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BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the Application )  
of Black Fork Wind Energy, LLC for )  
a Certificate to Install Numerous )  
Electricity Generating Wind Turbines in )  
Crawford and Richland Counties, Ohio )

Case No. 10-2865-EL-BGN

SUPPLEMENTAL TESTIMONY OF JAMES MAWHORR

**Q.1 Are you same James Mawhorr who caused to be filed direct testimony in this case on September 8, 2011.**

**A.1 Yes, I am.**

**Q.2 What is the purpose of your supplemental testimony?**

**A.2** The purpose of my supplemental testimony is to supplement my direct testimony, filed on September 8, 2011, to address the revisions made to staff recommended Conditions 46, 47 and 48 which are now contained in the Joint Stipulation and Recommendation. In addition I will address Conditions 72 through 80 as set forth in the Amendment to the Joint Stipulation and Recommendation.

**Q.3 Have you reviewed the Joint Stipulation and Recommendation along with the Amendment to that document"**

**A.3 Yes.**

**Q.4 Do you support the revised language made to Condition 46 now contained in the Joint Stipulation and Recommendation.**

**A.4 Yes, I do.** The revised language allows the applicant to deviate from the final delivery route as necessary, provided the deviation from the final delivery route is

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submitted to and approved by the OPSB Staff, the appropriate local authorities and the Ohio Department of Transportation prior to the use of the alternative delivery route. This is a reasonable revision because it gives the applicant some flexibility but retains regulatory oversight in those situations.

**Q.5 Do you have any comments with respect to Conditions 47 and 48 as the conditions now appears in the Joint Stipulation and Recommendation?**

**A.5.** The revisions in Condition 47 and 48 to replace the county engineer with the applicable board of county commissioners accurately reflect the fact that the road use agreements will be between the applicant and the applicable board of county commissioners.

**Q.5 Do you have any comments with respect to Condition 72 through 80 as presented in the Amendment to the Joint Stipulation and Recommendation?**

**A.5** Yes, I support Conditions 72 through 80 as written in the Amendment. Conditions 72 through 80 provide additional detail to Conditions 18, 46, 47, 48, 49 of the Joint Stipulation and Recommendation. I have reviewed Conditions 72 through 80 and have no concerns. The conditions as written take into account standards that may or may not apply to the Applicant during the course of road improvements, repairs and maintenance. What is important in my opinion is that the conditions as written do not mandate compliance with standards that may not apply to the Applicant's work under this project. Mandating compliance with standards regardless whether the standards apply will result in unnecessary expenses and delays to the project.

**Q.6 Does this conclude your supplemental testimony?**

**A.6** Yes, it does.

## CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served by hand delivery upon John Jones and Stephen Reilly, Assistant Attorneys General, Public Utilities Section, 180 E. Broad Street, 6<sup>th</sup> Floor, Columbus, OH 43215 and via overnight mail upon the following persons listed below this 5th day of October 2011:

Debra Bauer and Bradley Bauer  
7298 Remlinger Road  
Crestline, Ohio 44827-9775

Margaret and Nick Rietschlin  
4240 Baker Road  
Crestline, Ohio 44827-9775

Gary Biglin  
5331 State Route 61 South  
Shelby, Ohio 44875

Orla Collier III  
Benesch, Friedlander, Coplan & Arnoff LLP  
41 South High Street, 26<sup>th</sup> Floor  
Columbus, Ohio 43215

Karel A. Davis  
6675 Champion Road  
Shelby, Ohio 44875

Mary Studer  
6716 Remlinger Road  
Crestline, Ohio 44827-9775

Carol and Loren Gledhill  
7256 Remlinger Road  
Crestline, Ohio 44827-9775

John Warrington  
7040 SR 96  
Tiro, Ohio 44887

Brett A. Heffner  
3429 Stein Road  
Shelby, Ohio 44875

Thomas Karbula  
3026 Solinger Road  
Crestline, Ohio 44827-9775

Ohio Farm Bureau Federation  
Chad A. Endsley  
280 North High Street  
PO Box 182383  
Columbus, Ohio 43218

Alan and Catherine Price  
7956 Remlinger Road  
Crestline, Ohio 44827-9775

Grover Reynolds  
7179 Remlinger Road  
Crestline, Ohio 44827-9775

  
Michael J. Settineri