4 not always easy but it is necessary for the
5 positive benefits that will be brought by
6 the farm.

7 Wind power is clean. I feel that
8 such renewable energy is moving us in the
9 right direction for this area of our state,
10 our country and the world. Thank you.

11 MR. FULLIN: Thank you. You
12 indicated that you're testifying on your own
13 behalf and also on behalf as the power of
14 attorney for the Jones estate?

15 MR. JONES: Yes.

16 MR. FULLIN: Can you describe what
17 the Jones estate is?

18 MR. JONES: It's a 154-acre parcel
19 of land directly impacted by the wind farm
20 project.

21 MR. FULLIN: And do you have some
22 kind of documentation that you can provide
23 about having a power of attorney?

24 MR. JONES: Not with me this
25 evening.

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1 MR. FULLIN: Okay. I think it
2 would strengthen your testimony in terms of
3 being able to represent them. If you want,
4 mail some documentation to the board or
5 otherwise provide it to us at a later time.
6 I would allow that.

7 MR. JONES: Okay.

8 MR. FULLIN: Thank you.

9 MR. FARKAS: Larry Horning.

10 MR. HORNING: Nothing at this
11 time. Thank you.

12 MR. FARKAS: Harry Miller.

13 - - - - -

14 HARRY MILLER

15 After having been first duly sworn, as
16 hereinafter certified, was examined and testified
17 as follows:

18 MR. FARKAS: And also can you speak
19 into the microphone too. That will help.

20 MR. MILLER: I will. Thank you.

21 MR. FARKAS: And can you state your
22 name and address for the record?

23 MR. MILLER: Okay. My name is
24 Harry Miller and I live at 7250 State Route
25 96, Crestline.

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1 MR. FARKAS: And are you in the
2 project area?

3 MR. MILLER: Yes, sir, I am.

4 MR. FARKAS: Okay. Thank you.

5 MR. MILLER: There is going to be
6 two huge turbines put right directly across
7 south. So it will be in my viewing area.
8 And as far as being an investment, you know,
9 I'm deeply concerned because there is people
10 trying to sell their houses already in our
11 community and there is going to be -- being
12 that there's going to be turbines ready
13 around the area, they're going to have
14 problems selling. And I really wonder if
15 this is an investment -- if this is going to
16 be an investment in our community and how
17 this is going to benefit all of us, not just
18 a few people. And because in trying to sell
19 a house, do I want to put that on my child
20 later down the road, which is going to
21 happen whenever I move out of my house and
22 it won't be able to sell because I have
23 these big, huge turbines around my house.
24 And not only that, as far as lowering my
25 electric bill, and from what I understand --

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1 we got a thing from North Central Co-op, and
2 they had an article in there, they were
3 almost dead set against them. So I really
4 wonder if this thing -- if they're put in --
5 once they're put in, these are 500-foot up
6 in the air, too. And guess what. They're
7 going to be in for the rest of our lives.
8 And I guess this is mainly my biggest
9 concerns. And I tell you, Richland and
10 Crawford counties are very beautiful. I'm
11 from Richland County and I moved over to
12 Crawford County, and I wanted be out in the
13 country because it's beautiful out in the
14 country. And now, on my dad's property, he
15 had an electric tower that's only 50-foot
16 high -- about 50-foot high. But these are
17 going to be 500-foot high. And so I guess I
18 have concerns, like a lot of people do. And
19 so I -- I thank you very much.

20 MR. FARKAS: Okay. Thank you.

21 Patrick Murphy?

22 MR. HEFFNER: Sir, may I be
23 permitted to ask a question as a party
24 record?

25 This is testimony. Is this subject

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1 to cross-examination by the parties?

2 MR. FARKAS: Yes.

3 MR. HEFFNER: Very good. Thank you.

4 MR. FARKAS: You want to raise your
5 right hand.

6 - - - - -

7 PATRICK MURPHY

8 After having been first duly sworn, as
9 hereinafter certified, was examined and testified
10 as follows:

11 MR. FARKAS: Can you speak into the
12 microphone? Can you state your name and
13 address for the record.

14 MR. MURPHY: My name is Patrick
15 Murphy. My address is 3800 Biddle Road, and
16 yes, we have residence in the project area.

17 MR. FARKAS: Okay. Thank you.

18 MR. MURPHY: First of all, I would
19 like to go on the record as opposing this
20 project, in general, for several reasons.
21 But I really have address Turbine No. 66,
22 67, 73 and 72.

23 MR. FARKAS: Can you say those
24 again, for the record?

25 MR. MURPHY: 66, 67, 72 and 73.

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1 MR. FARKAS: Thank you.

2 MR. MURPHY: I have previously,
3 before this meeting started, provided
4 council -- or provided the board with
5 Exhibit A, which is an excerpt of the
6 project area that impacts these four
7 turbines. The reason I have an objection to
8 these four turbines is because they directly
9 impact a FAA registered airfield known as the
10 Cole 37I -- 370-I airfield. And 66 and 67
11 are projected to be approximately 2,000 feet
12 to the north end runway and 72 and 73 to the
13 south of this north/south runway.

14 Now, the reason I'm concerned is
15 because Exhibit B, which I've also provided
16 to the board, is the aircraft owners and
17 pilots associations manual that's published
18 and given to every aircraft owner and every
19 pilot who navigates the airways across
20 Ohio. And in this book there is, on one of
21 the pages, this airfield, the Cole airfield
22 370-I, and the phone number for it, in which
23 Mr. Cole could be reached. Now, Mr. Cole
24 has cooperated with me; Susie and Glen Cole
25 have cooperated with me. They do not want

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1 their airfield to be impacted. They have a
2 airfield with a windsock and buildings and
3 hangers. And he mows 1250 -- 2,500 foot
4 airstrip north and south.

5 Now, I am also showing and provided
6 the board with Exhibit C, which is
7 airnav.com, a web page that registers this
8 airfield and gives the longitude and
9 latitude markings for pilots to be aware
10 that there's an airfield here.

11 Exhibit D is a picture of the
12 subject airfield, which is showing the air
13 sock and the hanger and the strips both
14 showing north and south.

15 Exhibit E is an important document
16 because I have touched based with and talked
17 with the Ohio ODOT -- Ohio Department of
18 Transportation and Office of Aviation.
19 Talked to the head of that department, John
20 Milling. I asked him to do a study on this,
21 how this would impact upon the airfield.
22 And he says, these towers would penetrate
23 the horizon surfaces or, in other words,
24 would indicate to me -- and as he stated,
25 violate the safety rules of the FAA would

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1 normally have applicable to airfields.

2 This is a private airfield, I know.

3 And the FAA regulations do not regulate

4 private airfields. But as you note in

5 Exhibit E, he says that these towers, and

6 particularly 66 and 67 and 72 and 73 do, in

7 fact, create a hazard. And he so indicates

8 that these are safety regulations and he

9 would urge this board or urge that these --

10 the FAA regulations be applicable to this

11 private airfield. And here's why I think

12 it's important. I can envision some pilot

13 looking at this -- these materials, either

14 the web page or the manual that he has and

15 he's planning out a trip and he's on his way

16 from point A to point B and he experiences

17 an emergency, whether it be a medical

18 emergency or he experiences engine failure

19 or electrical failure of a fire, whatever.

20 Now, he knows there is the Cole airfield,

21 370-I, that he can land. So he under a

22 disability. He's navigating. He's got five

23 miles, six miles to go and he's taking point

24 A to point B towards the Cole airfield, only

25 to find out when he gets there there's two

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1 500-foot towers at each end of the runway.
2 That creates a hazard to the people around
3 that runway.

4 I have 34 sworn statements that I'm
5 going to submit right now, signed and sworn
6 to by people who live within 5,000 feet of
7 this runway. I'm going to bring it up to
8 your board right now.

9 MR. FULLIN: We'll mark that as
10 Exhibit F.

11 MR. MURPHY: No. Let's mark that
12 as the next --

13 MR. FULLIN: It's already marked?

14 MR. MURPHY: Let's make it Exhibit
15 G. Let's make that Exhibit G.

16 MR. FULLIN: All right. Do you
17 know how many pages it is?

18 MR. MURPHY: There's 24 people
19 there. They each signed under oath that
20 they are opposed to these four towers for
21 the same reason I'm discussing today.

22 MR. FULLIN: I'm going to mark this
23 multi-page exhibit as Exhibit G and we'll
24 note that it contains 24 signatures, maybe
25 24 pages, I would assume.

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1 MR. MURPHY: If it's 24 signatures,
2 24 pages and they're all notarized under
3 oath in opposition to these towers.

4 MR. FULLIN: I'm marking it as
5 Exhibit G of the testimony of Pat Murphy in
6 this public hearing today.

7 MR. MURPHY: Thank you.

8 The problem I have is when --
9 recently, the last two years, there has been
10 a pilot who had to land at this airfield
11 because his engine failed. And what happens
12 when you get to an airfield and there's two
13 500-foot towers at each end of the runway
14 and you're under a disability, you're going
15 to have to go some place. And I hate to
16 have someone try to dodge a 500-story
17 structure that has a blade swath of 100
18 yards. Up in the air, these blades, if I
19 understand correctly, they're approximately
20 137 feet each and there's a 20 to 25 foot
21 hub. So there is approximately 300 feet of
22 a swath at each end, which also, by the way,
23 creates a turbulence issue for these pilots
24 that are trying to land. And they're going
25 to have to land in someone else's field or

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1 house.

2 Now, right next to this house is
3 Glen Cole's; Susie and Glen Cole's
4 property. Right immediate next to it.
5 Right across the street is Martha and Dan
6 Cole's. 75 yards from it is my mother-in-
7 law's house, Mary Studer. Right in line
8 with -- pursuant to Exhibit A, my brother
9 and sister-in-law lives right back in the
10 end of it. I have three other sets of
11 brothers and sister-in-laws within 5000 feet
12 of this area. I have my daughter and my
13 sons live in this area and I have
14 grandchildren. I don't want them to be
15 injured because some pilot has to ditch at
16 the last minute because he can't land at
17 this certified, designated airstrip that's
18 been published on the web.

19 Now, I don't believe federal law
20 preempts this board's ability to take this
21 into consideration. If you look at the
22 section 4906.10 which, by the way, has been
23 discussed in every letter I've gotten from
24 Vorys, Sater and Pease Law Firm, there are
25 several enumerated topics or conditions of

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1 that section that this board should take
2 into consideration. I'm sure you're fully
3 aware of each one of those. But they talk
4 about probable environmental impact, minimum
5 -- to minimize adverse environmental impact,
6 serves the public interest and convenience
7 and other pertinent considerations.

8 If it pleases this board, it is my
9 submission that placing towers at the end of
10 runways is not a very smart thing. And I
11 think Black Fork is intentionally creating a
12 hazard, knowing that they're creating a
13 hazard. They know this is an airfield
14 here. They put two towers at the end
15 of each -- each end of this runway. And I
16 submit someone might get hurt to make this a
17 plaintiff lawyer's dream.

18 Now, I'm also going to submit to
19 you Exhibit F, which is a decision made by
20 your counterpart, the west -- the State of
21 Wisconsin, equivalent to the Siting Board,
22 dated July 14, 2005 and this very argument
23 was made. And they also discussed the fact
24 that there issues that the FAA does not
25 regulate private airfields but,

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1 nevertheless, there's a reason why the FAA
2 has these safety standards. And the safety
3 standards are to protect people and the
4 users of the airfields. Yes, this is a
5 private airfield. But it's open to all
6 comers who have an emergency. And this
7 board -- this is precedent, showing that
8 this board has taken these arguments into
9 consideration and forced towers to be moved
10 from the ends of the runways.

11 So I'm asking, in regards to these
12 specific towers, that this board not approve
13 the project application as provided or as
14 submitted by the applicant, and modifying or
15 requiring a modification for, at least, the
16 removal of these four towers.

17 MR. FULLIN: Does that complete
18 your testimony, sir?

19 MR. MURPHY: No. I'm almost done.
20 I have a personal problem with this
21 otherwise than what I just discussed. I
22 have a degree in resource development from
23 Ohio State University, School of Agriculture
24 conjugate of the School of Natural
25 Resources, and I've taken a lot of the

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1 agronomy, geology, hydrology, and it's my
2 understanding these towers, they're going to
3 have a 35-foot foundation. 35-foot deep by
4 35-foot around. And I'm here to tell you
5 that almost all the wells in this project
6 area are right around 35 feet. And I'm
7 concerned about what kind of impact will
8 happen to the aquifers if we start poking
9 down 90 or so holes that deep, that big
10 around.

11 I also am for renewable energy.
12 But this is not sustainable on its own for a
13 reason. It's not economically viable
14 without governmental intervention. And it
15 bothers me that we're -- our tax payers are
16 going to pay for this renewable energy that
17 really is not going produce a single
18 kilowatt for Ohio. Nothing -- no one in the
19 project area is going to benefit from this.
20 We have to live in what's an equivalent of
21 45-story structures. I don't live in
22 Columbus, Ohio and I don't want to live in
23 Columbus, Ohio. My wife and I have planted
24 over 50,000 trees. Forestry is our hobby.
25 That's part of what my degree is in to. And

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1 I don't want to live in an area where these
2 towers are there and having flicker and just
3 basically causing havoc to the environment
4 that I want to live in.

5 Lastly, I would like to say that I
6 have questioned representatives for Vorys,
7 Sater and Pease, the attorneys for the
8 project or the applicant about what
9 happens. There is a reason why this board
10 and the law has a setback of 750 feet. It's
11 my understanding that these towers are not
12 allowed to be constructed within 750 feet of
13 a residence. You know, I know some of the
14 leases say 1,250 feet, but my point is
15 this: There is a reason for that, that's
16 because they do throw ice. They do have
17 some adverse -- there are some risks to
18 that. But it's also my understanding that
19 these towers can be placed within 450 feet
20 or so of a property line or a roadway. So
21 here's my question: If you cannot build a
22 tower within 750 feet of a residence, can
23 you build a residence within 750 feet of a
24 tower if you chose to do so? And if you
25 can't -- and I own property across the

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1 street from, say -- oh, let's make it up --
2 Mr. Pry who has a tower, and I went up and
3 put a house on my property but I'm told I
4 can't because it's got to be within 750 feet
5 of the tower. Is that a taking? Is it a
6 private taking of my right and my property?
7 Do I have to build my house 3,500 feet off
8 of road?

9 Counsel for to applicant has never
10 provided me with the answer for that, even
11 though I made that specific request. So I
12 don't think that this is the way to go. I
13 think that the air -- the wind turbines are
14 not the renewable energy that we think so.
15 I don't think anybody has ever done a carbon
16 imprint study about what it costs to
17 manufacture the metal, to make the tubes, to
18 make the blades, to transport these tubes
19 and these blades the way -- the blade itself
20 weighs 7, 8 ton. To have these 200,000
21 pound tractor trailers go over roadways,
22 destroy the township roads, destroy our
23 tiles, dig the 35-foot deep holes, mine the
24 concrete, I think the carbon energy that
25 it's going to take to construct and install

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1 these things far outweighs the energy that
2 they're going to produce. I'm done.

3 MR. FULLIN: All right. Thank
4 you. Let me just ask one question. A lot
5 of the -- especially the first part of your
6 testimony was about the airport and so
7 forth.

8 Do you have any experience or
9 expertise in the field of aviation?

10 MR. MURPHY: I do not, sir.

11 MR. FULLIN: Okay. Thank you.

12 MR. FARKAS: Hinkle.

13 - - - - -

14 ELAINE HINKLE

15 After having been first duly sworn, as
16 hereinafter certified, was examined and testified
17 as follows:

18 MR. FARKAS: Can you speak into the
19 microphone? Can you state your name and
20 address for the record?

21 MS. HINKLE: My name is Elaine
22 Hinkle and I live at 5749 Tiro Corporation
23 Road, Tiro, Ohio.

24 MR. FARKAS: And do you live in the
25 project area?

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1 MS. HINKLE: I do.

2 MR. FARKAS: Thank you.

3 MS. HINKLE: First of all, I want
4 to say, I'm really proud that everybody is
5 coming in the pros and cons on both and I'm
6 proud to be a neighbor in this community
7 that fights for what they believe one way or
8 the other. So thank you all for doing
9 that.

10 A couple years ago when this wind
11 turbine farm first started when it was Gary
12 Energetic, I was insulted when they gave
13 their speech, everything was just good,
14 good, good, good, good. Because everything
15 isn't good. When I first looked up wind
16 turbine energy as free energy, this says,
17 "nothing is free." And they really did
18 insult my intelligence. Oh, this is good.
19 You got money in your pocket. There will be
20 free energy. And back then it wasn't going
21 to any well-good places in Ohio.

22 And when I looked up the energy,
23 they said it's going to -- nothing is free.
24 There is going to be costs. It's going to
25 heat up the ground. It's going to change

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1 the temperature of the ground. That's going
2 to change everything with farming, with
3 nature. I, too, am a person who grew up in
4 this community, worked as a registered nurse
5 at Columbus Ohio State University Hospital,
6 just retired and came back and built a barn
7 and a cabin and expected to have the
8 serenity of my childhood and nature, just
9 like the other people have said. But when
10 we were at the other meeting, we talked to
11 environmentalists and they did say it's
12 going to suck the air out of bats as they
13 just fly by. They are going have the
14 migration of the birds. I know they did a
15 study which will be coming, and that there
16 will be problems with that and that property
17 value will go down. And just the other
18 night on the news on CNN, August 16th there
19 was a big thing about it. I wrote it down
20 word for word, that New allegations that the
21 green energy industry is benefiting from a
22 glaring double standard when it comes to the
23 environment. The largest wind turbine farms
24 in California on average killed more than 80
25 eagles, including rare, protected golden

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1 eagles. If anyone else did this, there
2 would be a major consequence. But this
3 industry gets a pass. Why?

4 Williams Genecy said, Exxon got
5 fined by US Official Wildlife, when 82
6 migrating birds died in an oil spill. The
7 service fined a power company a million
8 dollars when some eagles were electrocuted
9 accidentally on a power line, yet the wind
10 industry kills more than a thousand birds a
11 day, including many protected species. Yet
12 after three decades, this tax supported
13 clean energy has gotten off scott-free. Yet
14 it is clear, energy love affair comes with a
15 dirty secret. Shawn Smallwood, wildlife
16 biologist said, it is not inconceivable to
17 me that we could reduce the golden eagle
18 population by a great deal, if not wipe them
19 out.

20 Experts say state and federal
21 officials ignore the slaughter of thousands
22 of protected birds in the blooming wind
23 industry energy business. If you and I kill
24 an eagle, we are looking at major
25 consequences, and I think the wind industry

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1 has been given a pass. Shawn claims that
2 wind farms are killing fields for raptors.
3 These turbines kill on an average of 80
4 golden eagles a year. But activists argue
5 the wind industry is unaccountable. If I
6 shoot an eagle, it is a \$10,000 fine or
7 vacation of one to five years in the federal
8 pen. And we do have eagles here, golden
9 eagles and American eagles. I live where
10 they do kite flying and for competition.
11 And when they fly the hawks that are just
12 made out of the kite, we have eagles that
13 come, thinking that it's a prey or
14 something, until they realize that they're
15 not. So on our property we have these
16 eagles and eagles' nests and we do have deer
17 and I do have bats. And I do have possums
18 and raccoons. And I purposely came to make
19 this be a wildlife refuge and a wildlife
20 pond. I also planted over a thousand
21 trees. It was nothing but on farmland. And
22 yes, I am part of this project of where all
23 this is going to be. And when I saw the
24 map, also, there is a turbine No. 7 that
25 sits on a Humphry trust. And I wrote to you

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1 and said, my name is on that land and I did
2 not give permission to do that. It's
3 divided upon family members. My uncle got
4 half. My dad got half. My dad died. He
5 left his portion to his wife and children.
6 So I own a part of that. None of it says,
7 this is what I own or this is what I own.
8 It's just these 27 acres. You know, we all
9 are paying taxes on them. So you know -- so
10 it's all of ours. So I think he's getting,
11 maybe, money for it or, you know, he's
12 already signed onto it when it was done by
13 Gary Energetics. But I've written to the
14 board and they're the ones who actually sent
15 me the deed and verified that yes, my name
16 is on that deed and that plot. And that's
17 still showing on number 7, the Humphry trust
18 that there is still going to be a turbine
19 there. And none of my siblings are willing
20 to, just for the money, sell out. And I
21 think the gentleman who did say, you know,
22 when it doesn't make sense, follow the money
23 is very, very true. And I think it's a
24 shame that we are neighbors against
25 neighbors, communities against communities.

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1 It is -- it has put this small little
2 wonderful community that I wanted to come
3 back and retire to with signs saying, no
4 wind turbines to, yeah, let me put money in
5 my pocket. And I don't think that the wind
6 energy is going to be worth the cost or a
7 quick fix of sending your grand kids to
8 college or whatever you want to do with the
9 money when you look at the long term that
10 they aren't going to even give us energy
11 here in Ohio, that they're being routed out,
12 and that North Central Co-op, which I'm a
13 member of too, is against it.

14 So I think there have been studies
15 and I think what everybody has said for
16 science, for health reasons, that you guys
17 are just willing to -- they think they can
18 take farmers and pressure them like they
19 said and they won't take no for an answer.
20 My mother said she was written to, called
21 to. She doesn't remember if she signed
22 anything. All she knows is she got a
23 thousand phone calls and letters and a stack
24 of papers this high. And I do think that
25 they're taking advantage and they don't have

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1 the history. The other company got out of
2 it. And I thought it was funny, because one
3 of the founders of that was the president of
4 the Paranee Falcon Foundation in Colorado.
5 And when I confronted him about that, he
6 said, well, how do you know that?

7 I said, because I looked up your
8 name on a computer. And yet he -- you know,
9 so he's all for saving the wildlife. But it
10 didn't matter that he was doing it here in
11 Ohio, that something might happen. I don't
12 want to think of it as an environment
13 extremist. I think we do need new power.
14 But I think it was, you know, because Obama
15 said, we've got so long to do it, just like
16 in California. Does it all need to be done
17 right now? Yes. They have, like, so much
18 time with the stimulus package, so they're
19 all rushing and not taking the real common
20 sense of seeing what the long term of this
21 is for our community to honor the barns that
22 still stand. We're not going to have those
23 anymore. We losing that rural community.
24 And this is a beautiful, beautiful rural
25 community that I chose to come back to

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1 because the people, because of the small
2 town, because the neighbors help one
3 another. And I don't like that there has
4 been you such a division of family members,
5 of neighbors and of churches. Thank you.

6 MR. FARKAS: All right. Thank
7 you.

8 Mark Fry.

9 - - - - -

10 MARK FRY

11 After having been first duly sworn, as
12 hereinafter certified, was examined and testified
13 as follows:

14 MR. FARKAS: Okay. Hold the
15 microphone and everyone can hear you, then.
16 State your name and address for the record.

17 MR. FRY: Mark Fry, F-R-Y.

18 MR. FARKAS: And your address?

19 MR. FRY: 5672 Champion Road,
20 Shelby, Ohio.

21 MR. FARKAS: And do you live in the
22 project area?

23 MR. FRY: Yes, I do.

24 MR. FARKAS: Thank you.

25 MR. FRY: Your Honor, my name is

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1 Mark Fry and I'm a farmer in Plymouth
2 Township who has a lease with Black Fork
3 Wind Farm. I have been told that we have a
4 potential for three wind turbines on our
5 farm. I believe that there are many
6 positive aspects to wind energy. Number
7 one, it allows a small farmer like myself to
8 have a new income stream from the lease and
9 from the payments on the electricity
10 produced by the wind turbines. This should
11 help keep my family farm a family farm. The
12 wind turbines will take only a small part of
13 an acre for each one and will not disrupt
14 the agriculture use of my farm.

15 Number two, the project will
16 provide eight to ten permanent positions
17 which will help maintain the wind farm.
18 These are technical positions and should
19 typically be well paid. These jobs are well
20 needed in our area.

21 Number three, the wind farm will
22 help produce electricity which is a product
23 that we all need for both our homes and
24 businesses. Wind energy is a clean, non
25 polluting way to produce electricity. It is

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1 generated by the wind which flows across our
2 farm every day. We welcome the chance to
3 have additional income for our farm. We
4 welcome the jobs that will employ local
5 workers and the financial support for this
6 area. We also welcome the clean, renewable
7 form of energy that will help provide
8 electricity we need in our day-to-day life.
9 Thank you for your time and for your
10 consideration.

11 MR. FARKAS: Thank you.

12 Fran Schroeder?

13 - - - - -

14 FRAN SCHROEDER

15 After having been first duly sworn, as
16 hereinafter certified, was examined and testified
17 as follows:

18 MR. FARKAS: State your name for
19 the record.

20 MS. SCHROEDER: My name is Fran
21 Schroeder. I live at 44 Taft Street,
22 Shelby, Ohio. And I own acreage in both
23 Richland and Crawford County in the project.

24 MR. FARKAS: Thank you.

25 MS. SCHROEDER: Good evening, Your

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1 Honors. My name is Fran Schroeder. My
2 husband, Bill, and I live at 44 Taft Street
3 here in Shelby. We also own 171 acres which
4 is enrolled in the Black Fork Wind Project.
5 Approximately 100 acres is in Richland
6 County and 71 acres in Crawford County.
7 We're scheduled to possibly have one
8 windmill placed on each farm.

9 I've been in favor of the windmill
10 turbine project for many reasons. But after
11 reviewing the Ohio Power Siting Board
12 website and learning the eight points of
13 criteria that determines how you make your
14 decision for the windmill project, I decided
15 to address two of these eight.

16 First, in reference to the
17 criteria, the facility represents the
18 minimum adverse environmental impact
19 considering available technology in the
20 nature and economics of alternatives. As a
21 mother and grandmother, I feel it's
22 imperative that we find new, clean and
23 renewable sources of energy for the
24 generations to come. We need to lessen our
25 dependence on fossil fuels and we need to

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1 move towards energy that includes no air or
2 water emissions. Wind energy encompasses
3 those elements, in my mind.

4 Second, in reference to the
5 criteria of the facility will serve the
6 public interest, convenience and necessity;
7 I've lived in the Shelby community for 30
8 years. I've watched industry and local
9 business leave, taking with them monies that
10 are paid toward local taxes. As an employee
11 of the Shelby City Schools, I'm aware of how
12 these job losses have affected both the real
13 estate taxes that are paid to the schools
14 and the income tax levies that are also paid
15 to the schools. The estimated 1.8 million
16 taxes -- dollars in taxes that will be
17 generated by this project will certainly be
18 beneficial to our community and our
19 schools. During the construction phase, I
20 understand that approximately 8 to 12 full-
21 time technical jobs may become available,
22 along with the local suppliers and materials
23 being used. There will, of course, be the
24 domino effect in the area of supermarkets,
25 restaurants and hotels, having an increase

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1 in their business during construction.

2 In closing, I'm very excited about
3 the prospect of our community being in the
4 forefront of bringing wind energy to Ohio.
5 I would also like to thank Element Power,
6 the professional manner in which they've
7 conducted themselves in the creation of our
8 lease agreement and for the informative
9 meetings that have been held by Scott Hawkin
10 and Element Power. Thank you for your time
11 tonight.

12 MR. FARKAS: Thank you.

13 Glenna Canora?

14 MS. CANORA: I pass.

15 MR. FARKAS: Carol Raider, 7575
16 Auburn Center?

17 Okay.

18 - - - - -
19 CARL RAIDER

20 After having been first duly sworn, as
21 hereinafter certified, was examined and testified
22 as follows:

23 MR. FARKAS: Can you state your
24 name for the record?

25 MR. RAIDER: Carl Raider.

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1 MR. FARKAS: Can you state your
2 address?

3 MR. RAIDER: 7575 Auburn Center
4 Road, Tiro, Ohio?

5 MR. FARKAS: Do you live in the
6 project area?

7 MR. RAIDER: Yes, I do.

8 MR. FARKAS: Thank you.

9 MR. FULLIN: Want to move the mic a
10 little closer to your mouth. You can hold
11 it.

12 MR. RAIDER: All I want to do is
13 just state that I am in favor of the
14 project. And I do believe it will bring a
15 lot of income into the counties. It's going
16 to be well needed. That's all. Thank you.

17 MR. FARKAS: Okay. Thank you.

18 Roger Baird.

19 - - - - -

20 ROGER BAIRD

21 After having been first duly sworn, as
22 hereinafter certified, was examined and testified
23 as follows:

24 MR. FARKAS: You can hold the mic.

25 MR. BAIRD: I will.

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1 MR. FARKAS: State your name for
2 the record.

3 MR. BAIRD: Roger Baird.

4 MR. FARKAS: And your address?

5 MR. BAIRD: 6646 Champion Road,
6 Shelby.

7 MR. FARKAS: And you'll need to --
8 there you go. Do you live in the project
9 area?

10 MR. BAIRD: Yes, I do.

11 MR. FARKAS: Okay. Thank you.

12 MR. BAIRD: Your Honor, my name is
13 Roger Baird. My wife Theresa and I live at
14 6646 Champion Road in Plymouth Township in
15 Shelby, Ohio where we own and operate a
16 small farm. We both have all farm jobs and
17 our property is leased to Element Power. In
18 Element Power's application, one turbine is
19 planned for our property. We feel the wind
20 energy industry continues to improve with
21 quieter and more efficient turbines, plus
22 more components are being produced in the
23 United States. Along with creating
24 manufacturing jobs, local communities will
25 see additional income from taxes collected

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1 on electricity generated. These turbines
2 require only a small amount of land, in our
3 case, approximately one half acre, and only
4 wind to operate. No water will be needed
5 and no carbon emissions. We feel the Black
6 Fork Wind Energy Project will be a great
7 addition to Ohio's renewable energy goal.
8 We enjoyed working with Element Power. They
9 have been informative and respectful of us
10 and our property. For example, when a
11 nighttime study was being conducted in
12 wooded areas, we were notified by letter of
13 what was being done and what was planned to
14 take place. As the project moved forward, a
15 representative of Element Power met with us
16 and described in great detail the location
17 of the turbine and access road.

18 We're excited about clean energy
19 being produced on our farm. Thank you.

20 MR. FARKAS: Carlos Tucker.

21 - - - - -

22 CARLOS TUCKER

23 After having been first duly sworn, as
24 hereinafter certified, was examined and testified
25 as follows:

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1 MR. FARKAS: Please state your name
2 for the record.

3 MR. TUCKER: I am Carlos Tucker,
4 214 Old State Road South, Norwalk, Ohio. I
5 am a property owner in the wind project
6 area.

7 MR. FARKAS: Thank you.

8 MR. TUCKER: I am Carlos Tucker,
9 co-owner and president of Cowbird Farm, LLC,
10 located on the Richland/Crawford County line
11 and a part of the Black Fork Wind Energy
12 Project. I reside in Norwalk, Ohio, a few
13 hundred feet downwind from the old coal
14 fired power plant, which is now, thankfully,
15 dismantled. Having suffered many years from
16 the smoke, soot, dirt, noise, contaminants
17 and a lot of other things from this plant, I
18 am very grateful to be part of this green
19 energy project in the Black Fork area.

20 Two issues came to mind when
21 approached about the wind project. They
22 were access road or roads entering each and
23 how agricultural production would be
24 affected. With the cooperation of my
25 neighbor, family and partnership and the

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1 expertise of the Black Fork Energy staff,
2 both of these issues have been resolved in a
3 very beneficial way, which would be a
4 benefit to both farming operations.

5 One access road has been proposed
6 rather than two or three to service the
7 proposed turbines. This proposal will also
8 increase public safety by keeping a lot of
9 the urban and large equipment off of public
10 roads by using the proposed access road.

11 The lease I signed appears to be a
12 standard lease agreement, changes made to
13 the lease to fit the situation of Cowbird
14 Farm we're made in a very professional
15 manner with no tricky words or phrases.

16 The old farm house, which was torn
17 down years ago, there has been a lot of
18 interest over the years to purchase this
19 site as a home site, however, I'm not
20 interest in selling it. But the wind
21 project -- energy project has had no
22 decrease in the amount of attention that I
23 have received in trying to purchase it. I
24 am in favor the project. Thank you very
25 much for this opportunity.

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1 MR. FARKAS: Okay. Thank you.

2 Fred Cook.

3 - - - - -

4 FRED COOK

5 After having been first duly sworn, as
6 hereinafter certified, was examined and testified
7 as follows:

8 MR. FARKAS: Okay. Can you state
9 your name for the record?

10 MR. COOK: Fred cook.

11 MR. FARKAS: And your address?

12 MR. COOK: 6845 Coon Road, Shelby,
13 Ohio.

14 MR. FARKAS: Do you live until the
15 project area?

16 MR. COOK: Yes, I do.

17 MR. FARKAS: Thank you. Go ahead.

18 MR. COOK: Good evening, Your
19 Honors. My name is Fred Cook. My wife Lynn
20 and I live in Plymouth Township at 6845 Coon
21 Road in Shelby, Ohio. We are both retired
22 school teachers and now grain farm for a
23 living.

24 When we first heard Gary -- that
25 Gary Energetics was interested in building a

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1 wind farm in our community, we did not know
2 what to expect. Five years ago we did visit
3 wind turbines in Bowling Green, Ohio. When
4 we arrived at the site, we were able to
5 drive to an actual turbine. I was impressed
6 with how little land the turbine actually
7 occupied, with the fact that field corn was
8 planted approximately 30 feet away from the
9 turbine.

10 MR. FARKAS: Can you hold the mic,
11 just so we're sure everybody hears your
12 testimony?

13 MR. COOK: Is that better?

14 MR. FARKAS: Yes.

15 MR. COOK: We stood underneath and
16 remarked how little noise it made. That was
17 our only experience with them. We had no
18 idea that some day there might be a wind
19 farm in our community. We started to hear
20 all kinds of stories about wind farms, both
21 pro and con, just like I did again tonight.
22 So we decided to visit some actual wind
23 farms in Indiana that were operational and
24 under construction. In April 2010, our
25 travels took us, first, to the wind farm --

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1 to the farm of Kenny Aultman in Chalmers,
2 Indiana. We just kind of made ourselves at
3 home and stopped in and pulled in unexpected
4 and just started asking questions. Like us,
5 Mr. Aultman had questions about such things
6 as turbine noise, tile repair, driveway
7 maintenance, county road repair and payments
8 that the turbines would generate.

9 I called Mr. Aultman this past
10 summer to here what he had to say about the
11 completed project. He told me that you
12 could hear very -- a vehicle coming down the
13 road easier than you would ever hear any
14 noise from the wind turbines. He said that
15 after a month or so, he got used to the
16 turbines and did not pay any attention to
17 them.

18 Mr. Aultman stated that the
19 driveways to the turbines were installed and
20 maintained so he could farm across the
21 driveways with no problems. He also stated
22 that the driveways allowed him to drive his
23 farm equipment, semis and trucks across the
24 -- across the property without causing any
25 damage to soil. When I asked him how they

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1 repaired the roads after the project was
2 completed, he said that the roads were in
3 much better condition after the project than
4 they were before the project began.

5 Mr. Aultman said that his county
6 road is now like a state highway. He did
7 not tell me what he was receiving for having
8 the turbines on his property. But he said
9 it was the most money he had ever received
10 for doing nothing. Kenny Aultman is very
11 pleased that he has turbines on his farm.

12 During our visit, we also visited a
13 seed research farm, a gas station and cafe
14 in Fowler, Indiana, the Benton County High
15 School and elementary school and a rural
16 residence that was completely surrounded by
17 wind turbines. Every person we talked to
18 said, after -- that after a few weeks, they
19 basically forgot about the turbines and went
20 on with their daily routines with the
21 turbines not causing them any problems.
22 They also said that the land owners were
23 pleased with the turbines because they were
24 getting paid for them. I guess that just
25 kind of makes sense.

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1 This past week I called the Benton
2 County School Board and talk with Mr. Dustin
3 Hass, superintendent of the Benton County
4 School District. I wanted to talk to him
5 because the high school and elementary
6 schools in Fowler were surrounded by wind
7 turbines. He told me that because one
8 turbine is so close to the elementary
9 school, that BP wind energy agreed to turn
10 the turbine off from 6:00 a.m. to 9:00 p.m.
11 on school days, just -- just so the school
12 district would be proactive. The other
13 turbines around the high school had no
14 adverse effects on the school and -- the
15 school and students, so they run
16 continuously.

17 Mr. Hass stated that one of his
18 route responsibilities as superintendent is
19 to check the roads in the winter,
20 determining if the conditions are safe for
21 travel. Well, on his rounds, he noticed
22 that just like Mr. Aultman from Chalmers,
23 Indiana, that the physical conditions of the
24 roads are in better condition after the wind
25 farm was installed than they were before.

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1 Mr. Hass also stated that in his opinion,
2 noise from the turbines is not a problem.
3 And his school district has a great working
4 relationship with -- I believe it's BP Wind
5 Energy, that owns the properties -- or the
6 turbine farm.

7 The Shelby Daily Gold featured an
8 article on Tuesday, September 13, 2011 about
9 the wind farm in Paulding County, Ohio. The
10 article also quotes Paulding County
11 Commissioner Clair Dudgeon saying, that most
12 of the roads up north in Paulding County are
13 going to be far better than they were before
14 the project was initiated.

15 In summary, I have attended three
16 different community meetings about wind
17 turbines that have discussed both sides of
18 the issue. My position has been rather than
19 to listen to hearsay, to see for myself.
20 I've talked to those who have actually
21 experienced construction and operation of
22 the wind farms and also people who are
23 effected by them in the community. I
24 understand that friends and neighbors in our
25 community may have different opinions, which

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1 is exactly their right. However, my
2 conclusion is that the wind turbines are not
3 a nuisance but rather an asset to the
4 communities where they have been
5 constructed. I urge the Ohio Power Siting
6 Board to approve this project. Thank you
7 for your time.

8 MR. FARKAS: Thank you.

9 MR. HEFFNER: As a party of record,
10 am I allowed to ask one short cross-
11 examination question?

12 MR. FARKAS: Yes. Just state your
13 name.

14 MR. HEFFNER: Brett Heffner. Does
15 this preclude me, then, from testify then in
16 Columbus?

17 MR. FARKAS: No.

18 MR. HEFFNER: Thank you.

19 Mr. Cook, thank you very much. Are
20 you telling me --

21 MR. COOK: Mr. Brett.

22 MR. HEFFNER: -- are you a member
23 of the Farm Bureau -- Ohio Farm Bureau
24 Federation?

25 MR. COOK: Yes, I am.

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1 MR. HEFFNER: And what position do
2 you hold in that organization?

3 MR. COOK: I'm president of the
4 Richland County Farm Bureau. I'm president
5 of the Richland County Farm Bureau.

6 MR. HEFFNER: Thank you very much.
7 And thank you very much.

8 MR. FARKAS: Okay. Thank you.

9 MR. SETTINERI: Your Honor, may I
10 ask one quick question?

11 MR. FARKAS: Yes.

12 MR. SETTINERI: Sir, are you here
13 tonight in your personal capacity?

14 MR. FULLIN: I don't know if you
15 can be heard.

16 MR. SETTINERI: I'm sorry. Sir,
17 I'd like to ask, are you here tonight in
18 your personal capacity?

19 MR. COOK: I am here tonight under
20 my own personal capacity pertaining to my
21 own farm. I'm not speaking for Farm Bureau
22 in any way, shape or form.

23 MR. SETTINERI: And if I may
24 follow-up, sir --

25 MR. FARKAS: Speak into the

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1 microphone.

2 MR. SETTINERI: -- are you a member
3 of the County Farm Bureau? Is that correct?

4 MR. COOK: If you are a member of
5 the County Farm Bureau, you are a member of
6 the State Farm Bureau and you are a member
7 of the American Farm Bureau. It's kind of
8 like SEA, OEA, NEA, same principle.

9 MR. SETTINERI: Okay.

10 MR. FARKAS: Thank you.

11 FEMALE AUDIENCE MEMBER: You say
12 that --

13 MR. FARKAS: Ma'am --

14 MR. COOK: I can hear you.

15 FEMALE AUDIENCE MEMBER: -- the
16 history of all the roads --

17 MR. FARKAS: Ma'am --

18 MR. FULLIN: You have to identify
19 yourself.

20 MR. FARKAS: -- you have to
21 identify yourself.

22 MS. HINKLE: My name is Elaine
23 Hinkle. I just have a question about --

24 MR. FARKAS: You're not a party, so
25 you're not allowed to ask questions. You

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1 can after the meeting, if he wants to answer
2 questions.

3 MS. HINKLE: Okay.

4 MR. FARKAS: Yes, sir.

5 MR. WARRINGTON: I'm a party of
6 record. John Warrington.

7 MR. FARKAS: Okay.

8 MR. WARRINGTON: I had a question.

9 MR. COOK: Hi, John.

10 MR. WARRINGTON: Hi. Just in my
11 studies, I have found that in some wind
12 farms, some representatives who -- lease
13 holders who stand to benefit greatly by the
14 wind farm project are actually paid to
15 positively representative the wind farm
16 project to the community. Are you paid to
17 represent the Black Fork Project positively
18 in the community as a Farm Member Bureau?
19 That's just a question I have for you and I
20 guess you're on the record.

21 MR. COOK: Yeah, Paul. Am I paid?
22 No. We have no scheduled -- we own about
23 500 acres. We have no scheduled wind
24 turbines on our 500 acres. My father -- my
25 father who owns a farm right next to me has

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1 three wind turbines on his property. My
2 wife, Lynn, and I have zero. As much as
3 I've tried, it hasn't happened. I have not
4 convinced them to put one on my property.

5 MR. WARRINGTON: It's just curious
6 to me that you're such a champion of the
7 project and you have a lot of influence but
8 you're saying you're not compensated to go
9 around selling the project publicly, as
10 you've done on several on occasions?

11 MR. COOK: I am not compensated one
12 penny for anybody from the Farm Bureau.

13 MR. WARRINGTON: All right.

14 MR. COOK: I assume you're talking
15 about Farm Bureau?

16 MR. WARRINGTON: No. By the
17 company, Black Fork.

18 MR. COOK: Black Fork Wind.

19 MR. WARRINGTON: I mean I don't
20 know.

21 MR. COOK: No. No. To answer your
22 question, Paul, no. Absolutely not.

23 MR. WARRINGTON: All right.

24 MR. FARKAS: Okay. Thank you,
25 sir.

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1 MR. COOK: Thank you.

2 MR. FARKAS: Mark Friebe?

3 MR. COOK: One last statement. Why
4 am I so passionate about the project? I've
5 been involved in agriculture for 30-some
6 years, 40-some years. I think alternative
7 energy definitely has to be a part of a
8 package. It's not the total package, I'll
9 be the first to admit it's not the total
10 package. But we all know what happened with
11 nuclear energy Japan. We heard France last
12 week, but there was another problem with
13 nuclear energy. Takes 15 years to build a
14 nuclear power plant, even if one is
15 approved. The inefficient coal fire
16 facilities -- generating facilities in the
17 United States are being decommissioned. I
18 think it takes around ten years. I think it
19 was at your meeting, Paul, that they said it
20 takes about ten --

21 MR. WARRINGTON: John.

22 MR. COOK: Sorry. John. Sorry.
23 Yeah. But it takes about ten years to build
24 an electric power plant. So we keep having
25 problems with nuclear and we have problems

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1 with CO2 emissions. And we are
2 decommissioning inefficient electric
3 producing plants. We need to make some
4 clean energy somewhere to help make up for
5 some of the differences that might take
6 place. We have no idea what electric costs
7 are going be down the road. I've heard them
8 say there is no way these wind turbines will
9 ever pay for themselves. There's nobody
10 here that knows these wind turbines will not
11 pay for themselves because we don't know
12 what our costs are going to be down the
13 road. We don't know. We're all
14 estimating. That's why I went to, at my
15 wife's persistence. And these are just some
16 of the things we found out. So I guess
17 that's the reason I'm passionate about
18 wind. I hope wind energy is not the end. I
19 hope they come up with something new. I
20 hope they come up with something better.
21 But for now, it's a start. That's the way I
22 see it. I think we need to start -- this
23 isn't something that we find out we're
24 running short of electricity some day, that
25 all of the sudden hey, we need more

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1 electricity. Where is it coming from? Can
2 you answer that question? I can't.

3 MR. FARKAS: Okay. Thank you.

4 M. Kern.

5 MICHAEL KERN

6 After having been first duly sworn, as
7 hereinafter certified, was examined and testified
8 as follows:

9 MR. FARKAS: Can you steam for the
10 record?

11 MR. KERN: It's Michael Kern. I
12 live at 175 West Main Street, Shelby, Ohio.

13 MR. FARKAS: Do you live in the
14 project area?

15 MR. KERN: No, I do not.

16 MR. FARKAS: Thank you.

17 MR. KERN: Mine is more of a
18 question than a statement. But I'll say it
19 in a statement form is that I don't -- I
20 don't expect a lot of people here to take a
21 say and raise their hand ten 15 years now
22 where are you going to be? What is life
23 expectancy on these wind mills and are they
24 bonded? Is this another thing that we're
25 going to sell our grand kids with? Because

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1 I've heard, also and I've read that there is
2 a lot of them out there that are abandoned
3 already. I remember coming to one of these
4 meetings. It was a different company and
5 they've already flipped over once. And this
6 is indicative of this industry, that they go
7 out and they take and go and they sell.

8 Next thing you know, five, ten years down
9 the road, it's owned by some corporation or
10 company overseas. And who is going to pay
11 for the mess that's sitting up there? Our
12 grand kids is looking at it. And this
13 company over here is -- they can't even get
14 a mailing address, much less try and get a
15 lawsuit against them. So I think there's a
16 lot -- just like the last speaker says,
17 yeah, we all want to take a look at new
18 energy, but do we want to take and be the
19 guinea pigs to go out there and sell this in
20 our neighborhood and say, well, we thought
21 it was a good idea.

22 MR. FARKAS: Thank you.

23 Mark Friebe? Okay.

24 Nancy Reed? Nancy Reed?

25 MS. REED: I have a letter from my

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1 brother-in-law.

2 MR. FARKAS: So you're not
3 testifying? You're just submitting a
4 statement?

5 MS. REED: Correct.

6 MR. FARKAS: Thank you.

7 MS. REED: Yes.

8 MR. FARKAS: Don Norwood?

9 - - - - -

10 DON NORWOOD

11 After having been first duly sworn, as
12 hereinafter certified, was examined and testified
13 as follows:

14 MR. NORWOOD: The whole truth and
15 knock but the truth so help me god.

16 MR. FARKAS: Okay. State your name
17 for the record.

18 MR. NORWOOD: It's Dan Norwood, not
19 Don.

20 MR. FARKAS: Sorry.

21 MR. NORWOOD: But I don't think it
22 matters to anybody. But anyway.

23 MR. FARKAS: Your address, please.

24 MR. NORWOOD: My address, 3218
25 Baker Road, Crestline, Ohio.

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1 MR. FARKAS: And do you live in the
2 project area?

3 MR. NORWOOD: I'm pretty sure I
4 do. Wished I didn't.

5 MR. FARKAS: Okay. Thank you.

6 MR. NORWOOD: I've lived there a
7 long time and I love the place. The nature
8 part of it is great. I live on a -- the
9 road over there on Baker Road on the end,
10 there is no through traffic. It is quiet,
11 unless somebody cruises through stop sign
12 and hits the sign at the end of road, wake
13 me up. But I have trouble sleeping a little
14 bit, maybe a lot. And I'm lucky if I sleep
15 three hours a night. I can't sleep with a
16 nine-inch fan in my window. I sleep with my
17 head to the wall in the corner so the other
18 light don't effect my sleep. And I picked
19 the place out because I thought it was a
20 nice place. You know, it was close to
21 Bethlehem, you know, and everything else.
22 And great bunch of people, all the farmers
23 and everything else. It's a shame everybody
24 is fussing about this thing, because I tell
25 you, there's some great people in this

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1 cotton picking community, and I love it.
2 And about the birds, I don't know. I don't
3 think you have to worry about the eagles.
4 They already took those out of circulation,
5 because I haven't seen an eagle or two right
6 in the direct area of this thing, no matter
7 which way I drive. And before this project
8 come into view, there was eagles
9 everywhere. And as far as I'm concerned,
10 I'm an American Indian descendent and the
11 eagles are sacred. So I'll tell you, if one
12 eagle died because of one wind turbine, it
13 would be one too many. And I'm sure that we
14 can figure out how, as smart a nation as we
15 are, somewhere we can put these wind
16 turbines where they ain't effecting so many
17 people and so much stuff.

18 And so I just don't think that I'm
19 so tickled about this thing. Hell, a lot of
20 people benefit because you know, a coin has
21 two sides. You know, and it just depends on
22 which side ends up and how much money you
23 got bet on it and how much it's going to
24 benefit you. Because, let's face it, if I
25 had a lot of money, I guarantee you, I

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1 wouldn't even worry about this thing or
2 probably about anybody else. Because I
3 don't have no real estate to it anyway. But
4 if I had the bucks, I could go sleep in some
5 of the quietest hotels or motels or buy
6 myself a little place. And I know there is
7 a little place but I ain't got the bucks to
8 get it. But I know I can sleep better than
9 what I'm going to sleep in my house after
10 they put them wind turbines down the way.
11 So I ain't too happy about this thing. So
12 that's about all I got to say.

13 MR. FARKAS: Thank you.

14 Jason Kalb?

15 - - - - -

16 JASON KALB

17 after having been first duly sworn, as
18 hereinafter certified, was examined and testified
19 as follows:

20 MR. FARKAS: State your name for
21 the record.

22 MR. KALB: My name is Jason Kalb.
23 I have a farm next to the project area.

24 MR. FARKAS: How do you spell your
25 last name?

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1 MR. KALB: K-A-L-B, B as in boy.

2 MR. FARKAS: What's your address?

3 MR. KALB: 16668 West River Road.

4 MR. FARKAS: You're going to have
5 to hold the mic closer.

6 MR. KALB: 16668 West River Road.

7 MR. FARKAS: Do you -- I'm sorry.

8 MR. KALB: Bowling Green, Ohio,
9 where I reside.

10 MR. FARKAS: So you do not reside
11 in the project area?

12 MR. KALB: That's correct. I lived
13 here for 35 years. I do not currently live
14 here.

15 MR. FARKAS: Thank you.

16 MR. KALB: I'm in favor of this
17 wind project. I've lived in Crawford County
18 for a total of 35 years. I had family that
19 has been here for generations and many live
20 here today. Of the several farms in the
21 area I own, none of the acres are going have
22 wind turbines in the scope of the project.
23 A fence line neighbor farm is scheduled to
24 have a wind tower on his farm. The facility
25 will serve the public interest, convenience

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1 and necessity. The main reason for wanting
2 this project is job creation, tax revenue
3 generated in Crawford County. Crawford
4 County's July's unemployment rate was 12.5
5 percent, well above the State of Ohio
6 average of 9.2 percent. In addition to the
7 jobs created, the increased taxes this
8 project will create for our counties will
9 boost a tax base, thereby benefiting the
10 school districts, townships and surrounding
11 communities. Farmland is our main resource
12 of taxable income in this area and we've not
13 been blessed with large manufacturing base
14 or other natural resources, other than our
15 good farmland.

16 Scott Hawkin and the Element Power
17 Team has been very impressive with their
18 level of commitment to accept responsibility
19 for reconnect drainage tile, pay for crop
20 damage. I had many questions on the
21 contract. I am signed up with my farm but
22 no turbine is scheduled to be on it. But I
23 questioned a lot of different things on the
24 contract and they were forthcoming in all
25 the answers that I had.

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1 This company has been extremely
2 proactive in anticipation of concern and
3 communicating to lease holders, even to
4 those like myself who do not have a turbine
5 scheduled for their property. I'm also
6 impressed that the Element Power Team has
7 taken great care and concern for the
8 environment and the people who live here.
9 There have been many proactive measures
10 taken to minimize and prevent the
11 inconveniences the wind turbine might cause
12 if not properly placed.

13 In addressing the need for the
14 facility, the decline in future of coal and
15 nuclear energy as a means of power
16 generation is a great concern of mine.
17 There is much uncertain for filling of any
18 new or coal or nuclear plants. Many
19 operating facilities are scheduled for
20 retirement with few plans to replace that
21 capacity.

22 More power generation is needed to
23 support our growing energy needs for this
24 and future generations. We need new power
25 generation to avoid limited or erratic

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1 electric supply and inflated energy prices.
2 This directly relates to businesses' ability
3 to grow and operate at a level that allows
4 future expansion, leading to job creation.

5 The North Central Electric Co-op
6 has interest in wind farms in Iowa to supply
7 part of the needs of this co-op area. We
8 have the opportunity now to stop the export
9 of future wind energy jobs to other states
10 and keep jobs and our tax dollars here at
11 home.

12 I currently live, as I stated,
13 north of Bowling Green, within a few miles
14 of the four wind turbines that people have
15 talked about. When I go for a run, my
16 preference is to run by these four towers on
17 the road, near these four towers. I'm
18 fascinated by machines, especially those
19 that have a positive, clean impact on my
20 family and the environment. These turbines
21 are the older technology, pre 2005. I'm
22 always amazed at how truck and traffic noise
23 up to a mile away drowned out the common
24 whoosh of the wind you can only hear when
25 you're in a few hundred feet of these four

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1 turbines, and even then, if you're in a
2 particular direction of the prevailing
3 wind.

4 We need energy. I would much
5 rather have a clean wind turbine in my back
6 yard generating our energy than being down
7 wind of a nuclear or coal burning power
8 plant. One of my questions on the contract
9 was what happens to the decommissioning of
10 these units 20, 50 years from now? The
11 question was answered that that money is
12 bonded. And that satisfied me, just like
13 other municipal projects. Thank you for
14 your time.

15 MR. FARKAS: Thank you.

16 Jeffrey Potts. Oh, I'm sorry.

17 MR. HEFFNER: May I ask a question,
18 Your Honor?

19 MR. FARKAS: Yes.

20 Just state your name.

21 MR. HEFFNER: Brett Heffner.

22 MR. FARKAS: Thank you?

23 MR. HEFFNER: Did I hear you say
24 that you did sign a contract in this
25 project?

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1 MR. KALB: Yes, sir.

2 MR. HEFFNER: And was -- was the
3 potential of tax benefits to the local
4 communities and the schools one of the
5 reasons why you used to make an affirmative
6 decision on that?

7 MR. KALB: Yes.

8 MR. HEFFNER: Very good. Thank
9 you.

10 MR. KALB: Okay. Thank you.

11 MR. FARKAS: Jeffrey Potts?

12 MR. POTTS: Pass.

13 MR. FARKAS: Nicole Witchey Putnam?
14 Okay. Ambrose Metzger.

15 Want to raise your right hand.
16 Swear or -- you want to hold the mic too?

17 MR. METZGER: I can.

18 - - - - -

19 AMBROSE METZGER

20 After having been first duly sworn, as
21 hereinafter certified, was examined and testified
22 as follows:

23 MR. FARKAS: Please state your
24 name.

25 MR. METZGER: Ambrose Metzger,

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1 Shelby.

2 MR. FARKAS: And your --

3 MR. METZGER: Shelby area farmer.

4 MR. FARKAS: Can you state your
5 address, please, just for the record?

6 MR. METZGER: Pardon?

7 MR. FARKAS: Your address.

8 MR. METZGER: My address is 4220
9 Hummel Road --

10 MR. FARKAS: And do you live --

11 MR. METZGER: -- Shelby.

12 MR. FARKAS: Do you live in the
13 project area?

14 MR. METZGER: Well, yes, we're in
15 the project area. Yeah.

16 MR. FARKAS: Okay. Thank you.

17 MR. METZGER: One of my major
18 concerns is, and it really hasn't been
19 discussed very much, other than Fred Cook.
20 I am a township trustee and I do have a lot
21 of contact with Richland County
22 Commissioners. My problem is there has been
23 very little --

24 MR. FARKAS: Which township are
25 you?

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1 MR. METZGER: Sharon Township.

2 MR. FARKAS: You're one of the
3 parties in the case.

4 MR. METZGER: Pardon?

5 MR. FARKAS: You are one of the
6 parties in the case.

7 MR. METZGER: Right.

8 MR. FARKAS: So if you choose to
9 speak here, you are giving up your right to
10 make a statement at the -- you're giving up
11 your right to be a party at the evidentiary
12 hearing.

13 MR. METZGER: In other words, you
14 can't hear anymore?

15 MR. FARKAS: No. Not unless you
16 want to -- if you want to no longer be a
17 party to this case, you can make a statement
18 here.

19 MR. HEFFNER: Your Honor, can I get
20 a clarification on that?

21 MR. FARKAS: Yes.

22 MR. HEFFNER: He's being
23 represented by Orla Collier. Does that mean
24 that everybody who is represented by Orla
25 Collier, the counties, the townships, the

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1 engineers are unable to testify here
2 tonight?

3 MR. FARKAS: Anybody that's a
4 party.

5 MR. HEFFNER: Are they a party?
6 That's the question I'm asking. He's being
7 represented by the attorney. Is Mr. Metzger
8 a party?

9 MR. FARKAS: He is a township
10 trustee; is that correct?

11 MR. METZGER: Yes.

12 MR. FARKAS: And he is a township
13 trustee of the township that is a party to
14 the case. So he -- he can either -- he is
15 representing the township, unless he's
16 speaking on his own behalf and not as a
17 representative of the township.

18 MR. METZGER: Well, Mr. Fry spoke
19 on -- he's a township trustee also.

20 MR. FULLIN: Well, we didn't know
21 that at the time.

22 MR. FRY: On my own behalf. On my
23 own behalf, not as a representative of the
24 township.

25 MR. FARKAS: He's clarifying that,

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1 that he was not speaking as a representative
2 of the township. He was speaking and his
3 own individually.

4 MR. METZGER: Okay.

5 MR. FULLIN: If you want to do
6 that, represent just your own interests and
7 not be speaking on behalf of the township
8 trustees, you can provide testimony on your
9 own behalf. But to the extent you're
10 representing the township trustees and their
11 interests, you can't testify tonight unless
12 you choose to no longer participate -- have
13 the trustees no longer participate as a
14 party to the case. And if you didn't
15 understand that, I can try to explain.

16 MR. HEFFNER: For clarification, he
17 can testify on his own behalf.

18 MR. FARKAS: Yes.

19 MR. HEFFNER: As Fred Cook did.

20 MR. FARKAS: The purpose of the
21 public hearing is to get the testimony of
22 the public and people that are not parties
23 to the case.

24 The evidentiary hearing, the
25 purpose of the evidentiary hearing is to

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1 take testimony and evidence from parties.
2 And the procedures that have been
3 established for this case are such that if
4 you are a party and you are speaking on
5 behalf of one of the parties to this case
6 and you want to make a statement here
7 instead of the evidentiary hearing -- and
8 you can do that if you want. But if you
9 choose to do that, you have to state on the
10 record that you no longer wish to be a
11 party. And that would mean the township,
12 since you are one of the trustees, the
13 township would no longer be a party to this
14 case.

15 Now, you do not have to do that.
16 You can speak as -- on your own behalf, not
17 representing the township. And that doesn't
18 effect anything to do with the township as a
19 party.

20 MR. METZGER: I could speak on my
21 own behalf?

22 MR. FARKAS: Yes. But not as a
23 representative of the township.

24 MR. METZGER: Oh, okay. But my
25 concern has been --

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1 MR. FULLIN: Is that what you're
2 going to do?

3 MR. FARKAS: Is that what you're
4 doing?

5 MR. METZGER: Pardon?

6 MR. FARKAS: Is that what you're
7 doing? Now you're speaking as an
8 individual, not as an --

9 MR. METZGER: Right. Right.

10 MR. FARKAS: Okay.

11 MR. METZGER: And I've been
12 concerned about this for a long time. And I
13 think a few other people have too, is, who
14 is going to fix the roads and the bridges?
15 There is no money out there for road and
16 bridge repair in most cases. And I think
17 these people have been asked many times
18 about coming forward and saying we're going
19 to put money in escrow to repair roads and
20 bridges, which inevitably is going to
21 happen. And it's going to cost a lot of
22 money. And I don't think the counties or
23 the townships or whatever should have to pay
24 for stuff that, you know, they're going to
25 do. And they've been asked many times, I

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1 know, to what are we going to do about this
2 and never really got a firm answer as to,
3 yeah, we're going to take care of it or have
4 something in writing, which is what we
5 really need in this case. And I'm not up
6 here for saying for or against this.
7 Everybody can make up their own mind about
8 wind turbines and so forth. But I am
9 concerned about what's going to happen down
10 the road with the roads and bridges. That's
11 basically why I wanted to have the
12 opportunity to speak this evening.

13 MR. FARKAS: Okay.

14 MR. METZGER: All right. Thank
15 you.

16 MR. HEFFNER: Mr. Metzger, could I
17 ask you two questions, please?

18 One is, are you a signatory to the
19 lease for Black Fork Wind Energy? Did you
20 sign that lease for --

21 MR. FARKAS: He's asking if you
22 signed as a lease holder with Black Fork
23 Energy?

24 MR. METZGER: We did when it first
25 started.

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1 MR. FULLIN: When you say "we"?

2 MR. FARKAS: Who are you saying we?

3 Who is we?

4 MR. METZGER: Our farm operation.

5 We did commit 200 acres. And after that, we
6 kind of got, I guess, studying this thing a
7 little more and decided that we didn't like
8 what we seen down the road, so we no longer
9 participated in any more leasing. Okay.

10 MR. HEFFNER: Were there any other
11 companies that brought to you a lease for
12 you to look over, for wind energy?

13 MR. FARKAS: Were there any other
14 companies that brought you leases to look
15 over --

16 MR. HEFFNER: For wind energy.

17 MR. FARKAS: -- for wind energy?

18 MR. METZGER: Not that I recall,
19 other than when this thing changed hands
20 from Gary Energetics to Element Power. Of
21 course that was not an option. People were
22 just sent letters that Gary Energetics, I
23 believe, was out of the picture and Element
24 Power took it over.

25 MR. FARKAS: Thank you.

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1 MR. HEFFNER: Thank you very much.

2 MR. FULLIN: This may already be on
3 the record, but I would like to make a
4 clarification. Would the prior witness who
5 was a township trustee please identify
6 themselves again for the record?

7 MR. FRY: Mark Fry.

8 MR. FULLIN: Mark Fry. And which
9 township do you represent?

10 MR. FRY: Plymouth Township.

11 MR. FULLIN: Pardon?

12 MR. FRY: Plymouth Township.

13 MR. FULLIN: Plymouth Township.

14 Thank you. I just wanted --

15 MR. FRY: I testified on my own
16 behalf, NOT on the township's behalf.

17 MR. FULLIN: All right. I just
18 wanted to have it clear on the record who it
19 was that testified on their own behalf, even
20 though they are a township trustee. Thank
21 you.

22 MR. FARKAS: Dee, begins with an
23 "S" and you live at 2625 Crilo Road. Is
24 that you?

25 FEMALE AUDIENCE MEMBER: No.

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1 MR. FULLIN: Kind of looks like
2 Sims to me.

3 MR. FARKAS: Sims. Okay.
4 Van Reiter -- Reidel?

5 MR. REIDEL: yeah. Pass.

6 MR. FARKAS: Deborah Cochran.

7 - - - - -

8 DEBORAH COCHRAN

9 After having been first duly sworn, as
10 hereinafter certified, was examined and testified
11 as follows:

12 MR. FULLIN: Thank you. And if you
13 would begin by giving your name and spelling
14 it for the record.

15 MS. COCHRAN: Deborah Cochran.
16 Would you like the spelling of the last
17 name?

18 MR. FULLIN: Yes.

19 MS. COCHRAN: C-O-C-H-R-A-N.

20 MR. FULLIN: And your address?

21 MS. COCHRAN: 2323 Horning Road,
22 Shelby.

23 MR. FULLIN: Are you within the
24 project area?

25 MS. COCHRAN: When it was under

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1 Gary energetics we would have been impacted
2 by six turbines.

3 MR. FULLIN: But --

4 MS. COCHRAN: but not now.

5 MR. FULLIN: But not now?

6 MS. COCHRAN: But our opinion is
7 still the same.

8 MR. FULLIN: Okay. Go ahead with
9 your testimony.

10 MS. COCHRAN: My husband David and
11 I, we are bee keepers and even in the --
12 when Gary Energetics was part of this, we
13 didn't think that it would impact our
14 operations at all. I don't understand the
15 opposition to win. If not what? Nuclear is
16 dangerous. Oil peaked in the 1970s.
17 Natural gas exploration in the Utica and
18 Marcellus shales are projected to last only
19 a hundred years, and this is according to
20 Chesapeake's ad on television.

21 All this gas that -- natural gas
22 will not be sold in the United States.
23 Norway is part of this. They are using some
24 of that and the Saudi companies are selling
25 their gas around the world. So all this oil

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1 -- I mean, all this natural gas is not being
2 used here in the United States.

3 Coal is dirty and environmentally
4 destructive. I wouldn't want any of these
5 in my backyard.

6 As a parent and grand parent, I can
7 only see good and improvement towards a
8 cleaner future and plan it for my
9 offspring. As a mother and sister of two
10 Iraq veterans, I'm for anything that keeps
11 our children from fighting and dying on
12 foreign soil to protect our energy sources.

13 My hope is that renewable energy
14 for the future -- my hope is for renewable
15 clean energy for the country I love and for
16 the family I love. All the energy sources
17 have problems. This means -- this project
18 means income for farmers. It means jobs.
19 It means tax dollars and a step in the right
20 direction. I ask the board to please
21 approve the project. Thank you.

22 MR. FULLIN: Thank you for coming.

23 MR. FARKAS: Lou Masters.

24 MR. MASTERS: Pass.

25 MR. FARKAS: Kevin Masters?

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1 MR. MASTERS: Pass.

2 MR. FARKAS: James Pry?

3 JAMES PRY

4 After having been first duly sworn, as
5 hereinafter certified, was examined and testified
6 as follows:

7 MR. FULLIN: Again, begin by giving
8 us your name and address and telling us
9 whether you're in the project area.

10 MR. PRY: My name is James Pry. I
11 live at 6475 Rendinger Road, Crestline,
12 Ohio, and I'm right on the fringe of the
13 project. And I will see the turbines from
14 my property.

15 Please the -- Your Honor, my name
16 is James Pry. And my wife and I and our two
17 dogs reside at 6475 Rendinger Road where
18 we've raised our two sons. Our property is
19 on the fringe of the Element Power wind
20 project. I assume I'll be able to see the
21 turbines from our property.

22 Four generations of my ancestors
23 are buried in the cemetery adjacent to my
24 home. I'm speaking in support of Element
25 Power's Application to the Power Siting

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1 Board. I hope that the use of renewable
2 energy will help change our U.S. energy
3 policy and allow us to wean ourselves away
4 from the luxury of using foreign oil. If
5 this happen, I would assume that our foreign
6 policy would also change, since we would not
7 be so dependent upon importing foreign oil.
8 I believe it will also allow our state to
9 achieve its goal of 25 percent of renewable
10 energy in the future.

11 Crawford County has the third
12 highest death rate of accidental drug
13 overdoses in the State of Ohio. Increasing
14 the revenue in Crawford County would help
15 our school system educate our children so
16 that we do not become a third world country,
17 and increase our employment with some
18 permanent and temporary jobs which would
19 also help us alleviate the drug problem that
20 we have in Crawford County.

21 I'm treasurer of Ohio Tree Farm
22 Committee. Members of this committee grow
23 trees as a renewable resource. In the last
24 40 years, my wife and I have planted about
25 40,000 trees on our property. The

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1 headwaters of the Sandusky River flow
2 through our woods. Because of these,
3 riparian buffer zones and the trees we have
4 planted, there's some of the purest water in
5 Crawford County. I don't believe that
6 granting this permit would adversely effect
7 our farmland or our woods. Thank you.

8 MR. HEFFNER: Can I ask Mr. Pry a
9 couple of questions?

10 MR. FULLIN: Yes. Mr. Pry, would
11 you go back to the stand. He has a few
12 cross-examining questions.

13 MR. HEFFNER: Mr. Pry, do you own a
14 title agency?

15 MR. PRY: Yes, I do.

16 MR. HEFFNER: Does it profit in any
17 way from the researching of the leases?

18 MR. PRY: I have researched some of
19 those in the past, yes.

20 MR. HEFFNER: Also, have any of the
21 people who had -- who were signatories to
22 the lease brought their leases to you for
23 review?

24 MR. PRY: I reviewed those for
25 farmers on behalf of the farmers, yes.

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1 MR. HEFFNER: And who typically
2 paid for that? Was it the customer or the
3 company?

4 MR. PRY: I've had both of them
5 pay.

6 MR. HEFFNER: Very good. Thank you
7 very much.

8 MR. FULLIN: Thank you.

9 Mike Grady.

10 MIKE GRADY

11 After having been first duly sworn, as
12 hereinafter certified, was examined and testified
13 as follows:

14 MR. FULLIN: Thank you. And like
15 the others, if you begin by giving your name
16 address and telling us whether you live
17 within the project area.

18 MR. GRADY: My name is Mike Grady.
19 Address is 3536, State Route 598, Crestline.

20 MR. FULLIN: And do you live in --

21 MR. GRADY: I do live in the
22 project area.

23 MR. FULLIN: Okay. Go ahead with
24 your testimony.

25 MR. GRADY: I just wanted to say to

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1 the landowners that have signed up to this,
2 THE responsibility that you have, you're
3 speaking for tens of thousands of people
4 that are going to be effected, good or bad
5 with this. And it concerns me a lot, the
6 siting board and these 150 approximate land
7 owners and what the implications of their
8 decision is going to be. I'd feel a lot of
9 better about it if money wasn't the
10 motivator. I don't think anyone would just
11 donate their land and their space for the
12 betterment of Ohio with county people. I'd
13 just like everyone to think about that a
14 little bit. Thank you for your time.

15 MR. FULLIN: Appreciate that.

16 The next on the list is a Grady
17 Bower.

18 MR. BOWER: Pass.

19 MR. FULLIN: Pass.

20 And next is Anthony Barlay.

21 MR. BARKLAY: Barklay?

22 MR. FULLIN: Barklay. Okay. Thank
23 you.

24 MR. BARKLAY: I pass.

25 MR. FULLIN: Pass. And John A.

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1 Kline?

2 MR. KLINE: I pass.

3 MR. FULLIN: Okay. That's all the
4 names I have often the sign-up sheet. So I
5 guess I would ask a raise of hands of anyone
6 that's here that hasn't already been called
7 that would like to testify.

8 I see one hand. Oh, I see two
9 hands. So if you'll go first, then I'll get
10 back over to you.

11 - - - - -

12 JAMES P. ROBINSON

13 After having been first duly sworn, as
14 hereinafter certified, was examined and testified
15 as follows:

16 MR. FULLIN: Thank you. And would
17 you give us your name and spell it for the
18 record?

19 MR. ROBINSON: James P. Robinson,
20 R-O-B-I-N-S-O-N.

21 MR. FULLIN: And your address?

22 MR. ROBINSON: 1330 West Smiley
23 Avenue, Shelby.

24 MR. FULLIN: And are you within the
25 project area?

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1 MR. ROBINSON: No.

2 MR. FULLIN: Okay. Thank you.

3 MR. ROBINSON: One of the questions
4 I have for the board is, you build this wind
5 farm and the person brought up follow the
6 money. Most of the money is being donated
7 by the federal government because it cannot
8 sustain itself. If this fails, and the
9 federal government pulls the money and they
10 go bankrupt, you as land owners probably
11 will not be paid. Under bankruptcy, they
12 can cancel the contracts. If they do that,
13 what happens to these massive structures?
14 Are we stuck with them? Are they going to
15 decay? Will they be taken down? We need
16 the energy, but wind farms are not
17 sustainable at this time.

18 Are we a guinea pig? Who is going
19 to win here? We as tax payers are paying
20 for this. Everything is being paid by the
21 federal government. Federal government down
22 sizes, this may be one of the cuts. That's
23 the only thing I want people to think about
24 and one of the things that you should ask,
25 what happens to this if it fails. What

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1 happens to these massive structures. Thank
2 you.

3 MR. FULLIN: Thank you.

4 - - - - -
5 CARL NEUDZLING

6 After having been first duly sworn, as
7 hereinafter certified, was examined and testified
8 as follows:

9 MR. FULLIN: Thank you. And give
10 your name for the record.

11 MR. NEUDZLING: My name is Carl
12 Neudzling.

13 MR. FULLIN: And could you spell
14 that for the record?

15 MR. NEUDZLING: N-E-U-D-Z-L-I-N -G.

16 MR. FULLIN: Thank you. And your
17 address?

18 MR. NEUDZLING: I live at 2850 Alda
19 West Road, Mansfield.

20 MR. FULLIN: And are you within the
21 project area?

22 MR. NEUDZLING: No, I'm not.

23 MR. FULLIN: Thank you. Proceed
24 with your testimony.

25 MR. NEUDZLING: I'm the business

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manager for the International Brotherhood of Electrical Workers and also vice president of the North Central Ohio Building Trades. I've sat here and listened tonight and with the unemployment rate in Richland County over ten percent and Crawford County even higher, I would like to have the siting board and also the wind farm folks take a look at using local labor to build these should the siting board approve a permit. In the building trades, or with the industry leaving the area, some of the trades have had 35 and 40 percent unemployment. We are in need of jobs. And we would like the consideration of building these wind mills should the permit be issue. Thank you.

MR. FULLIN: Thank you for your testimony.

Okay. I'm going to ask one more time for a show of hands. Is there anyone here that would raise their hand if they wanted to testify and haven't had a chance to do so?

I don't see any hands raised. So if there are no more witnesses, and I see

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that there are not, then this will conclude
the public hearing and the testimony will be
submitted on the record for the board's
consideration in this case. I thank
everyone who testified and I thank everyone
who came out and participated in this
hearing tonight. Thank you.

- - - - -

(Hearing concluded at 8:20 p.m)

- - - - -

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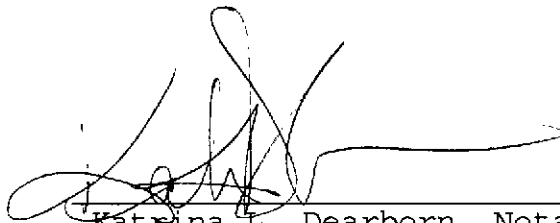
The State of Ohio,)
) SS: CERTIFICATE
County of Cuyahoga.)

I, Katrina L. Dearborn, Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within-named witnesses were first duly sworn to testify the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the testimony then given by him/her was by me reduced to stenotypy in the presence of said witness, afterwards transcribed on a computer, and that the foregoing is a true and correct transcript of the testimony so given by him/her as aforesaid.

I do further certify that this hearing was taken at the time and place in the foregoing caption specified and was completed without adjournment.

I do further certify that I am not a relative, employee of, or attorney for any of the parties in the above-captioned action; I am not a relative or employee of an attorney for any of the parties in the above-captioned action; I am not financially interested in the action; I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D); nor am I otherwise interested in the event of this action.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my seal of office at Cleveland, Ohio on this 19th day of September, 2011.



Katrina L. Dearborn, Notary Public
In and for the State of Ohio.
My commission expires 11-02-15.

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Public Hearing
Black Fork Wind

Case No: 10-2865-EL-BGN

Public Hearing Testimony

Meeting Date: September 15, 2011

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Black Fork Wind

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Public Hearing
Black Fork Wind

Case No: 10-2865-EL-BGN

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Public Hearing
Black Fork Wind

Case No: 10-2865-EL-BGN

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Public Hearing
Black Fork Wind

Case No: 10-2865-EL-BGN

Public Hearing Testimony

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I am concerned about a pending case before the Ohio Power Siting Board called the Black Fork Wind Farm Project. The project will be both in Crawford and Richland counties. There will be 91 wind turbines about 450 feet to 500 feet tall.

Doctors in **many** countries have found people living near wind turbines have developed the same symptoms **after** the turbines were installed and the symptoms disappeared **after** the people moved away or spend **sufficient** time away to experience relief.

Dr. Nina Pierpont is a highly qualified licensed Physician in New York. Her qualifications include:

1977 B.A. Yale University National Merit Scholar (Cum Laude)
1981 M.A. Princeton University
1985 P.H.D. Princeton
1991 M.D. John Hopkins University School of Medicine and also
Post-doctoral training. She has written a book called Wind Turbine Syndrome.

She found the following symptoms in families living near turbines:

Sleep problems

Headaches are increased in frequency and severity

Dizziness, unsteadiness and nausea

Exhaustion, anxiety, anger, irritability, panic attacks and depression

Children have problems with concentration and learning

ringing in the ears

Some people have a sensitivity to low frequency vibration. To keep our balance we use three types of input. Our eyes and from balance organs in our inner ear. At least two of these systems have to be working and agreeing to maintain balance. The visual disturbance of the moving blades, shadows and noise or vibration impact our inner ear. Not everyone has these symptoms the difference is known as risk factors.

Doctors and most people living near wind turbines agree that **a set back of at least one mile would have the best outcome for people living near wind turbines.**

Dave Hulthen of Illinois has two wind turbines 1,400 feet from the foundation of his home. People have been told the turbines sound like a refrigerator. This is not the case. We hear low frequency sounds on our property as well as in his home. He is bothered by noise, whistling, constant swirling movement and shadow flicker.

1. Since wind turbines only work 60% to 80% what do they use for Back up power?
2. Why are there 14,000 abandoned wind turbines?
3. Why are landowners forced to sign a confidentiality agreement?
4. What do the turbines sound like in a worst case scenario?
5. Has anyone with the company or board slept in a home in Close proximity to a turbine for a few days when the turbine Blades are pitched into the wind?
6. Will there be a follow-up study to monitor the noise or the killing of Birds?
7. Is it safe to crop dust with turbines on your property?
8. How many **permanent** jobs will there be?
9. Do turbines create interference with television or cell phones?
10. What happens when ice forms on the blades?

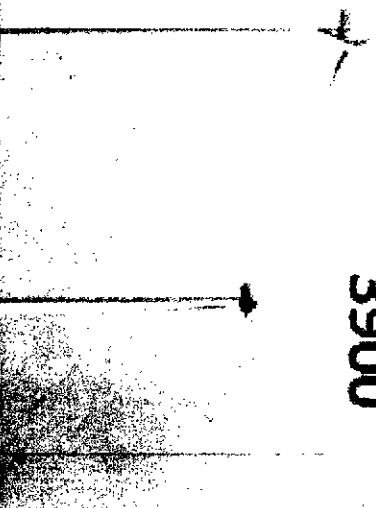
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Our family blog that reveals the
reality of living in the shadows of the
dekalb illinois industrial wind turbines

Ohio Power Siting Board Hearing
Shelby High School
September 15, 2011
BlackFork Wind Project
Case No.: 10-2865-EL-BGN

Gary A Cole
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Good Evening. Thank you for the opportunity to speak.

My name is Gary Cole. I am a lifetime resident of Crawford County, mostly in Vernon Township, where I am a landowner. There are no turbines to be located on my property, but several will be easily visible from my home.

My background as a science teacher gives me some ability to understand concepts related to the evidence being presented about wind turbines. I have attempted to objectively evaluate the ideas proposed as arguments for and against this project. This includes studying literature, listening to presentations and personal visits to other

wind turbine installations. I have considered the effect on birds, ground water, shadow flicker and noise.

My visits have included Benton County, Indiana; Story County and Worth County in Iowa; The Bowling Green turbines, the new project in Van Wert and Paulding Counties in Ohio; and several large wind farms in Oklahoma and Kansas.

I stopped at large working turbines, pacing off various distances from the bases of individual turbines, observing noise levels. I was particularly interested in a 1400 foot distance because my front door will be about that distance from one

of the planned turbine locations in the Black Fork Project. According to documents on file at the OPSB, that would slightly exceed the minimum distance of a turbine from any home in this project.

I noticed that the older turbines (> 8-10 yrs) were noisy but the newer turbines (<4-5 yrs) were very quiet.

Obviously, the large turbines will create a difference in the landscape. In discussing this with those living close to similar projects, the comment is that after a period of time, the uniqueness wears off and less attention is given to the structures.

Farming is the predominate economic activity in this area. Based on county records, land prices have continued to increase, even during the

initial phase of the wind turbine project.

Any decrease in building values can be attributed to the general economy. In my opinion, due to the very small area of land used for the wind turbines, the agricultural production of this area will not be adversely affected by this project.

I have also considered the direct economic benefits to the community.

Any additional revenues would be welcomed, due to recent losses in tax revenues. In addition to the contractual payments to landowners, a significant amount of revenue will be paid to local governments and schools, in lieu of property taxes.

In Crawford County, this payment will be \$9000.00 per Megawatt.

Based on the final number and size of turbines, this could amount to as much as

\$1,200,000 to be annually allocated to local entities in Crawford County.

Wind turbines are not the only solution to the energy problem. Just as energy technology has changed in the past, it will continue to change in the future and the wind turbine will be a beneficial part of this evolving technology that will look much different 10, 20 and more years from now.

After considering my observations and the information presented in the Staff Report for the Black Fork Project, I have concluded that the benefits outweigh any negative aspects. I would urge the OPSB to approve this project as a positive step to help achieve energy self sufficiency in Ohio and also to help meet any mandates of the Ohio Legislature.

THANK YOU.

My name is Jim Davis. I live in the North-East quadrant of the proposed project called Black Fork Wind Energy. Thank you for allowing me the time to express some of my thoughts.

I began this process, along with my wife, 2 and ½ years ago as a text book NIMBYjust wanting to know what effect it would have on us. However, I quickly learned that it is a much bigger issue than that. We traveled to western Indiana to witness a Wind Farm environment. I talked to their county officials who warned of infrastructure issues which our counties would need to address. We have read countless articles and books on related topics and we have come back to that old known fact:

If it doesn't make sense, follow the money.

In my view, the structure of this applicant brings to question many issues in itself: The shell of **Black Fork Wind Energy, LLC** is a Limited Liability Corporation which has nothing, at this point, but protects its owner **Element Power**. Element Power was formed in 2009 and lists many wind and solar projects in development but only one in construction or near completion in New Mexico with 28 turbines. Element Power is financed by a third private company, **Hudson Clean Energy Partners**. So, who is responsible and liable for this project? Because these are all private companies, very little is available to anyone to determine the strength of their balance sheet or the experience of their employees and management, making it **difficult to follow the money**. So who do we hold responsible if damages befall us? Is the landowner liable?.....Is the project manager liable?

Our study also convinced me that the so called NIMBY issues such as **inadequate setbacks, property value decline, noise, shadow flicker, water issues, electronic issues, bird kill and other wildlife issues**, are very real and can be a serious problem. Will everyone be bothered by these NIMBY issues?...of course not. But a certain percentage will and this always correlates with siting turbines too close to houses as well as weather variables. In fact, most projects end up with some contract holders who ultimately feel the money they receive isn't worth it because they too are subject to these effects. All of us who live in the quiet rural country will, in fact, be surrounded by huge structures with moving parts, that will change the serenity of our country living for a very long time.

We have visited several different wind generation projects in various population areas. **Population density** in this proposed project is greater than most others. Element Power's other wind farm project in Luna County, NM has a population of 8.5 persons per sq. mi. and the closest residence to that 50 MW field is about 5miles. Richland County has a population of 250 persons per sq. mi. and the closest residence to a wind turbine is under 1300 feet.

I have talked with people who work in the field of electric generation and have communicated with at least 50 elected officials at local, state, and federal levels. All this research has proven to me that wind is one of the most expensive and most **unreliable** sources of energy known to man. So, why is it being rammed down our throats? Follow the money!

At a time when our country doesn't have two nickels, we are still paying 30 to 50% of the costs for these boondoggle projects with tax payer funds or worse yet with borrowed money from a foreign country. The major components of the turbines continue to come from foreign countries, who gladly accept our stimulus. On top of that, when politicians hopped on Al Gores "**Green**" bandwagon, laws were put in place which **require utility companies to buy** the expensive wind energywhen the wind blows and shut down the other, less expensive forms of generation. That only makes everyone's electric rates go up, contracted properties as well as non-contracted property.

Industrial Wind Energy cannot exist on it's own merits. No mandates & No subsidies = No Wind Energy. It's just that simple. And don't forget, wind must be backed up 100% by reliable energy sources such as coal, gas or nuclear. Natural gas makes the best back up because it can be ramped up and down quicker than other sources.....So why don't we just use GAS? Natural Gas from the USA? We have plenty of it right here in Ohio, according to recent reports.

The Black Fork Wind Application has left undecided many very critical elements, such as wind turbine selection and final routing for construction which leaves everyone unable to fully evaluate what is going on.

However, and finally, another side effect of an Industrial Wind Project which occurs, but no one talks much about, is the effect on the people of the community. It seems that **two sides** are developing: Those with **potential for profit**, and those with **potential for damage**. Folks who have been neighbors all their lives barely speak, if at all. Church congregations are fractured. Families can't see eye to eye. Neighborhoods become "them" and "us". Only time will tell if it has been worth losing the feel of a rural small town.

The Ohio Power Siting Board has an ominous job to do and I believe they will take it seriously. Your mission is to "**Provide sound energy**" for the good of all citizens. That means sound not unreliable, affordable not most expensive, and all citizens in the project area should be protected by proper siting to avoid foreseen health and safety issues. There is plenty of evidence available worldwide and.....
.....Quite frankly, I'd like to have my neighborhood back....without the 800# gorilla in the room!

Thursday, September 15, 2011

The Ohio Power Siting Board
180 East Broad Street
Columbus, Ohio 43215

Re: Support of Black Fork Wind Project
Submitted by: Bryan L. Day

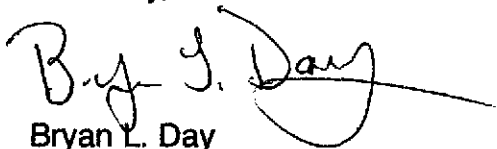
Respected members of the Ohio Power Siting Board Staff,

My name is Bryan Day. My family and I reside at 4279 Shoup Road just north of Shelby, Ohio in the northern area of the proposed Black Fork Wind Project. My family has lived in Richland County, Ohio for longer than a century and I have lived my entire life in the community of Shelby. Although I do not own enough land to have a turbine on my property, I am in support of this project for the following reasons:

1. The city of Shelby and the county of Richland are in desperate need of an economic boost. With the influx of workers for the coming months, this will provide some needed economic activity. Also, it is my belief that a wind farm will draw a specific type of tourist or visitor for years to come, providing an additional boost to hotels, restaurants and other businesses.
2. As a school teacher of 23 years, I recognize the value of an additional income stream to the local school districts, whether this comes from "pilot" payments, tax agreements, additional income or property tax revenue.
3. Having lived so long in this community, I understand the importance of community pride. I believe this project will have a positive impact on the future outlook of our city, townships, and counties.

Thank you for allowing me to comment on this important matter and I urge you to approve the Black Fork Wind Project.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan L. Day", with a long horizontal flourish extending to the right.

Bryan L. Day
4279 Shoup Road
Shelby, Ohio 44875
419-564-6694

My name is Charles Jones, I am speaking as the representative of the Arlene Jones Trust. The Farm at 4815 Hazelbrush Rd. will be directly impacted by the Black Fork Wind Farm, as well as my personal residence at 4848 Hazelbrush.

I am here today to voice my support for the advancement of the B.F. W.F.

The positive results of the W.F. far outweigh the short term discomforts, I feel that will be caused by the project.

I am confident, as the program has been presented to me, that the B.F.W.F. will be an asset to our local economy with long term employment.

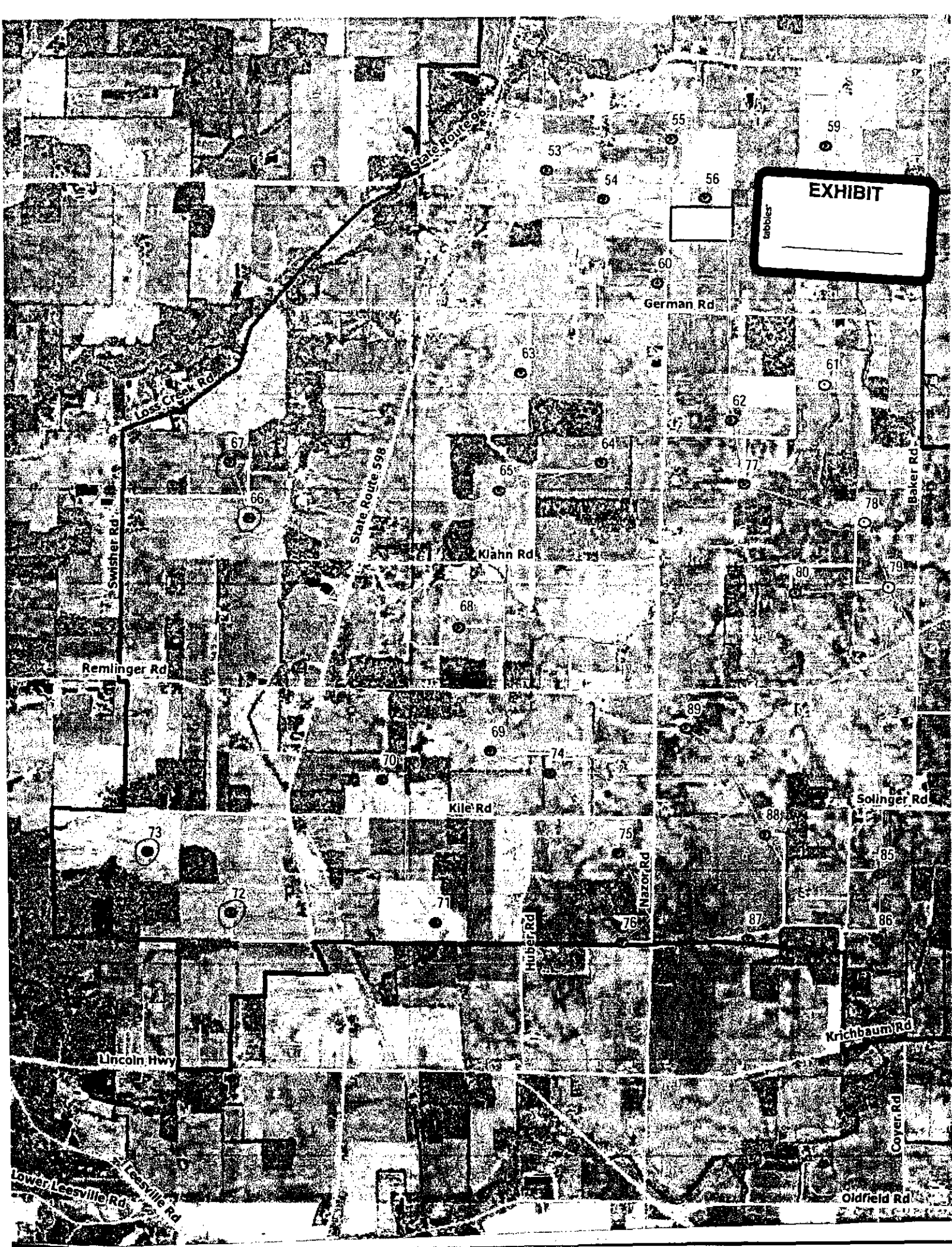
I believe the project will be a catalyst to breathe life into not only our city, but also the school system and the local merchants in the general area of the wind farm.

Change is not always easy, but it is necessary for the positive benefits that will be brought by the farm.

Wind power is clean. I feel that such a renewable energy is moving us in the right direction for this area, our state, our country & the world.

Thank you

C. E. Jones
9-15-11



EXHIBIT

tabbies

THE PROTOT AND THE HIGH SCHOOL

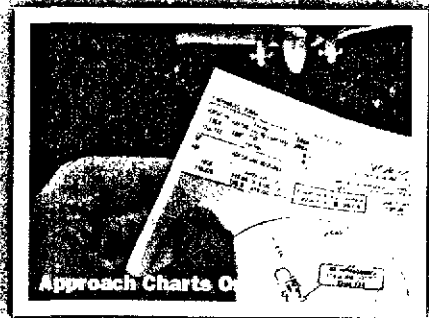
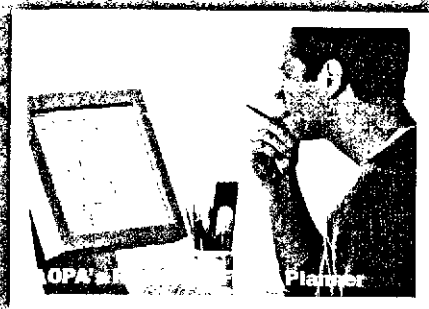
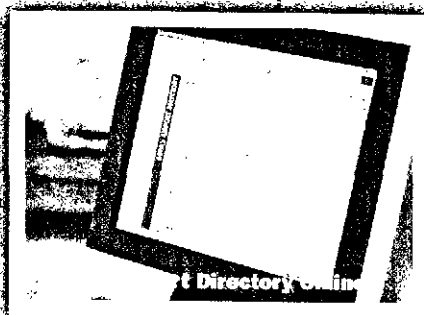
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EXHIBIT



St Petersburg—Albert Whitted Airport (SPG)



Whitted KSPG
8-36 127.4



KSPG

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www.aopa.org/members/airports Updated and Online

AOPA's AIRPORT DIRECTORY

PREFACE

The Aircraft Owners and Pilots Association is pleased to present the forty-fifth printing of *AOPA's Airport Directory*, the nation's most complete source for airport information.

This 2005/2006 edition is produced in conjunction with *AOPA's Airport Directory Online*, the downloadable *AOPA's Airport eDirectory*, *AOPA's Real-Time Flight Planner*, and downloadable current digital instrument approach charts. All are accessible 24 hours a day throughout the year and available to AOPA members at www.aopa.org/members/airports.

The electronic and print directories share AOPA's extensive database of public-use airports, seaplane bases, and heliports, and their fixed base operators (FBOs), flight schools, and other airport services.

Airport listings

- New this year is the inclusion of each individual toll-free Flight Service Station (FSS) telephone number for almost every airport in the United States. This provides direct access to a specific FSS using your cell phone—especially important if you are calling outside your local region.
- Also new this year is an icon for Aircraft Electronics Association (AEA) member avionics shops. These AEA member shops may also participate in AOPA's FBO rebate program, which means you can save on avionics installation and repairs. (AOPA's FBO rebate program is explained in-depth on page 1-5.)

- Other icons identify AOPA's FBO rebate program participants and the availability of Avfuel and Meteorlogix weather and flight planning terminals.

- Sections preceding the airport listings offer a directory of air traffic control telephone numbers and a directory of international landing facilities (Canada, Mexico, and the Caribbean) and U.S. Customs Border Protection (CBP) airports. New this year is an improved tabular layout of the U.S. CBP airports.

AOPA's Airport Directory includes:

- 5,300 PUBLIC-USE AIRPORTS, SEAPLANE BASES, AND HELIPORTS
- 2,100 PRIVATE-USE LANDING FACILITIES
- 5,400 FIXED-BASE OPERATORS (FBOs) AND AIRPORT BUSINESSES
- 2,700 AIRPORT DIAGRAM AND 5,300 NAVAIDS
- AWOS, ATIS, AND FSS FREQUENCIES AND TELEPHONE NUMBERS
- DISCRETE TOLL-FREE TELEPHONE NUMBERS FOR AFSS
- MORE THAN 29,000 ENTRIES FOR RESTAURANTS AND LODGING
- MORE THAN 15,000 CAR RENTAL AND TAXI SERVICE COMPANIES
- 12,000 LOCAL ATTRACTIONS
- 3,700 NOTES AND NOISE ABATEMENT PROCEDURES
- U.S. CUSTOMS BORDER PROTECTION AIRPORT DIRECTORY
- CANADIAN, MEXICAN, AND CARIBBEAN AIRPORTS OF ENTRY

Corrections or questions?

Use the correction form included on page 3-663 or send e-mail to airportdirectory@aopa.org. You may also call our editorial office at 301/695-2357 or fax us at 301/695-2280. For specific updates to FBO or business listings call 301/695-2361; for airport listings call 301/695-2363.

Thank you

We recommend this guide as a supplement to official government publications such as the FAA's *Airport/Facility Directory* (A/FD), the FARs, the *Aeronautical Information Manual* (AIM), notices to airmen, aeronautical charts, and advisory circulars.

We appreciate the assistance of landing facility and business owners and managers, the FAA, the National Aeronautical Charting Office (NACO), and the U.S. Customs Service in producing this directory.

—Machteld Smith

AOPA AIRPORT SUPPORT NETWORK (ASN)

Pressures on public and privately owned airports continue to mount. This takes many forms including curfews, noise restrictions, lack of improvements, residential encroachment, and even attempts to close the airport. Often, the general aviation community is totally unaware of negative issues concerning their airport—until it is too late to do something about it. Knowing what's happening in the political environment surrounding a local airport is critical to preserving our general aviation infrastructure into the foreseeable future.

• Who is watching your airport?

Enter the AOPA Airport Support Network (ASN) established in 1998. AOPA has formed this network to provide a vehicle through which AOPA members can become involved with their local airport, help to protect it, and provide AOPA with early warning of developing problems.

• Who are ASN volunteers?

Already more than 1,700 AOPA members have become ASN volunteers.

• What do ASN volunteers do?

They are AOPA's "eyes and ears" at airports across the country and provide a critical link in the communication chain between the local airport community and AOPA.

• Where can you sign up?

If you wish to volunteer your time and talent at the local level for your airport, please visit www.aopa.org/asn. The Web site includes detailed program criteria, a list of airports for which volunteers are being sought, and a nomination form.

Public-use airports in the United States are closing at the rate of about one every two weeks. Don't wait for something to happen at your airport. Join your fellow pilots and help us keep GA airports open, safe, and affordable. Become a volunteer today!



On the cover

Albert Whitted Airport (SPG)

Albert Whitted Airport (SPG) in St. Petersburg, Florida is featured on the cover. The photograph was taken by Jim Barrett. Albert Whitted Airport was rescued from the brink of destruction by ASN volunteer Jack Tunstall. AOPA presented Tunstall with the Laurance P. Sharples Perpetual Award for leading efforts to save this unique waterfront airport. Also appearing on the cover are images of AOPA Online flight planning resources that are useful companions to this print edition. Find them all at aopa.org/flight_planner.

AOPA's AIRPORT DIRECTORY

U.S. LANDING FACILITIES

Public-use landing facilities

The directory combines public-use airports, seaplane bases, and heliports in one section. Seaplane bases and heliports are identified by anchor and helipad symbols similar to those found on aeronautical charts. Colocated landing facilities are combined in one listing. Special information pertaining to the colocated facility (e.g., landing lanes, helipads, special notes, etc.) are separated from the main listing by a dashed line and the anchor and helipad symbols make it easy to locate and identify the facility type.

The listings are arranged in alphabetical order, by state and by name of the nearest town or city, as designated by the Federal Aviation Administration. Many listings are also cross-referenced to the actual location or name by which they are commonly known, if this differs from the FAA designation.

Index of public-use landing facilities

An index of public-use landing facilities arranged alphabetically by name, city, state, and page number follows the private-use landing facilities section.

Private-use landing facilities

Private-use airports, seaplane bases, and heliports are arranged in alphabetical order, by state and by name of the nearest town or city, as designated by the FAA. This section is compiled with the approval and assistance of the owners. Please call ahead to obtain permission to land.

Airport diagrams

Diagrams for landing sites with published instrument approaches are included with the listings for the site. The

diagrams show runway length and width, runway slope, taxiways, ramp areas, and buildings. Symbols for VOR, NDB, VASI, PAPI, displaced threshold, tower, and beacon are shown when applicable.

Note: The diagrams are intended for general orientation only; they are not to be used for navigational purposes.

FBOs and aviation businesses

FBOs and aviation service companies are presented in alphabetical order following the listings for the landing facilities with which they are associated. Some businesses chose to advertise additional information about their services. This information will appear at the end of their listings.

Area codes and telephone numbers

Each airport and FBO telephone and fax number includes an area code. We also have obtained and included many of the area codes for additional services listed.

Icons

This directory includes symbols in addition to the heliport and seaplane base icons. Examples of the icons are provided on pages 3-2 and 3-3.

Corrections

If you find information that needs to be corrected, please use the correction form included on page 3-663 or send an e-mail to airportdirectory@aopa.org. For specific updates to FBO or business listings call 301/695-2361; for airport listings call 301/695-2363.

—The Editors

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MCALISTER—*Akin and Akin* (NM73). Telephone: 505/458-6491, 505/458-6491.
QUEMADO—*Quemado* (NM80). Telephone: 505/773-4877.
RODEO—*Rodeo* (NM70). Telephone: 505/557-2343.
ROSWELL—*Benedict Airpark* (NM20). Telephone: 505/622-3458.

NEW YORK

ALBION—*Gaines Valley Aviation* (NY06). Telephone: 585/589-1330, 585/589-7195, 585/356-4994.
ALPINE—*Kayutah Lake* (2NY9). Telephone: 607/594-4790, 302/478-0310.
ARCADE—*Roberts Roost* (NK81). Telephone: 585/457-9442.
AURORA—*Match Mate* (NK74). Telephone: 315/364-7635.
BATH—*Jolamtra Landing Area* (23NY). Telephone: 607/776-6088.
BERGEN—*Ely Air Park* (24NY). Telephone: 585/494-1574.
BOLTONLANDING—*Northwest Waterbird SPB* (2NK0). Telephone: 518/644-3535.
BROADALBIN—*The Pines* (NY64). Telephone: 518/883-4902.
CANISTEO—*Gaskin's Hilltop* (2NK1). Telephone: 607/698-4876.
CAPE VINCENT—*John Gonzales Field* (NY69). Telephone: 315/686-5518, 315/686-5516.
CHESTER—*Orange Poultry Farm* (4NY1). Telephone: 845/469-4640.
CLINTON DALE—*Minard Farms* (1NY7). Telephone: 845/883-7102.
DAVENPORT—*Mountain Top* (NY02). Telephone: 607/278-5430.
EAST BERNE—*Heideberg Airstrip* (NY81). Telephone: 518/872-0242.
ESPERANCE—*Hogan* (NY05). Telephone: 518/875-6033, 914/666-7550.
ESSEX—*Essex Boatworks SPB* (NY83). Telephone: 518/963-8840.
PORT PLAIN—*Hickory Acres* (NY88). Telephone: 518/993-2402.
HONEOYE FALLS—*Bedson's Land Base* (52NY). Telephone: 585/624-7681.
HONEOYE FALLS—*Smith's Land Base* (53NY). Telephone: 585/624-1975.
ITHACA—*Neno International* (NY18). Telephone: 607/272-8436, 607/272-6261.
JORDAN—*Anthonson* (NY28). Telephone: 315/685-8066.
KNOWLESVILLE—*Knowlesville* (NY01). Telephone: 585/798-1031.
LAKE HUNTINGTON—*Campis (Airstrip)* (7NY0). Telephone: 845/932-8322.
LAKE LUZERNE—*Lake Luzerne SPB* (NY92). Telephone: 518/696-3472.
LAKE PLEASANT—*Bostrup's Landing SPB* (NK60). Telephone: 518/548-6581, 860/435-8275.
LAKEVILLE—*Hannas Acres* (NY15). Telephone: 585/346-5413, 585/346-3205, 585/243-2099.
MACEDON—*Lakestone Farm* (NY11). Telephone: 315/986-4054.
MAYVILLE—*Chautauqua Lake Airpark* (65NY). Telephone: 330/562-4789.
MECKLENBURG—*Culver Airfield* (7NY4). Telephone: 607/387-5636.
NEW BREMEN—*Duffo* (NY10). Telephone: 315/376-2155.
NORTH CREEK—*Bennetts* (0NY0). Telephone: 518/251-2579.
NORTH WESTERN—*Flying Acres* (0NY2). Telephone: 315/827-4461.
PORT JERVIS—*Port Jervis Fire Department Heliport* (NY08). Telephone: 845/858-4099.
RHINEBECK—*Old Rhinebeck (Aerodrome Airshows)* (NY94). Telephone: 845/752-3200.
RICHFIELD SPRINGS—*Richfield* (NY68). Telephone: 315/858-0901.
RIVERHEAD—*Talmage Field* (03NY). Telephone: 631/369-8497.
RUSH—*Skyview* (84NY). Telephone: 585/334-4020.
SARANAC—*High Banks Farm Landing Area (Sarnac)* (1NY4). Telephone: 973/543-4141.
SARDINIA—*Basher Field* (NY00). Telephone: 716/496-6044.
SARDINIA—*High Acres* (85NY). Telephone: 716/496-7222.
SHELBY—*Zelanzy* (88NY). Telephone: 585/798-3953.
SOUTH DAYTON—*South Dayton* (NY27). Telephone: 716/988-3315.
SPENCER—*Saikkonen* (11NY). Telephone: 607/589-4984.
SPENCERPORT—*Manitou Field* (91NY). Telephone: 585/352-5168, 585/436-8230.
STRYKERSVILLE—*Bloecher Farm* (92NY). Telephone: 585/652-7119.
SYRACUSE—*Onondaga SPB* (2NY2). Telephone: 315/453-6721, 315/453-6712.
WALES CENTER/COWLESVILLE—*Fisher Field* (95NY). Telephone: 352/669-3063, 585/655-1463.
WATERVILLE—*Valley View* (NK23). Telephone: 315/841-8078.
WILMINGTON—*Catalano Airfield* (1NK6). Telephone: 845/534-3947, 518/946-2357.
WYNANTS KILL—*Snyder's Lake SPB* (NK13). Telephone: 518/283-4366.

NORTH CAROLINA

ADVANCE—*Marchmont Plantation Airpark* (6NC8). Telephone: 336/998-6008.
ASHEBORO—*Smith Air Ranch* (25NC). Telephone: 336/879-5440, 336/879-2830.
BANNER ELK—*Elk River* (NC06). Telephone: 828/898-9791, 828/898-9706.
BOONVILLE—*Boonville* (26NC). Telephone: 336/367-7958, 336/367-3887.
BRYSON CITY—*Sossamon* (6A9). Telephone: 828/488-2450.
BUNN—*Crooked Creek* (7NC5). Telephone: 919/496-6243.
BURGAU—*Stag Air Park* (7NC1). Telephone: 910/686-9612, 910/675-3927, 910/458-6119.
BURNSVILLE—*Mountain Air (Country Club)* (2NC0). Telephone: 828/682-3600, 828/682-4600.
CAPE CARTERET—*Star Hill Golf Club* (60NC). Telephone: 252/393-8111.
CARTHAGE—*Gilliam-MC Connell Airfield* (5NC3). Telephone: 910/947-3599, 910/695-5216.
CLINTON—*Twin Oak* (NC69). Telephone: 910/584-6010.
CONCORD—*Chaifant* (NC77). Telephone: 704/782-6600.
DENVER—*Little Mountain* (6NC1). Telephone: 828/464-8741.
ELIZABETH CITY—*Meadstown* (NC28). Telephone: 252/330-4103, 252/331-7751, 252/340-2777.
FAIRMONT—*Mc Kee* (NC70). Telephone: 910/628-0926.
FAYETTEVILLE—*Windemere* (47NC). Telephone: 910/485-6750.
FLETCHER—*Cane Creek* (4NC6). Telephone: 828/684-6441, 828/684-0889, 828/684-3895, 828/684-8837.

FOREST CITY—*Clute's Hilltop* (69NC). Telephone: 828/287-9224, 386/426-1384.
GIBSONVILLE—*McLean Brothers* (59NC). Telephone: 336/449-7346.
GRANTHAM—*Cox-Grantham Airfield* (8NC0). Telephone: 919/735-5988.
HAYESVILLE—*Tusquitee Landing* (NC08). Telephone: 828/389-1821, 828/389-8256.
HERTFORD—*Craig Craft* (86NC). Telephone: 252/426-2676.
HUNTERSVILLE—*Bradford Field* (NC05). Telephone: 704/305-2927, 704/258-4075.
JEFFERSON—*Skyland* (NC50). Telephone: 336/982-3899, 336/982-3713.
KANNAPOLIS—*Wilhelm* (6NC2). Telephone: 704/938-3326, 704/857-1105.
KNIGHTDALE—*Raleigh East* (9NC0). Telephone: 919/847-4456.
LENOIR—*Lower Creek* (NC27). Telephone: 828/758-4524.
LONG ISLAND—*Long Island* (NC28). Telephone: 704/400-0690, 828/476-2642, 704/528-9983, 704/400-7737.
LOUISBURG—*North Raleigh* (00NC). Telephone: 919/496-2224.
MOCKSVILLE—*Tara Airbase* (5NC1). Telephone: 336/284-2161.
MOORESVILLE—*Miller Air Park* (NC30). Telephone: 336/765-6857, 336/918-0715.
MORGANTON—*Clyde Valley (Ultra Port)* (3NC0). Telephone: 828/433-0015.
MORGANTON—*Silver Creek* (NC52). Telephone: 828/437-5357.
NEWTON GROVE—*Massengill* (NC76). Telephone: 919/779-2900, 919/894-2343.
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RUTHERFORDTON—*Fox Haven Plantation* (58NC). Telephone: 828/286-1774, 828/286-0038.
SCOTLAND NECK—*Ventosa Plantation* (NC66). Telephone: 252/826-3622.
STATESVILLE—*Raeform Rhyme Airpark* (NC15). Telephone: 704/876-0760, 704/873-2871, 704/876-3317.
TAYLORSVILLE—*Gryder-Teague* (NC58). Telephone: 828/632-4610, 828/632-9810.
WEDDINGTON—*Aero Plantation* (NC21). Telephone: 704/843-5338.
WILMINGTON—*Pilots Ridge Community* (03NC). Telephone: 910/313-6950.

NORTH DAKOTA

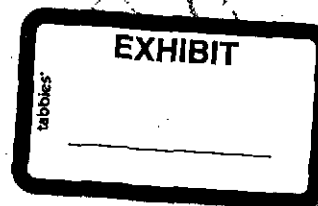
ABSARAKA—*Punton* (ND07). Telephone: 701/896-3477.
ALEXANDER—*Gajewski Field* (18U). Telephone: 701/828-3572, 701/570-0391, 701/570-0658.
ALEXANDER—*Haugen's* (7ND7). Telephone: 701/828-3413.
AMENIA—*Smith Pvt* (ND74). Telephone: 701/347-5329.
BELFIELD—*Swenson* (21U). Telephone: 701/575-4506.
BUFFALO—*Grieve* (ND59). Telephone: 701/633-5515.
BUFORD—*Stiehl* (5ND0). Telephone: 701/875-4403, 801/266-4003.
CHAFFEE—*J Vining* (8ND6). Telephone: 701/645-2571.
FLORA—*Gilbertson* (0ND0). Telephone: 701/438-2613, 701/662-2861.
GARRISON—*Fischer* (ND22). Telephone: 701/337-5725.
GLENBURN—*Judy's Strip* (ND18). Telephone: 701/362-7525, 701/362-7419.
GRAFTON—*Kelly's Field* (7ND2). Telephone: 701/352-2508.
HAGUE—*Schumacher Strip* (0ND6). Telephone: 701/336-7186.
HATTON—*Gensrich* (ND20). Telephone: 701/543-3070.
HUNTER—*Richtsmaier* (52ND). Telephone: 701/874-2393.
LUCCA—*Lindemann* (ND35). Telephone: 701/924-8300, 701/845-2587.
MADDOCK—*Rices Airpark* (ND38). Telephone: 701/438-2350.
MANDAN—*Z. P. Field* (64ND). Telephone: 701/863-6356.
MAPLETON—*Kraft* (2ND0). Telephone: 701/282-5872, 701/282-0856.
MEDINA—*Rau Field* (ND40). Telephone: 701/486-3466.
MERCER—*Makeeff* (2ND2). Telephone: 701/447-2467.
MERCER—*Westerlind* (2ND1). Telephone: 701/447-2679.
MINOT—*Trinity Health Center Hospital Heliport* (2ND4). Telephone: 701/857-5000.
SCRANTON—*Nelson* (7ND3). Telephone: 701/275-6104.
TAYLOR—*Brands* (ND62). Telephone: 701/974-3578.
WHEATLAND—*Vining* (ND68). Telephone: 701/347-4786.
WILLISTON—*Wright* (ND23). Telephone: 701/572-3514.
WYNDMERE—*Sanden* (4ND8). Telephone: 701/439-2613.

OHIO

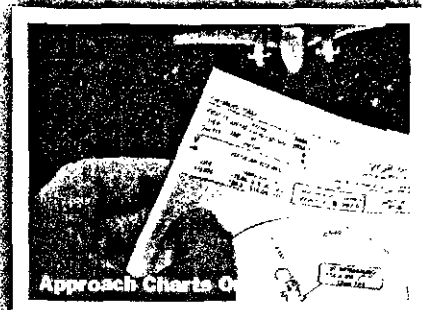
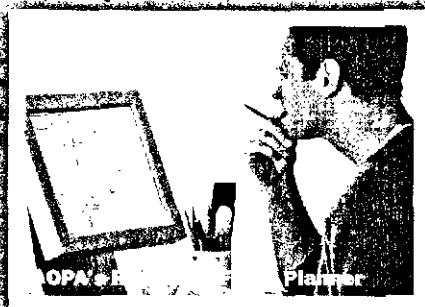
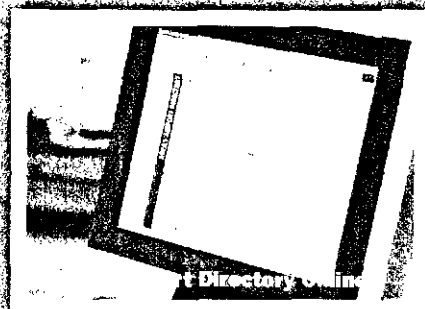
AMANDA—*Amanda* (OH61). Telephone: 740/969-2734, 740/969-4718.
ANSONIA—*Leis* (OH34). Telephone: 937/337-5941, 937/337-1915.
ARCHBOLD—*Huffman Farm* (4OH8). Telephone: 419/445-4297.
ARLINGTON—*Alge* (5OH0). Telephone: 419/365-5560.
ATWATER—*Gay* (93OH). Telephone: 330/947-2319.
BALTIMORE—*Industry Air Park* (38OH). Telephone: 740/862-4800.
BELLEVILLE—*Dougherty* (1OH2). Telephone: 419/483-3569.
BELLEVUE—*Missler-Bellevue* (6OH1). Telephone: 419/483-2208.
BERKEY—*R C Ford Field* (6OH3). Telephone: 419/829-4651.
BERLIN CENTER—*Circle C* (89OH). Telephone: 330/547-9407.
CANAL FULTON—*Clay's (Park)* (51OH). Telephone: 330/854-0257, 330/327-4476.
CASTALIA—*Mather Field* (1OH3). Telephone: 419/627-1331.
CENTERBURG—*Chapman Memorial Field* (OH71). Telephone: 740/625-5809, 740/625-6803.
CHARDON—*Curtis* (7OH8). Telephone: 440/298-1416, 440/298-1416.
CINCINNATI—*University Hospital Heliport* (8OH9). Telephone: 513/584-7522, 513/584-8100.
COALTON—*Balsden* (4OH9). Telephone: 740/286-5637.
CONTINENTAL—*Verhoff* (36OH). Telephone: 419/532-2181, 419/596-4502.
COVINGTON—*Kemps Field of Dreams* (6OH9). Telephone: 937/473-5352, 937/473-5202.
CRESTLINE—*Cole Airfield* (37OH). Telephone: 419/683-2152.
DOLA—*Elding Circle E* (OH66). Telephone: 419/759-2094.
ELMORE—*Toussaint Airpark* (9OH2). Telephone: 419/862-3069.
ELYRIA—*Richards* (9OH4). Telephone: 440/324-3109.

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St Petersburg—Albert Whitted Airport (SPG)



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AOPA's AIRPORT DIRECTORY

PREFACE

The Aircraft Owners and Pilots Association is pleased to present the forty-fifth printing of *AOPA's Airport Directory*, the nation's most complete source for airport information.

This 2005/2006 edition is produced in conjunction with AOPA's *Airport Directory Online*, the downloadable *AOPA's Airport eDirectory*, AOPA's Real-Time Flight Planner, and downloadable current digital instrument approach charts. All are accessible 24 hours a day throughout the year and available to AOPA members at www.aopa.org/members/airports.

The electronic and print directories share AOPA's extensive database of public-use airports, seaplane bases, and heliports, and their fixed base operators (FBOs), flight schools, and other airport services.

Airport listings

- New this year is the inclusion of each individual toll-free Flight Service Station (FSS) telephone number for almost every airport in the United States. This provides direct access to a specific FSS using your cell phone—especially important if you are calling outside your local region.
- Also new this year is an icon for Aircraft Electronics Association (AEA) member avionics shops. These AEA member shops may also participate in AOPA's FBO rebate program, which means you can save on avionics installation and repairs. (AOPA's FBO rebate program is explained in-depth on page 1-5.)

- Other icons identify AOPA's FBO rebate program participants and the availability of Avfuel and Meteorlogix weather and flight planning terminals.

- Sections preceding the airport listings offer a directory of air traffic control telephone numbers and a directory of international landing facilities (Canada, Mexico, and the Caribbean) and U.S. Customs Border Protection (CBP) airports. New this year is an improved tabular layout of the U.S. CBP airports.

AOPA's Airport Directory includes:

- 5,300 PUBLIC-USE AIRPORTS, SEAPLANE BASES, AND HELIPORTS
- 2,100 PRIVATE-USE LANDING FACILITIES
- 5,400 FIXED-BASE OPERATORS (FBOs) AND AIRPORT BUSINESSES
- 2,700 AIRPORT DIAGRAM AND 5,300 NAVAIDS
- AWOS, ATIS, AND FSS FREQUENCIES AND TELEPHONE NUMBERS
- DISCRETE TOLL-FREE TELEPHONE NUMBERS FOR AFSS
- MORE THAN 29,000 ENTRIES FOR RESTAURANTS AND LODGING
- MORE THAN 15,000 CAR RENTAL AND TAXI SERVICE COMPANIES
- 12,000 LOCAL ATTRACTIONS
- 3,700 NOTES AND NOISE ABATEMENT PROCEDURES
- U.S. CUSTOMS BORDER PROTECTION AIRPORT DIRECTORY
- CANADIAN, MEXICAN, AND CARIBBEAN AIRPORTS OF ENTRY

Corrections or questions?

Use the correction form included on page 3-663 or send e-mail to airportdirectory@aopa.org. You may also call our editorial office at 301/695-2357 or fax us at 301/695-2280. For specific updates to FBO or business listings call 301/695-2361; for airport listings call 301/695-2363.

Thank you

We recommend this guide as a supplement to official government publications such as the FAA's *Airport/Facility Directory* (A/FD), the FARs, the *Aeronautical Information Manual* (AIM), notices to airmen, aeronautical charts, and advisory circulars.

We appreciate the assistance of landing facility and business owners and managers, the FAA, the National Aeronautical Charting Office (NACO), and the U.S. Customs Service in producing this directory.

—Machteld Smith

AOPA AIRPORT SUPPORT NETWORK (ASN)

Pressures on public and privately owned airports continue to mount. This takes many forms including curfews, noise restrictions, lack of improvements, residential encroachment, and even attempts to close the airport. Often, the general aviation community is totally unaware of negative issues concerning their airport—until it is too late to do something about it. Knowing what's happening in the political environment surrounding a local airport is critical to preserving our general aviation infrastructure into the foreseeable future.

• Who is watching your airport?

Enter the AOPA Airport Support Network (ASN) established in 1998. AOPA has formed this network to provide a vehicle through which AOPA members can become involved with their local airport, help to protect it, and provide AOPA with early warning of developing problems.

• Who are ASN volunteers?

Already more than 1,700 AOPA members have become ASN volunteers.

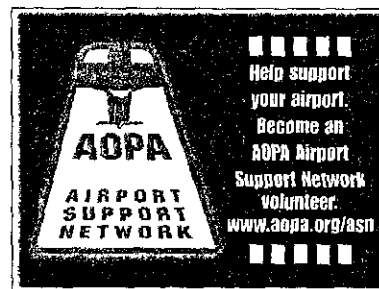
• What do ASN volunteers do?

They are AOPA's "eyes and ears" at airports across the country and provide a critical link in the communication chain between the local airport community and AOPA.

• Where can you sign up?

If you wish to volunteer your time and talent at the local level for your airport, please visit www.aopa.org/asn. The Web site includes detailed program criteria, a list of airports for which volunteers are being sought, and a nomination form.

Public-use airports in the United States are closing at the rate of about one every two weeks. Don't wait for something to happen at your airport. Join your fellow pilots and help us keep GA airports open, safe, and affordable. Become a volunteer **today!**



On the cover

Albert Whitted Airport (SPG)

Albert Whitted Airport (SPG) in St. Petersburg, Florida is featured on the cover. The photograph was taken by Jim Barrett. Albert Whitted Airport was rescued from the brink of destruction by ASN volunteer Jack Tunstall. AOPA presented Tunstall with the Laurance P. Sharples Perpetual Award for leading efforts to save this unique waterfront airport. Also appearing on the cover are images of AOPA Online flight planning resources that are useful companions to this print edition. Find them all at aopa.org/flight_planner.

AOPA's AIRPORT DIRECTORY

U.S. LANDING FACILITIES

Public-use landing facilities

The directory combines public-use airports, seaplane bases, and heliports in one section. Seaplane bases and heliports are identified by anchor and helipad symbols similar to those found on aeronautical charts. Colocated landing facilities are combined in one listing. Special information pertaining to the colocated facility (e.g., landing lanes, helipads, special notes, etc.) are separated from the main listing by a dashed line and the anchor and helipad symbols make it easy to locate and identify the facility type.

The listings are arranged in alphabetical order, by state and by name of the nearest town or city, as designated by the Federal Aviation Administration. Many listings are also cross-referenced to the actual location or name by which they are commonly known, if this differs from the FAA designation.

Index of public-use landing facilities

An index of public-use landing facilities arranged alphabetically by name, city, state, and page number follows the private-use landing facilities section.

Private-use landing facilities

Private-use airports, seaplane bases, and heliports are arranged in alphabetical order, by state and by name of the nearest town or city, as designated by the FAA. This section is compiled with the approval and assistance of the owners. Please call ahead to obtain permission to land.

Airport diagrams

Diagrams for landing sites with published instrument approaches are included with the listings for the site. The

diagrams show runway length and width, runway slope, taxiways, ramp areas, and buildings. Symbols for VOR, NDB, VASI, PAPI, displaced threshold, tower, and beacon are shown when applicable.

Note: The diagrams are intended for general orientation only; they are not to be used for navigational purposes.

FBOs and aviation businesses

FBOs and aviation service companies are presented in alphabetical order following the listings for the landing facilities with which they are associated. Some businesses chose to advertise additional information about their services. This information will appear at the end of their listings.

Area codes and telephone numbers

Each airport and FBO telephone and fax number includes an area code. We also have obtained and included many of the area codes for additional services listed.

Icons

This directory includes symbols in addition to the heliport and seaplane base icons. Examples of the icons are provided on pages 3-2 and 3-3.

Corrections

If you find information that needs to be corrected, please use the correction form included on page 3-663 or send an e-mail to airportdirectory@aopa.org. For specific updates to FBO or business listings call 301/695-2361; for airport listings call 301/695-2363.

—The Editors

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MCALISTER— *Akin and Akin* (NM73). Telephone: 505/458-6491, 505/458-6491.
QUEMADO— *Quemado* (NM80). Telephone: 505/773-4877.
RODEO— *Rodeo* (NM70). Telephone: 505/557-2343.
ROSWELL— *Benedict Airpark* (NM20). Telephone: 505/622-3458.

NEW YORK

ALBION— *Gaines Valley Aviation* (NY06). Telephone: 585/589-1330, 585/589-7195, 585/356-4994.
ALPINE— *Kayutah Lake* (2NY9). Telephone: 607/594-4790, 302/478-0310.
ARCADE— *Roberts Roost* (NK81). Telephone: 585/457-9442.
AURORA— *Match Mate* (NK74). Telephone: 315/364-7635.
BATH— *Jolamtra Landing Area* (23NY). Telephone: 607/776-6088.
BERGEN— *Ely Air Park* (24NY). Telephone: 585/494-1574.
BOLTEN LANDING— *Northwest Waterbird SPB* (2NK0). Telephone: 518/644-3535.
BROADALBIN— *The Pines* (NY64). Telephone: 518/883-4902.
CANISTEO— *Gaskin's Hilltop* (2NK1). Telephone: 607/698-4876.
CAPE VINCENT— *John Gonzales Field* (NY69). Telephone: 315/686-5516, 315/686-5516.
CHESTER— *Orange Poultry Farm* (4NY1). Telephone: 845/469-4640.
CLINTON DALE— *Minard Farms* (1NY7). Telephone: 845/883-7102.
DAVENPORT— *Mountain Top* (NY02). Telephone: 607/278-5430.
EAST BERNE— *Heldeberg Airstrip* (NY81). Telephone: 518/872-0242.
ESPERANCE— *Hogan* (NY05). Telephone: 518/875-6033, 914/666-7550.
ESSEX— *Essex Boatworks SPB* (NY83). Telephone: 518/963-8840.
FORT PLAIN— *Hickory Acres* (NY88). Telephone: 518/993-2402.
HONEOYE FALLS— *Bedson's Land Base* (52NY). Telephone: 585/624-7681.
HONEOYE FALLS— *Smith's Land Base* (53NY). Telephone: 585/624-1975.
ITHACA— *Neno International* (NY18). Telephone: 607/272-8436, 607/272-8261.
JORDAN— *Anthonson* (NY28). Telephone: 315/685-8086.
KNOWLESVILLE— *Knowlesville* (NY01). Telephone: 585/798-1031.
LAKE HUNTINGTON— *Campis (Airstrip)* (7NY0). Telephone: 845/932-8322.
LAKE LUZERNE— *Lake Luzerne SPB* (NY92). Telephone: 518/696-3472.
LAKE PLEASANT— *Bostrup's Landing SPB* (NK60). Telephone: 518/548-6581, 860/435-8275.
LAKEVILLE— *Hannas Acres* (NY15). Telephone: 585/346-5413, 585/346-3205, 585/243-2099.
MACEON— *Lakestone Farm* (NY11). Telephone: 315/986-4054.
MAYVILLE— *Chautauqua Lake Airpark* (65NY). Telephone: 330/562-4789.
MECKLENBURG— *Culver Airfield* (7NY4). Telephone: 607/387-5636.
NEW BREMEN— *Duffo* (NY10). Telephone: 315/376-2155.
NORTH CREEK— *Bennetts* (0NY0). Telephone: 518/251-2579.
NORTH WESTERN— *Flying Acres* (0NY2). Telephone: 315/827-4461.
PORT JERVIS— *Port Jervis Fire Department Heliport* (NY08). Telephone: 845/858-4099.
RHINEBECK— *Old Rhinebeck (Aerodrome Airshows)* (NY94). Telephone: 845/752-3200.
RICHFIELD SPRINGS— *Richfield* (NY68). Telephone: 315/858-0901.
RIVERHEAD— *Talmage Field* (03NY). Telephone: 631/369-8497.
RUSH— *Skyview* (84NY). Telephone: 585/334-4020.
SARANAC— *High Banks Farm Landing Area (Sarnac)* (1NY4). Telephone: 973/543-4141.
SARDINIA— *Basher Field* (NY00). Telephone: 716/496-6044.
SARDINIA— *High Acres* (85NY). Telephone: 716/496-7222.
SHELBY— *Zelanzy* (88NY). Telephone: 585/798-3953.
SOUTH DAYTON— *South Dayton* (NY27). Telephone: 716/988-3315.
SPENCER— *Saikkonen* (11NY). Telephone: 607/589-4984.
SPENCERPORT— *Manitou Field* (91NY). Telephone: 585/352-5168, 585/436-8230.
STRYKERSVILLE— *Bloecher Farm* (92NY). Telephone: 585/652-7119.
SYRACUSE— *Onondaga SPB* (2NY2). Telephone: 315/453-6721, 315/453-6712.
WALES CENTER/COWLESVILLE— *Fisher Field* (95NY). Telephone: 352/669-3063, 585/655-1463.
WATERVILLE— *Valley View* (NK23). Telephone: 315/841-8078.
WILMINGTON— *Catalano Airfield* (1NK6). Telephone: 845/534-3947, 518/946-2357.
WYNANTS KILL— *Snyder's Lake SPB* (NK13). Telephone: 518/283-4366.

NORTH CAROLINA
ADVANCE— *Marchmont Plantation Airpark* (6NC8). Telephone: 336/998-6008.
ASHEBORO— *Smith Air Ranch* (25NC). Telephone: 336/879-5440, 336/879-2830.
BANNER ELK— *Elk River* (NC06). Telephone: 828/898-9791, 828/898-9706.
BOONVILLE— *Boonville* (26NC). Telephone: 336/367-7958, 336/367-3887.
BRYSON CITY— *Sossamon* (6A9). Telephone: 828/488-2450.
BUNN— *Crooked Creek* (7NC5). Telephone: 919/496-6243.
BURGAU— *Stag Air Park* (7NC1). Telephone: 910/686-9612, 910/675-3927, 910/458-6119.
BURNSVILLE— *Mountain Air (Country Club)* (2NC0). Telephone: 828/682-3600, 828/682-4600.
CAPE CARTERET— *Star Hill Golf Club* (60NC). Telephone: 252/393-8111.
CARTHAGE— *Gilliam-MC Connell Airfield* (5NC3). Telephone: 910/947-3599, 910/695-5216.
CLINTON— *Twin Oak* (NC69). Telephone: 910/564-6010.
CONCORD— *Chaifant* (NC77). Telephone: 704/782-6600.
DENVER— *Little Mountain* (6NC1). Telephone: 828/464-8741.
ELIZABETH CITY— *Meadstown* (NC28). Telephone: 252/330-4103, 252/331-7751, 252/340-2777.
FAIRMONT— *Mc Kee* (NC70). Telephone: 910/628-0926.
FAYETTEVILLE— *Windemere* (47NC). Telephone: 910/485-6750.
FLETCHER— *Cane Creek* (4NC6). Telephone: 828/684-6441, 828/684-0889, 828/684-3895, 828/684-8837.

FOREST CITY— *Clute's Hilltop* (69NC). Telephone: 828/287-9224, 386/426-1384.
GIBSONVILLE— *McLean Brothers* (59NC). Telephone: 336/449-7346.
GRANTHAM— *Cox-Grantham Airfield* (6NC0). Telephone: 919/735-5988.
HAYESVILLE— *Tusquitee Landing* (NC08). Telephone: 828/389-1821, 828/389-8256.
HERTFORD— *Craig Craft* (86NC). Telephone: 252/426-2676.
HUNTERSVILLE— *Bradford Field* (NC05). Telephone: 704/305-2927, 704/258-4075.
JEFFERSON— *Skyland* (NC50). Telephone: 336/982-3899, 336/982-3713.
KANNAPOLIS— *Wilhelm* (6NC2). Telephone: 704/938-3326, 704/857-1105.
KNIGHTDALE— *Raleigh East* (9NC0). Telephone: 919/847-4456.
LENOIR— *Lower Creek* (NC27). Telephone: 828/758-4524.
LONG ISLAND— *Long Island* (NC26). Telephone: 704/400-0690, 828/476-2642, 704/528-9983, 704/400-7737.
LOUISBURG— *North Raleigh* (00NC). Telephone: 919/496-2224.
MOCKSVILLE— *Tara Airbase* (5NC1). Telephone: 336/284-2161.
MOORESVILLE— *Miller Air Park* (NC30). Telephone: 336/765-6857, 336/918-0715.
MORGANTON— *Clyde Valley (Ultra Port)* (3NC0). Telephone: 828/433-0015.
MORGANTON— *Silver Creek* (NC52). Telephone: 828/437-5357.
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BUFORD— *Stiehl* (5ND0). Telephone: 701/875-4403, 801/266-4003.
CHAFFEE— *J Vining* (8ND6). Telephone: 701/645-2571.
FLORA— *Gilbertson* (0ND0). Telephone: 701/438-2613, 701/662-2861.
GARRISON— *Fischer* (ND22). Telephone: 701/337-5725.
GLENBURN— *Judy's Strip* (ND18). Telephone: 701/362-7525, 701/362-7419.
GRAFTON— *Kelly's Field* (7ND2). Telephone: 701/352-2508.
HAGUE— *Schumacher Strip* (0ND6). Telephone: 701/336-7186.
HATTON— *Gensrich* (ND20). Telephone: 701/543-3070.
HUNTER— *Richtsmeyer* (52ND). Telephone: 701/874-2393.
LUCCA— *Lindemann* (ND35). Telephone: 701/924-8300, 701/845-2587.
MADDOCK— *Rices Airpark* (ND38). Telephone: 701/438-2350.
MANDAN— *Z. P. Field* (64ND). Telephone: 701/663-6356.
MAPLETON— *Kraft* (2ND0). Telephone: 701/282-5872, 701/282-0856.
MEDINA— *Rau Field* (ND40). Telephone: 701/486-3466.
MERCER— *Makeeff* (2ND2). Telephone: 701/447-2467.
MERCER— *Westerlind* (2ND1). Telephone: 701/447-2679.
MINOT— *Trinity Health Center Hospital Heliport* (2ND4). Telephone: 701/857-5000.
SCRANTON— *Nelson* (7ND3). Telephone: 701/275-6104.
TAYLOR— *Brands* (ND62). Telephone: 701/974-3578.
WHEATLAND— *Vining* (ND68). Telephone: 701/347-4786.
WILLISTON— *Wright* (ND23). Telephone: 701/572-3514.
WYNDMERE— *Sanden* (4ND8). Telephone: 701/439-2613.

OHIO

AMANDA— *Amanda* (OH61). Telephone: 740/969-2734, 740/969-4718.
ANSONIA— *Leis* (OH34). Telephone: 937/337-5941, 937/337-1915.
ARCHBOLD— *Huffman Farm* (4OH8). Telephone: 419/445-4297.
ARLINGTON— *Alge* (5OH0). Telephone: 419/385-5560.
ATWATER— *Gay* (93OH). Telephone: 330/947-2319.
BALTIMORE— *Industry Air Park* (38OH). Telephone: 740/862-4800.
BELLEVILLE— *Dougherty* (1OH2). Telephone: 419/483-3569.
BELLEVUE— *Missler-Bellevue* (6OH1). Telephone: 419/483-2208.
BERKEY— *R C Ford Field* (6OH3). Telephone: 419/829-4651.
BERLIN CENTER— *Circle C* (89OH). Telephone: 330/547-9407.
CANAL FULTON— *Clay's (Park)* (51OH). Telephone: 330/854-0257, 330/327-4476.
CASTALIA— *Mather Field* (1OH3). Telephone: 419/627-1331.
CENTERBURG— *Chapman Memorial Field* (OH71). Telephone: 740/625-5809, 740/625-8803.
CHARDON— *Curtis* (7OH8). Telephone: 440/298-1416, 440/298-1416.
CINCINNATI— *University Hospital Heliport* (8OH9). Telephone: 513/584-7522, 513/584-8100.
COALTON— *Balsden* (4OH9). Telephone: 740/286-5637.
CONTINENTAL— *Verhoff* (36OH). Telephone: 419/532-2181, 419/596-4502.
COVINGTON— *Kemps Field of Dreams* (6OH9). Telephone: 937/473-5352, 937/473-5202.
CRESTLINE— *Coie Airfield* (37OH). Telephone: 419/683-2152.
DOLA— *Eibling Circle E* (0166). Telephone: 419/759-2094.
ELMORE— *Toussaint Airpark* (9OH2). Telephone: 419/862-3069.
ELYRIA— *Richards* (9OH4). Telephone: 440/324-3109.

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37OI


Cole Airfield

Crestline, Ohio, USA


EXHIBIT

tabbies

C



GOING TO CRESTLINE?



Reserve a
Hotel Room

FAA INFORMATION EFFECTIVE 25 AUGUST 2011

[Log](#) | [Ops](#) | [Rwys](#) | [FIR](#) | [FBO](#) | [Links](#)
[Comm](#) | [Nav](#) | [Stats](#) | [Notes](#)

Location

FAA Identifier: 37OI

Lat/Long: 40-49-30.2050N / 082-47-48.6510W

40-49.503417N / 082-47.810850W

40.8250569 / -82.7968475

(estimated)

Elevation: 1100 ft. / 335 m (estimated)

Variation: 10W (1985)

From city: 4 miles NW of CRESTLINE, OH

Time zone: UTC -4 (UTC -5 during Standard Time)

Zip code: 44827

Airport Operations

Airport use: Private use. Permission required prior to landing

Activation date: 07/1985

Sectional chart: DETROIT

Control tower: no

ARTCC: CLEVELAND CENTER

FSS: CLEVELAND FLIGHT SERVICE STATION

Attendance: IREG

Wind indicator: yes

Segmented circle: no

Airport Communications

WX AWOS-3 at 17G (8 nm W): 126.625 (419-562-0297)

WX ASOS at MFD (13 nm E): PHONE 419-522-1375

WX ASOS at MNN (17 nm SW): 119.975 (740-383-3400)

Nearby radio navigation aids

VOR radial/distance	VOR name	Freq	Var
MFDr257/9.7	MANSFIELD VORTAC	108.80	03W
BUDr049/(17.4)	BUCKEYE VOR	109.80	05W
SKYr194/37.1	SANDUSKY VOR/DME	109.20	04W
TVTr309/37.6	TIVERTON VOR/DME	116.50	03W

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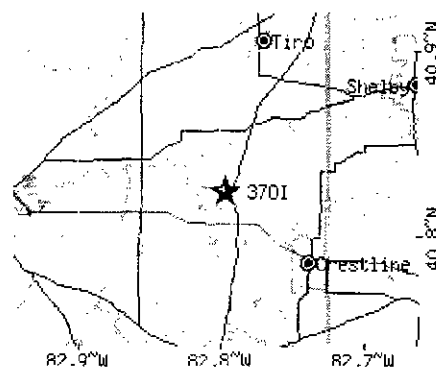
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Aerial photo

WARNING: Photo may not be current or correct

NDB name	Hdg/Dist	Freq	Var	ID
MARION	050/17.6	201	05W	MNN -- -- --
TIFFIN	136/24.8	269	05W	TII -
ASULAND	258/26.0	329	07W	AAU .- .- .- .-
POSTORIA	134/34.9	379	05W	FZI .-. .- .- .-
DELAWARE	029/35.7	215	06W	DLZ -. .- .- .-

Airport Services

Runway Information

Runway 18/36

Dimensions: 2300 x 100 ft. / 701 x 30 m

Surface: turf

RUNWAY 18

Traffic pattern: left

Displaced threshold: 200 ft.

Obstructions: 30 ft. pline, 200 ft. from runway none

RUNWAY 36

left

no

Airport Ownership and Management from official FAA records

Ownership: Privately-owned

Owner: GLEN & SUSIE COLE
6669 REMLINGER RD
CRESTLINE, OH 44827
Phone 419-683-2152

Manager: GLEN & SUSIE COLE
6669 REMLINGER RD
CRESTLINE, OH 44827
Phone 419-683-2152

Instrument Procedures

There are no published instrument procedures at 37OI.

Some nearby airports with instrument procedures:

12G - Shelby Community Airport (5 nm NE)
KGQQ - Galion Municipal Airport (5 nm SE)
17Q - Port Bucyrus-Crawford County Airport (8 nm W)
KMFD - Mansfield Lahm Regional Airport (13 nm E)
8G1 - Willard Airport (13 nm N)
KMNN - Marion Municipal Airport (17 nm SW)
4I2 - Morrow County Airport (18 nm S)



Do you have a better or more recent aerial photo of Cole Airfield that you would like to share? If so, please send us your photo.

Sectional chart



Airport distance calculator

Flying to Cole Airfield? Find the distance to fly.

From to 37OI



Sunrise and sunset

Times for 09-Sep-2011

	Local (UTC-4)	Zulu (UTC)
Morning civil twilight	06:39	10:39
Sunrise	07:07	11:07
Sunset	19:50	23:50
Evening civil twilight	20:18	00:18

Current date and time

Zulu (UTC)	09-Sep-2011 18:33:05
Local (UTC-4)	09-Sep-2011 14:33:05

METAR


KMFD 091752Z 00000KT 10SM OVC100
13nm E 22/16 A2996 RMK AO2 SLP140
T02170156 10217 20150 56004
KMNN 091753Z AUTO 23007KT 10SM
18nm SW SCT024 22/16 A2995 RMK AO2
SLP140 T02220156 10228 20139
58007 TSNO

TAF

KMFD 091733Z 0918/1018 25005KT 6SM

13nm E BR SCT015 BKN035 TEMPO
0918/0921 5SM - SHRA BR BKN015
FM092100 27005KT P6SM OVC025
FM092200 28005KT P6SM BKN050
FM100000 31003KT P6SM BKN100
FM100300 25003KT 4SM BR BKN100
FM100900 25003KT 1 1/2SM BR
BKN100 FM101100 VRB03KT 1SM
BR OVC010 FM101400 24006KT 5SM
BR OVC015

NOTAMs

 Click for the latest **NOTAMs**
NOTAMs are issued by the DoD/FAA and
will open in a separate window not
controlled by AirNav.

Where to Stay: Hotels, Motels, Resorts, B&Bs, Campgrounds

In this space we feature lodging establishments that are convenient to the Cole Airfield. If your hotel/inn/B&B/resort is near the Cole Airfield, provides convenient transportation, or is otherwise attractive to pilots, flight crews, and airport users, consider listing it here.



Hotels in other cities near Cole Airfield

13 in Mansfield

Would you like to see your business listed on this page?

If your business provides an interesting product or service to pilots, flight crews, aircraft, or users of the Cole Airfield, you should consider listing it here. To start the listing process, click on the button below



Other Pages about Cole Airfield



EXHIBIT

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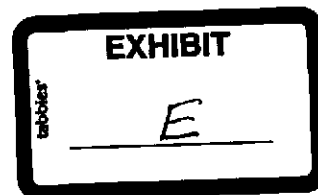
D



pat murphy

From: "Milling, John" <John.Milling@dot.state.oh.us>
To: <patricktmurphy@embarqmail.com>
Sent: Monday, September 12, 2011 7:21 AM
Attach: 2011-DOT-98-OE.pdf; 2011-DOT-99-OE.pdf; 2011-DOT-104-OE.pdf; 2011-DOT-105-OE.pdf; Pt. 77 and 100 to 1.pdf
Subject: FW: Cole Airfield

From: Milling, John
Sent: Friday, September 09, 2011 2:06 PM
To: 'patricktmurphy@embarqmail.com'
Subject: Cole Airfield



Mr. Murphy,

The attached structures (turbines 66, 67, 72 & 73) penetrate the Horizontal surfaces of the Cole Airfield. Cole Airfield is a private-use airport that is registered with both the State of Ohio and the Federal Aviation Administration.

Structures that exceed horizontal, conical, and or 500' AGL at a Public use facility will receive a hazard determination from the FAA.

The State of Ohio, Office of Aviation does not protect the surfaces of private-use airports. However from an aeronautical point of view, the Office of Aviation would encourage following FAA guidelines pertaining to the Part 77 imaginary surfaces around an airfield.

http://psc.wi.gov/apps35/erf_view/viewdoc.aspx?docid=37618

P.S. See the above article (page 22). Perhaps there is some useful information.

John A. Milling
Pilot – Flight Operations
ODOT Office of Aviation
614-387-2346
jmilling@dot.state.oh.us

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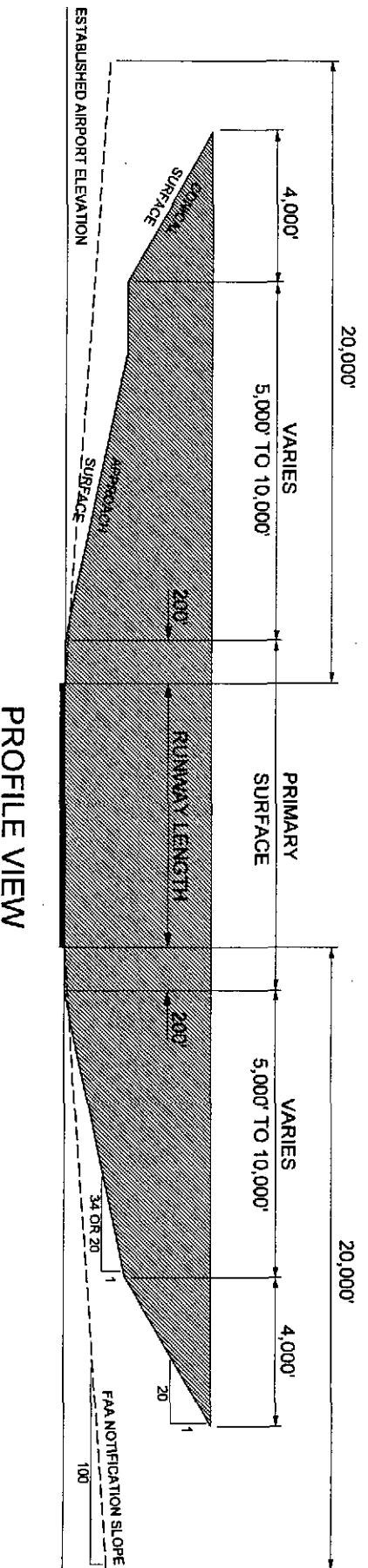
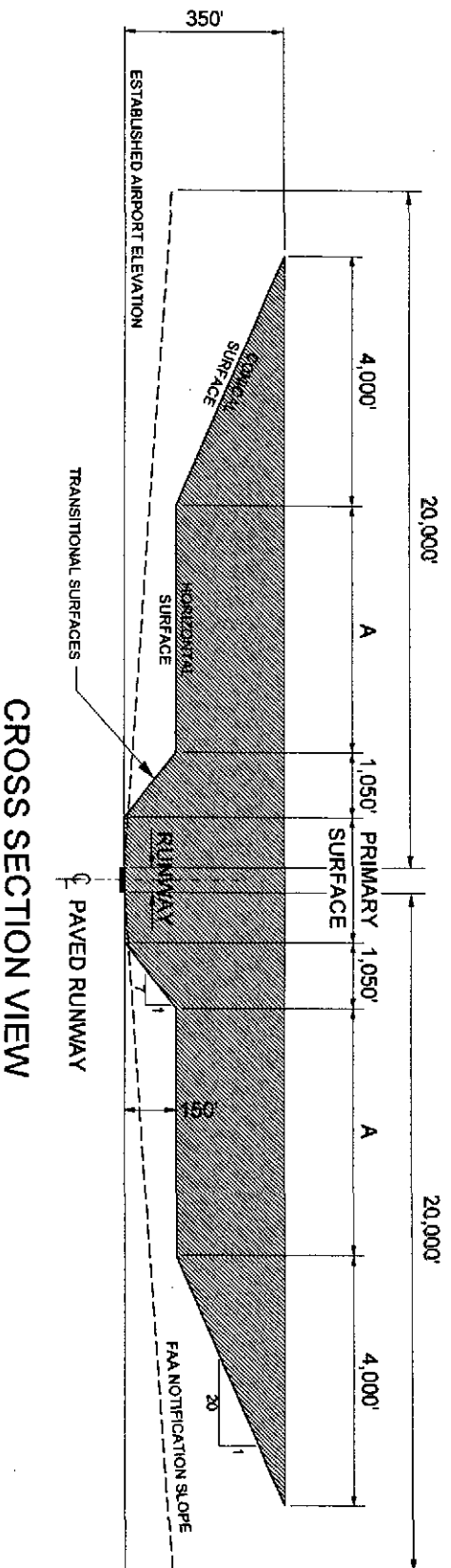
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9/13/2011

AIRFIELD IMAGINARY SURFACES FOR OBSTRUCTION STUDY AND PERMIT REQUIREMENTS

- A * 3950' FOR VISUAL RUNWAY
- * 8950' FOR INSTRUMENT



NOTIFICATION SLOPES / FAR 77.13

OBSTRUCTION SLOPES / FAR 77.23



ODOT Office of Aviation Permit Required



* Federal Airways & Airspace *
* Summary Report *

File: 2011-DOT-104-OE

Location: SHELBY, OH

Latitude: 40°-48'-56.8" Longitude: 82°-47'-45.48"

SITE ELEVATION AMSL.....1121 ft.
STRUCTURE HEIGHT..... 492 ft.
OVERALL HEIGHT AMSL.....1613 ft.

NOTICE CRITERIA

FAR 77.9(a): NR (Exceeds 200 ft AGL)
FAR 77.9(b): NNR (DNE Notice Slope)
FAR 77.9(c): NNR (Not a Traverse Way)
FAR 77.9: PNR (Circling Approach Area)
FAR 77.9: NNR FAR 77.9 IFR Notice Criteria for GQQ
FAR 77.9: NNR FAR 77.9 (IFR) Notice Criteria for 12G
FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required (depends upon actual IFR procedure)
Review Air Navigation Facilities at bottom of this report.

Notice to the FAA is required because height exceeds 200 feet AGL.

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required

OBSTRUCTION STANDARDS

FAR 77.17(a)(1): DNE 499 ft AGL
FAR 77.17(a)(2): DNE - Airport Surface
FAR 77.19(a): DNE - Horizontal Surface
FAR 77.19(b): DNE - Conical Surface
FAR 77.19(c): DNE - Primary Surface
FAR 77.19(d): DNE - Approach Surface
FAR 77.19(e): DNE - Transitional Surface

VFR TRAFFIC PATTERN AIRSPACE FOR: GQQ: GALION MUNI

Type: A RD: 30280.58 RE: 1218.2

FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): DNE - Height Less Than 200 feet AGL.
FAR 77.17(a)(2): DNE
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Approach Slope: DNE
VFR Transitional Slope: DNE

VFR TRAFFIC PATTERN AIRSPACE FOR: 12G: SHELBY COMMUNITY

Type: A RD: 33307.38 RE: 1119.4

FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): Does Not Apply.
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Approach Slope: DNE
VFR Transitional Slope: DNE

TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)
 FAR 77.17(a)(3) Departure Surface Criteria (40:1)
 DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)
 FAR 77.17(a)(4) MOCA Altitude Enroute Criteria
 The Maximum Height Permitted is 2529 ft AMSL

PRIVATE LANDING FACILITIES

FACIL IDENT TYP NAME	BEARING To FACIL	RANGE IN NM	DELTA ARP ELEVATION	FAA IFR
37OI AIR COLE AIRFIELD Possible Impact to Private Landing Facility Possible Exceeds Horizontal Surface (150 ft above Airport).	355.4	.55	+513	
70OI HEL CRESTLINE HOSPITAL No Impact to Private Landing Facility Structure is beyond notice limit by 12803 feet.	118.88	2.93	+463	
01OI HEL GALION COMMUNITY HOSPITAL No Impact to Private Landing Facility Structure is beyond notice limit by 26110 feet.	182.91	5.12	+473	
OH21 AIR HORNING Possible Impact to Private Landing Facility Exceeds 417 ft Near Airport Surface height limit.	157.62	5.17	+423	

AIR NAVIGATION ELECTRONIC FACILITIES

FAC IDNT	TYPE	ST AT	FREQ	VECTOR	DIST (ft)	DELTA ELEVA	ST LOCATION	ANGLE
MFD	VORTAC	ON	0108.8	71.19	59898	+403	OH MANSFIELD	.39
MFD	RADAR	ON		89.14	75849	+323	OH MANSFIELD LAHM MU	.24
The Radar Line-Of-Sight (LOS) distance is: 93 NM. The proposed structure is within the Radar Line-Of-Sight. May exceed Radar EMI Height Criteria. Large structures, such as, wind turbines, building and towers require notice to the FAA.								
BUD	VOR	ON	0109.8	225.57	103831	+623	OH BUCKEYE	.34

FCC AM PROOF-OF-PERFORMANCE

NOT REQUIRED: Structure is not near a FCC licensed AM
 radio station Proof-of-Performance is not required.
 Please review AM Station Report for details.

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03-08-2011
 11:17:46

* Federal Airways & Airspace *
* Summary Report *

File: 2011-DOT-99-OE

Location: SHELBY, OH

Latitude: 40°-50'-29.54"

Longitude: 82°-47'-46.31"

SITE ELEVATION AMSL.....1106 ft.

STRUCTURE HEIGHT..... 492 ft.

OVERALL HEIGHT AMSL.....1598 ft.

NOTICE CRITERIA

FAR 77.9(a): NR (Exceeds 200 ft AGL)
FAR 77.9(b): NNR (DNE Notice Slope)
FAR 77.9(c): NNR (Not a Traverse Way)
FAR 77.9: PNR (Circling Approach Area)
FAR 77.9: NNR FAR 77.9 (IFR) Notice Criteria for 12G
FAR 77.9: NNR FAR 77.9 IFR Notice Criteria for GQQ
FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required (depends upon actual IFR procedure)
Review Air Navigation Facilities at bottom of this report.

Notice to the FAA is required because height exceeds 200 feet AGL.

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required

OBSTRUCTION STANDARDS

FAR 77.17(a)(1): DNE 499 ft AGL
FAR 77.17(a)(2): DNE - Airport Surface
FAR 77.19(a): DNE - Horizontal Surface
FAR 77.19(b): DNE - Conical Surface
FAR 77.19(c): DNE - Primary Surface
FAR 77.19(d): DNE - Approach Surface
FAR 77.19(e): DNE - Transitional Surface

VFR TRAFFIC PATTERN AIRSPACE FOR: 12G: SHELBY COMMUNITY

Type: A RD: 28802.94 RE: 1120.4

FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): Does Not Apply.
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Approach Slope: DNE
VFR Transitional Slope: DNE

VFR TRAFFIC PATTERN AIRSPACE FOR: GQQ: GALION MUNI

Type: A RD: 37576 RE: 1218.2

FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): DNE - Greater Than 5.99 NM.
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Approach Slope: DNE
VFR Transitional Slope: DNE

TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)

FAR 77.17(a)(3) Departure Surface Criteria (40:1)
DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)
FAR 77.17(a)(4) MOCA Altitude Enroute Criteria
The Maximum Height Permitted is 2000 ft AMSL

PRIVATE LANDING FACILITIES

FACIL	BEARING	RANGE	DELTA ARP	FAA
IDENT TYP NAME	To FACIL	IN NM	ELEVATION	IFR

37OI AIR COLE AIRFIELD	181.97	.99	+498	
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Possible Impact to Private Landing Facility
Possible Exceeds Horizontal Surface (150 ft above Airport).

70OI HEL CRESTLINE HOSPITAL	138.99	3.92	+448	
-----------------------------	--------	------	------	--

No Impact to Private Landing Facility
Structure is beyond notice limit by 18818 feet.

AIR NAVIGATION ELECTRONIC FACILITIES

FAC	ST	DIST	DELTA					
IDNT	TYPE	AT	FREQ	VECTOR (ft)	ELEVA	ST	LOCATION	ANGLE

MFD	VORTAC	ON	0108.8	80.08	57624	+388	OH MANSFIELD	.39
MFD	RADAR	ON		96.38	76350	+308	OH MANSFIELD LAHM MU	.23

The Radar Line-Of-Sight (LOS) distance is: 93 NM.
The proposed structure is within the Radar Line-Of-Sight.

BUD	VOR	ON	0109.8	222.06	110542	+608	OH BUCKEYE	.32
-----	-----	----	--------	--------	--------	------	------------	-----

FCC AM PROOF-OF-PERFORMANCE

NOT REQUIRED: Structure is not near a FCC licensed AM
radio station Proof-of-Performance is not required.
Please review AM Station Report for details.

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03-08-2011
11:13:30

* Federal Airways & Airspace *
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File: 2011-DOT-98-OE

Location: SHELBY, OH

Latitude: 40°-50'-17.99" Longitude: 82°-47'-41"

SITE ELEVATION AMSL.....1111 ft.
STRUCTURE HEIGHT..... 492 ft.
OVERALL HEIGHT AMSL.....1603 ft.

NOTICE CRITERIA

FAR 77.9(a): NR (Exceeds 200 ft AGL)
FAR 77.9(b): NNR (DNE Notice Slope)
FAR 77.9(c): NNR (Not a Traverse Way)
FAR 77.9: PNR (Circling Approach Area)
FAR 77.9: NNR FAR 77.9 (IFR) Notice Criteria for 12G
FAR 77.9: NNR FAR 77.9 IFR Notice Criteria for GQQ
FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required
NNR = Notice Not Required
PNR = Possible Notice Required (depends upon actual IFR procedure)
Review Air Navigation Facilities at bottom of this report.

Notice to the FAA is required because height exceeds 200 feet AGL.

NR = Notice Required
NNR = Notice Not Required
PNR = Possible Notice Required

OBSTRUCTION STANDARDS

FAR 77.17(a)(1): DNE 499 ft AGL
FAR 77.17(a)(2): DNE - Airport Surface
FAR 77.19(a): DNE - Horizontal Surface
FAR 77.19(b): DNE - Conical Surface
FAR 77.19(c): DNE - Primary Surface
FAR 77.19(d): DNE - Approach Surface
FAR 77.19(e): DNE - Transitional Surface

VFR TRAFFIC PATTERN AIRSPACE FOR: 12G: SHELBY COMMUNITY

Type: A RD: 28902.36 RE: 1120.4
FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): Does Not Apply.
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Approach Slope: DNE
VFR Transitional Slope: DNE

VFR TRAFFIC PATTERN AIRSPACE FOR: GQQ: GALION MUNI

Type: A RD: 36383.71 RE: 1218.2
FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): DNE - Greater Than 5.99 NM.
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Approach Slope: DNE
VFR Transitional Slope: DNE

TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)

FAR 77.17(a)(3) Departure Surface Criteria (40:1)
DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)
FAR 77.17(a)(4) MOCA Altitude Enroute Criteria
The Maximum Height Permitted is 2000 ft AMSL

PRIVATE LANDING FACILITIES

FACIL IDENT TYP NAME	BEARING To FACIL	RANGE IN NM	DELTA ARP FAA ELEVATION IFR
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370I AIR COLE AIRFIELD	187.22	.81	+503
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Possible Impact to Private Landing Facility
Possible Exceeds Horizontal Surface (150 ft above Airport).

700I HEL CRESTLINE HOSPITAL	137.83	3.73	+453
-----------------------------	--------	------	------

No Impact to Private Landing Facility
Structure is beyond notice limit by 17664 feet.

AIR NAVIGATION ELECTRONIC FACILITIES

FAC IDNT	TYPE	ST AT	FREQ	VECTOR	DIST (ft)	DELTA ELEVA	ST LOCATION	ANGLE
-------------	------	----------	------	--------	--------------	----------------	-------------	-------

MFD	VORTAC	ON	0108.8	78.86	57437	+393	OH MANSFIELD	.39
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MFD	RADAR	ON		95.53	75827	+313	OH MANSFIELD LAHM MU	.24
-----	-------	----	--	-------	-------	------	----------------------	-----

The Radar Line-Of-Sight (LOS) distance is: 93 NM.

The proposed structure is within the Radar Line-Of-Sight.

May exceed Radar EMI Height Criteria. Large structures, such as,
wind turbines, building and towers require notice to the FAA.

BUD	VOR	ON	0109.8	222.63	109956	+613	OH BUCKEYE	.32
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FCC AM PROOF-OF-PERFORMANCE

NOT REQUIRED: Structure is not near a FCC licensed AM
radio station Proof-of-Performance is not required.
Please review AM Station Report for details.

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03-08-2011
11:12:39

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* Summary Report *

File: 2011-DOT-105-OE

Location: SHELBY, OH

Latitude: 40°-49'-9.26" Longitude: 82°-48'-8.1"

SITE ELEVATION AMSL.....1112 ft.
STRUCTURE HEIGHT..... 492 ft.
OVERALL HEIGHT AMSL.....1604 ft.

NOTICE CRITERIA

FAR 77.9(a): NR (Exceeds 200 ft AGL)
FAR 77.9(b): NNR (DNE Notice Slope)
FAR 77.9(c): NNR (Not a Traverse Way)
FAR 77.9: PNR (Circling Approach Area)
FAR 77.9: NNR FAR 77.9 IFR Notice Criteria for GQQ
FAR 77.9: NNR FAR 77.9 (IFR) Notice Criteria for 12G
FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required (depends upon actual IFR procedure)
Review Air Navigation Facilities at bottom of this report.

Notice to the FAA is required because height exceeds 200 feet AGL.

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required

OBSTRUCTION STANDARDS

FAR 77.17(a)(1): DNE 499 ft AGL
FAR 77.17(a)(2): DNE - Airport Surface
FAR 77.19(a): DNE - Horizontal Surface
FAR 77.19(b): DNE - Conical Surface
FAR 77.19(c): DNE - Primary Surface
FAR 77.19(d): DNE - Approach Surface
FAR 77.19(e): DNE - Transitional Surface

VFR TRAFFIC PATTERN AIRSPACE FOR: GQQ: GALION MUNI

Type: A RD: 32401.98 RE: 1218.2

FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): DNE - Height Less Than 200 feet AGL.
FAR 77.17(a)(2): DNE
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Approach Slope: DNE
VFR Transitional Slope: DNE

VFR TRAFFIC PATTERN AIRSPACE FOR: 12G: SHELBY COMMUNITY

Type: A RD: 34086.74 RE: 1119.4

FAR 77.17(a)(1): DNE
FAR 77.17(a)(2): Does Not Apply.
VFR Horizontal Surface: DNE
VFR Conical Surface: DNE
VFR Approach Slope: DNE
VFR Transitional Slope: DNE

TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)
 FAR 77.17(a)(3) Departure Surface Criteria (40:1)
 DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)
 FAR 77.17(a)(4) MOCA Altitude Enroute Criteria
 The Maximum Height Permitted is 2000 ft AMSL

PRIVATE LANDING FACILITIES

FACIL IDENT	TYP	NAME	BEARING To FACIL	RANGE IN NM	DELTA ARP ELEVATION	FAA IFR
370I	AIR	COLE AIRFIELD	34.98	.42	+504	
Possible Impact to Private Landing Facility Possible Exceeds Horizontal Surface (150 ft above Airport).						
700I	HEL	CRESTLINE HOSPITAL	119.64	3.28	+454	
No Impact to Private Landing Facility Structure is beyond notice limit by 14930 feet.						
010I	HEL	GALION COMMUNITY HOSPITAL	179.71	5.32	+464	
No Impact to Private Landing Facility Structure is beyond notice limit by 27325 feet.						
OH21	AIR	HORNING	155.67	5.47	+414	
No Impact to Near Airport Surface. Below surface height of 447 ft above ARP.						

AIR NAVIGATION ELECTRONIC FACILITIES

FAC IDNT	TYPE	ST AT	FREQ	VECTOR	DIST (ft)	DELTA ELEVA	ST	LOCATION	ANGLE
MFD	VORTAC	ON	0108.8	72.83	61163	+394	OH	MANSFIELD	.37
MFD	RADAR	ON		90.27	77579	+314	OH	MANSFIELD LAHM MU	.23
The Radar Line-Of-Sight (LOS) distance is: 93 NM. The proposed structure is within the Radar Line-Of-Sight.									
BUD	VOR	ON	0109.8	224.4	103487	+614	OH	BUCKEYE	.34
Exceeds FAR 77.9. IFR Notice Requirements for 17G: VOR OR GPS RWY 22									

FCC AM PROOF-OF-PERFORMANCE

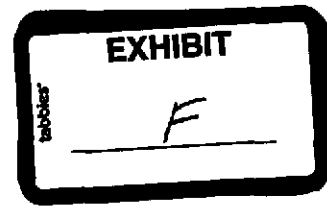
NOT REQUIRED: Structure is not near a FCC licensed AM
 radio station Proof-of-Performance is not required.
 Please review AM Station Report for details.

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BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of Forward Energy LLC for a Certificate of Public Convenience and Necessity to Construct a Wind Electric Generation Facility and Associated High Voltage Electric Transmission Facilities, to be Located in Dodge and Fond du Lac Counties

9300-CE-100

FINAL DECISION

This is the final decision regarding the request by Forward Energy LLC (Forward) that the Commission issue a Certificate of Public Convenience and Necessity (CPCN). Forward seeks Commission approval to build a wind-powered electric generating facility in Dodge and Fond du Lac Counties, as well as associated high-voltage electric transmission facilities. The application for a CPCN is APPROVED, subject to conditions and as modified by this order.

Introduction

Forward is a subsidiary of Invenergy Wind LLC. It is proposing to build a 200 megawatt (MW) wind turbine facility, consisting of up to 133 General Electric 1.5 MW turbines. These wind turbines are designed to have a lifespan in excess of 20 years and Forward anticipates that its project will have a 30-year life. Forward must also construct access roads to the turbines, an underground 34.5 kilovolt (kV) electric collector system to gather the power from each turbine, a section of overhead 34.5 kV collector line, and new electric substation facilities for interconnecting to the existing electric transmission system. American Transmission Company LLC (ATC), which owns the high-voltage transmission system in eastern Wisconsin, operates a

Docket 9300-CE-100

138 kV transmission line that passes through the eastern portion of the project area and Forward intends to interconnect with this line.

Forward has identified a project area consisting of approximately 32,400 acres of land, in the towns of Byron and Oakfield (Fond du Lac County) and the towns of Lomira and LeRoy (Dodge County). Forward proposes to install its western-most turbines 1.2 miles from the Horicon National Wildlife Refuge and Horicon Marsh State Wildlife Area (collectively, Horicon Marsh). Approximately 97 percent of the project area is agricultural land. Although Forward is proposing to use 133 sites within this area, it has identified a total of 167 site alternatives.

To date, Forward has negotiated contracts with four Wisconsin electric utilities for the sale of its electric power. These contracts are with Wisconsin Public Service Corporation (70 MW), Madison Gas and Electric Company (40 MW), Wisconsin Public Power, Inc. (40 MW), and Wisconsin Power and Light Company (50 MW). State law promotes the use of renewable resources to produce electricity. Under Wis. Stat. § 196.378, Wisconsin has created a Renewable Portfolio Standard that requires Wisconsin utilities to acquire an increasing portion of the electricity they sell to retail customers from renewable resources. For 2005, these utilities must produce at least 1.2 percent of their electric power from renewable resources. By 2011, this minimum level will increase to 2.2 percent, and the Governor's Task Force on Energy Efficiency and Renewables developed a consensus recommendation to raise the portfolio standard to 10 percent of total retail sales by 2015. The contracts these four utilities have signed with Forward will help them meet the Renewable Portfolio Standard. In addition, Wisconsin's Energy Priorities Law establishes a priority list of preferred methods for meeting future

electricity demands. Wis. Stat. § 1.12(4) ranks energy conservation and noncombustible renewable resources such as wind power as the state's highest preferences.

Forward has expressed its desire to construct its plant this year and commence electric production no later than December 31, 2005, in order to qualify for a federal Production Tax Credit (26 U.S.C. § 45) that promotes the development of renewable resources. By doing so, Forward would receive an income tax credit of 1.9 cents/kilowatt hour (kWh), plus an inflation adjustment, for the first 10 years of production. The current law applies only to wind and biomass facilities that become operational by December 31, 2005. Federal legislation to extend this tax credit is pending in Congress, but its passage is uncertain.

Forward initially discussed its proposed project at open community meetings in 2003 and 2004. Dodge County requires that Forward receive a Conditional Use Permit for the entire project and a Land Use Permit for each turbine. Fond du Lac County does not have county-wide zoning, but Forward must receive Conditional Use or Special Use Permits from the towns of Byron and Oakfield. In the spring and summer of 2004 Forward also contacted Commission staff, the Wisconsin Department of Natural Resources (DNR) Office of Energy and staff of the Horicon Marsh State Wildlife Area, and the U.S. Fish and Wildlife Service (USFWS) at Horicon National Wildlife Refuge. At the state level, in addition to a CPCN from this Commission, Forward may need one or more of the following DNR permits: a Chapter 30 permit if construction involves the placement of bridges over navigable waterways; a Wisconsin Pollution Discharge Elimination System permit for stormwater management; and a permit for land disturbance activities that affect endangered resources. At the federal level, the Federal Aviation Administration (FAA) regulates the heights and location of proposed facilities that may affect

aviation at public airports, and the Bureau of Indian Affairs and local tribal authorities may review construction practices in order to protect cultural and archeological resources that could be found on the site.

On September 29, 2004, Forward filed its CPCN application with the Commission. The Commission reviewed this application but declared it incomplete on October 19, 2004.

Commission staff received additional data from Forward until, on January 12, 2005, Forward filed its revised and updated application. The Commission found Forward's revised application to be complete on January 18, 2005. This declaration of completeness commenced the statutory 180-day period for Commission review of Forward's project, which expires on July 17, 2005. Under Wis. Stat. § 196.491(3)(g), if the Commission fails to take final action within this period, the CPCN application is approved by law.¹

The Commission and DNR prepared a joint Environmental Impact Statement (EIS) for this project. The two agencies published their draft EIS on March 8, 2005, and provided a 45-day period for the submission of public comments about this draft. The agencies then issued their final EIS on May 19, 2005. Both a CPCN application and an EIS must receive a public hearing, which the Commission held on June 20-22, 2005. The issues for hearing were as follows:

- a. Should the Commission grant a CPCN for this project, pursuant to Wis. Stat. §§ 1.12, 196.025 and 196.491?
- b. Has the Commission's review of this project complied with the Wisconsin Environmental Policy Act, pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4?

¹ State law allows the Commission to seek one 180-day extension from Dane County Circuit Court, but the Commission did not do so in this docket.

The Commission held hearings in Madison, Wisconsin, to receive technical testimony on these issues from Forward, RENEW, the Horicon Marsh System Advocates (HMSA), and Commission staff on June 20, 2005 (a list of parties is attached as Appendix A). The following day it held morning, afternoon, and evening hearings within the project area to receive testimony from members of the public at the Brownsville Community Club, Brownsville, Wisconsin. In order to broaden public participation, the Commission also allowed the public to submit comments in writing. On June 22, 2005, the Commission completed its hearings in Madison by accepting evidence from the remaining technical witnesses of the parties and Commission staff. Persons who appeared and testified are listed in the Commission's files. The parties that appeared before the Commission are named in Appendix A of this order.

The Commission conducted its hearings as Class 1 contested case proceedings, pursuant to Wis. Stat. §§ 196.491(3)(b) and 227.44. After receiving pre-hearing briefs on June 17, 2005, and post-hearing briefs on June 29, 2005, the Commission deliberated on this matter at its July 8, 2005, open meeting and rendered an oral decision.

Findings of Fact

1. Forward is proposing to construct a merchant plant, as defined in Wis. Stat. § 196.491(1)(w). Forward will not provide retail electric service, nor is it a public utility or an affiliate of a public utility.
2. Determining whether energy conservation, renewable resources, or other energy priorities listed in Wis. Stat. §§ 1.12 and 196.025, or their combination, will be cost-effective alternatives to Forward's proposed facility is not possible when the project under consideration is

a merchant plant, because the CPCN applicant is not required to submit information about the project's costs.

3. The Forward project, as modified by this order, is reasonable and in the public interest after considering alternative locations, individual hardships, safety, reliability, and environmental factors.

4. The Forward project, as modified by this order, will not have undue adverse impact on other environmental values such as, but not limited to, ecological balance, public health and welfare, historic sites, geological formations, the aesthetics of land and water, and recreational use.

5. The Forward project, as modified by this order, will not unreasonably interfere with orderly land use and development plans for the area involved.

6. The Forward project, as modified by this order, will not have a material adverse impact on competition in the relevant wholesale electric service market.

7. A brownfield site for the project is not practicable.

Conclusions of Law

The Commission has jurisdiction under Wis. Stat. §§ 1.11, 1.12, 44.40, 196.02, 196.025, 196.395, 196.40, and 196.491 to issue a certificate authorizing Forward to construct and place in operation a 200 MW wind-powered electric generation facility and to impose the conditions specified in this Final Decision.

Opinion

The Commission must implement two fundamental legal standards when reviewing any CPCN application. The first, known as the Energy Priorities Law, establishes the preferred

means of meeting Wisconsin's energy demands in Wis. Stat. § 1.12 and 196.025(1). The second, known as the Power Plant Siting Act, prohibits any person from commencing construction of a large electric generating facility that is designed for operation at 100 MW or more, without first receiving a CPCN. Wis. Stat. § 196.491(3)(d)3. lists the standards the Commission must apply in order to determine whether a proposed project meets the public interest standard of the Power Plant Siting Act. The standards of each law are discussed in detail below.

Energy Priorities Law

The Energy Priorities Law creates the following priorities:

1.12 State energy policy. (4) PRIORITIES. In meeting energy demands, the policy of the state is that, to the extent cost-effective and technically feasible, options be considered based on the following priorities, in the order listed:

- (a) Energy conservation and efficiency.
- (b) Noncombustible renewable energy resources.
- (c) Combustible renewable energy resources.
- (d) Nonrenewable combustible energy resources, in the order listed:
 - 1. Natural gas.
 - 2. Oil or coal with a sulphur content of less than 1%.
 - 3. All other carbon-based fuels.

In addition, Wis. Stat. § 196.025(1) declares, "To the extent cost-effective, technically feasible and environmentally sound, the commission shall implement the priorities under s. 1.12(4) in making all energy-related decisions" Since wind is a noncombustible renewable resource, Forward's proposed electric facility fits within the second-highest statutory priority.

The Commission implements the energy priorities by determining whether any higher-priority alternatives to a CPCN project would be cost-effective, technically feasible and environmentally sound. Forward, however, is not a public utility that sells electricity at retail, nor is it a public utility affiliate. It is a private entity, proposing to construct a wholesale

merchant plant.² The Commission's review of CPCN applications for merchant plants is more limited than for public utility plants. Under Wis. Stat. § 196.491(3)(d)2. and 3, a merchant plant CPCN applicant need not demonstrate that its facility would meet the reasonable needs of the public for electricity and the Commission may not consider economic factors when evaluating the application. The Energy Priorities Law ranks energy conservation and efficiency as its highest priority, but without information about need and project cost the Commission cannot determine whether energy conservation would be a more cost-effective alternative. For these reasons the Commission concludes that the Forward project complies with the Energy Priorities Law.

Site alternatives

Wisconsin's Power Plant Siting Act requires that a CPCN applicant must submit site alternatives for the Commission's consideration. Wis. Stat. § 196.491(3)(d)3. prohibits the issuance of a CPCN unless, after considering "alternative locations," the Commission finds that the project site is in the public interest, and Commission rules implement this provision by requiring that the CPCN application include information about at least two proposed sites for the proposed facility. Wis. Admin. Code § PSC 111.53(1)(e) and (f). In addition, under

² Wis. Stat. § 196.491(1)(w) states:

1. "Wholesale merchant plant" means, except as provided in subd. 2., electric generating equipment and associated facilities located in this state that do not provide service to any retail customer and that are owned and operated by any of the following:
 - a. Subject to the approval of the commission under sub. (3m)(a), an affiliated interest of a public utility
 - b. A person that is not a public utility.
2. "Wholesale merchant plant" does not include an electric generating facility or an improvement to an electric generating facility that is subject to a leased generation contract, as defined in s. 196.52(9)(a)3.

Wisconsin's Environmental Policy Act, a state agency's EIS must consider alternatives to a proposed action. Wis. Stat. § 1.11(2)(c)3.

The Commission's standard for reviewing proposed site alternatives is to determine whether each proposed site is "reasonable," *i.e.*, is a feasible location for the project that would not directly conflict with any of the statutory criteria for granting a CPCN, and whether the sites are sufficiently distinct to offer different packages of costs and benefits that present the Commission with a choice. The Wisconsin Supreme Court affirmed this standard just a few weeks ago in *Clean Wisconsin et al. v. Public Service Commission of Wisconsin and Wisconsin Department of Natural Resources*, 2005 WI 93, ¶¶ 66-70.

Forward's CPCN application complies with this standard. The company's selection of a project location required several years of study, involving a three-tiered siting process. First, Forward conducted a state-wide evaluation of which regions across Wisconsin would have an adequate wind resource. Based on the meteorological data it collected, Forward identified the Eden, Wisconsin area as a region, approximately 60 miles in diameter, with a strong wind resource and proper exposure to prevailing westerly winds. At its second level of inquiry, Forward sifted and winnowed alternate locations within the Eden, Wisconsin region based on certain key criteria, including: the sufficiency of available land; proper topographic elevation; the feasibility of potential turbine layouts; the existence of nearby electric substations and transmission lines; community and landowner support; environmental compatibility; and the potential to use brownfield sites. Forward then used a more refined set of criteria to exclude possible areas, such as buffer zones around the towns of South Byron, Lomira and LeRoy and

around the village of Brownsville,³ and to define the project location now before the Commission.

Not only has Forward considered numerous potential locations, but at its preferred location Forward is offering a far larger area for the construction of its project than is needed to build the wind farm at full size. Forward has identified 167 alternative turbine locations, even though it requires no more than 133 sites to develop a full-scale, 200 MW facility. By offering the Commission the ability to select proper locations within the greater project area that will comprise an approved project, Forward is placing before the Commission a wide variety of feasible alternative locations, limited only by the requirement that Forward must use strings of contiguous sites in order to collect the electricity through its underground electric system.

HMSA, however, focuses upon the overall project boundary and asserts that, since all the turbine locations are within this boundary, they are all part of a single project location. In effect, this party is arguing that the various permutations of turbines do not offer distinct packages of costs and benefits and thereby do not provide a real choice.

The boundaries of Forward's project surround a huge area, approximately 50 square miles. This is far larger than the company needs to complete its project; instead, these boundaries encompass not just a full-scale wind farm but also alternatives. The 167 sites being offered have a variety of different characteristics. For example, some sites are closer to airports while others are closer to the Horicon Marsh, to the Neda Mine, to the Niagara Escarpment, to residential areas, or to the village of Brownsville. Each of these locations has different environmental implications. Some locations have the engineering advantage of greater wind potential, while others are closer to existing infrastructure such as roads and transmission lines.

³ These buffer zones are shown on the attached map of the approved project area.

These differences allow the Commission to consider numerous configurations for the project (including configurations that would produce less than the entire 200 MW), each with a unique package of costs and benefits. The Commission therefore concludes Forward is offering the Commission real choices and has satisfied the requirement that it provide alternative locations for this project.

A second issue concerning site alternatives is the type of site selected. Wis. Stat. § 196.491(3)(d)8. demands that CPCN applications for large electric generating facilities must use brownfield sites “to the extent practicable.” State law defines a brownfield site as an abandoned, idle or underused industrial or commercial site, whose expansion or redevelopment is hindered by environmental contamination. Wis. Stat. § 560.13(1)(a). Forward is proposing a greenfield site but, as noted in the EIS, only eight of the 60 brownfield sites in Wisconsin are located outside the city of Milwaukee and only three of these are found in southeastern Wisconsin, where viable wind resources are available. None of these sites has sufficient cleared land to be a feasible option.

Environmental impacts

When deciding whether a CPCN project is in the public interest, the Power Plant Siting Act requires that the Commission consider, among other factors, environmental impacts. Under this statute, the Commission must determine that:

196.491 (3)(d)3. The design and location or route is in the public interest considering . . . environmental factors

. . . .

4. The proposed facility will not have undue adverse impact on other environmental values such as, but not limited to, ecological balance, public health and welfare, historic sites, geological formations, the aesthetics of land and water and recreational use.

Overall, the Forward project would have few serious effects on natural resources because it avoids most of the impacts that other means of generating electric power create. The only significant areas of environmental concern are potential impacts to groundwater, birds and bats.

Environmental impacts that the Forward project avoids

As a wind-powered project, Forward avoids a number of major environmental impacts that are caused when an electric generating plant uses combustible fuels. This is one of the primary reasons why the state promotes renewable energy resources.

Unlike combustible fuels, wind energy does not contribute to the significant problems of global warming, acid deposition, ozone depletion, and mercury accumulation in fish. The air pollution impacts that a wind-energy plant like Forward can avoid are substantial. Wind energy emits none of the “criteria” air pollutants that are regulated under the federal Clean Air Act: small particulate matter; sulfur dioxide; carbon monoxide; volatile organic compounds; and nitrogen oxides.⁴ Wind energy produces no greenhouse gases, the electric industry’s principal contribution to global warming and climate change, nor hazardous air pollutants such as sulfuric acid, hydrochloric acid, ammonia, benzene, arsenic, lead, formaldehyde and mercury. If a coal-fired plant were to replace Forward’s energy production, it would annually emit 707,000 tons of carbon dioxide as well as the following levels of criteria pollutants: 513 tons/year of carbon monoxide; 242 tons/year of nitrogen oxides; 13 tons/year of volatile organic compounds; 340 tons/year of sulfur dioxide; 17 tons/year of sulfuric acid; and 160 tons/year of small particulate matter.⁵ The Forward project will produce none of these pollutants.

⁴ See 42 USC 7409 and Wis. Admin. Code ch. NR 405.

⁵ Estimated annual emissions of the coal plant most recently approved by the Commission, Weston Unit 4.