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2012 APR 19 PM 3:44

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April 19, 2012

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Ohio SenateKyle J. Wendel  
Van Wert County Engineer  
220 South Market Street  
Van Wert, Ohio 45891Re: Blue Creek Wind, LLC  
Wind-Powered Electric Generation Facility  
Case No. 09-1066-EL-BGN

Dear Mr. Wendel,

Thank you for contacting the Ohio Power Siting Board (Board) regarding Blue Creek Wind, LLC's wind farm located in Van Wert and Paulding counties, Ohio.

I appreciate your concerns regarding impacts of heavy construction equipment to roadways under your authority. I understand that you and Blue Creek Wind, LLC (Applicant) entered into a road use agreement to address these issues. The Board approved Condition 41 as part of the certificate that obligates the Applicant to work closely with your office regarding road repair. Condition 41 reads as follows:

That the Applicant comply with all of the requirements of the county engineers on upgrading and/or repairing damage to roads and bridges caused by construction activity. Any roads and bridges that are not adequate for construction traffic must be improved to handle those loads. Any damage will be repaired promptly to its pre-construction state by the Applicant, under the guidance of the appropriate regulatory agency. Any temporary improvements will be removed unless the county engineer(s) request that they remain. The Applicant will provide financial assurance to the counties that it will restore the public roads it uses to their pre-construction condition. The Applicant will, in conjunction with the County Engineers, develop a compliance strategy that will contain three main components:

- (a) A pre-construction survey of the conditions of the roads.
- (b) A post-construction survey of the condition of the roads.
- (c) An objective standard of repair that obligates the Applicant to restore the roads to the same or better condition as they were prior to construction.

To meet your professional standards, the Board expects the Applicant to cooperate fully with your office to ensure compliance with Condition 41 and the road use agreement for the life of the project. Unless the Applicant has not met the condition above, the Board does not have a role in road impact complaint resolution.

Again, the Board thanks you for the opportunity to provide clarification on its role in enforcing this condition.

Sincerely,



Todd Snitchler  
Chairman

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