

FILE

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Applicant of

Black Fork Wind Energy, LLC

For a Certificate to Site an

Case # 10-2865-EL-BGN

Industrial Wind-Powered Electric

Generating Facility In

Crawford and Richland Counties, Ohio

APPLICATION FOR REHEARING

INTERVENOR ALAN K. PRICE

RECEIVED-DOCKETING DIV  
2012 FEB 17 PM 12:15  
PUCO

1. Wind Farm Lease Agreement
  - A. Elected individuals that have signed lease agreements
2. Road Use Agreement
  - A. Richland County has not signed
3. Decommissioning
  - A. Funding
4. Noise
  - A. Study
5. Dr. Diane Mundt
  - A. No answers

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6. Public Notice
  - A. Application not available
7. Applicant, Owner, Operator
  - A. No clear definition
8. Ohio Power Siting Board
  - A. No clear set answers

Alan K Price 2-17-12  
ALAN K. PRICE  
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Crestline, Ohio  
44827

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MEMORANDUM IN SUPPORT OF APPLICATION FOR REHEARING

INTERVENOR ALAN K. PRICE

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RECEIVED-DOCKETING DIV.  
2012 FEB 17 PM 12:20  
PUCO

1. Wind Farm lease Agreement

- A. The law states that a person while in an elected position cannot profit from a Company that is asking for their office to sign an agreement. So, I believe that the Township and County employees that have signed leases with Black Fork Wind Energy or Element power, should have been replaced before their offices were asked to work on a road agreement.
- B. I do not think it was ethical for this company to tell lease signers with questions about lease, to go to Attorney Jim Prye, and he admitted that the company sometimes paid him for this. That the company was already paying Mr. and Mrs. Prye for using their Title company for work.

2. ROAD USE AGREEMENT

- A. Our county people are elected to stand up for that communities rights. I feel that between the Applicant, PUCO and Ohio Power Siting Board are doing their best to bully these people into signing agreements that they do not have enough time or resources to fully investigate.

### 3. DECOMMISSIONING

- A. Everyone legally has to have insurance the minute they purchase a car, land or home. Why would an Applicant be allowed to ask for everything possible to build a Wind Farm, but not have to post any kind of Bond the day construction starts?

### 4. NOISE

- A. The noise study seems to be flawed. Out of 8 monitors used 4 were located at state routed with heavy traffic, 2 were not in the project area. Monitor H was not in the project areas and set up at a construction companies address, and at the exact time of monitoring there was a construction company rebuilding the road within a 1/3 mile. So how could these sites been averaged for our noise levels?

### 5. Dr. Diane Mundt

- A. I thought this lady was to testify about living in a wind farm. But during the court proceedings she made it clear that this was not her field of study. That she has read others literature (which was never admitted as evidence) written about other types of blades with various speeds. It only left me with more questions.

### 6. PUBLIC NOTICE

- A. This Application was never available to me until the first day of court. Mr. Hawkins testified in court October 11, 2011 that 2-3 weeks prior he sent it to Crestline Public Library. But in truth the library never received it until December 2011.

7. APPLICANT, OWNER, OPERATOR

- A. Why could the Court or Applicant not explain the difference between the three, and exactly who would be responsible for everything in this project. What happens if any or all three would file bankruptcy during this project?

8. OHIO POWER SITING BOARD

- A. The Board and Staff were still asking their fair share of questions during the hearing. During testimony the Staff, experts and Applicants left a lot of questions unanswered or answered that they would get back to us with the answer. But yet this application was approved.

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