

BEFORE THE OHIO POWER SITING BOARD

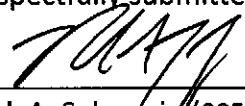
In the Matter of the Application)
of Champaign Wind, LLC, for a)
Certificate to Construct a)
Wind-Powered Electric Generating)
Facility in Champaign County, Ohio)

Case No. 12-0160-EL-BGN

MOTION OF THE CHAMPAIGN COUNTY BOARD OF COMMISSIONERS AND THE
BOARDS OF TRUSTEES OF GOSHEN, UNION AND URBANA TOWNSHIPS FOR
CLARIFICATION OF ADJUDICATORY HEARING SCHEDULE

Pursuant to the authority of the Administrative Law Judge ("ALJ") to regulate the course of the hearing as set forth in OAC §4906-7-01, the Champaign County Board of Commissioners and the Boards of Trustees of Goshen, Union and Urbana Townships moves the ALJ for further clarification regarding the actual dates set for hearing prior to the first day of hearing, being now scheduled on November 8, 2012 at 10:00 a.m. The reason for this motion is to coordinate this hearing with the hearings in other courts. A memorandum in support is attached hereto.

Respectfully submitted,



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Champaign County Prosecuting Attorney



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Trustees of Goshen, Union and Urbana

MEMORANDUM IN SUPPORT

On August 2, 2012, Mandy L. Willey, ALJ, set forth by entry the procedural schedule in this matter, including the date and time of the start of the adjudicatory hearing on November 8, 2012 at 10:00 a.m. On October 4, 2012, Jonathan J. Tauber, ALJ, reiterated the date of the start of said adjudicatory hearing in the entry of same date. However, it does not appear that the ALJ has set forth any specific dates for hearing and that, in essence, the duration of such hearing is open-ended. The undersigned is making this request as many other courts in which the undersigned appears are setting hearings in November and there is significant concern that the undersigned will have conflicts in scheduling. Further, the Champaign County Prosecuting Attorney's Office, a small office of two assistant prosecutors and the elected county prosecuting attorney, handles adult felony and juvenile prosecution in three different courts in the county as well as appearing on behalf of the Department of Job and Family Service and various county and townships boards and officials. Therefore, it is impossible to schedule other necessary court hearings so as not to conflict with this proceeding unless the specific dates and times for such hearing are set forth as soon as possible.

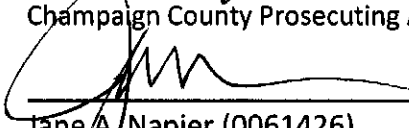
The undersigned previously represented intervening local public entities in Case No. 08-0666-EL-BGN before the Ohio Power Siting Board. It is our recollection from that case that the actual schedule is usually set forth on the first day of such adjudicatory hearing. The duration of the adjudicatory hearing in the prior case was nine days in November of 2009. In that hearing, much like this hearing, the parties had a number of issues for cross-examination of witnesses and we anticipate the hearing in this case to span over as many days.

Due to the anticipated length of the adjudicatory hearing herein, finalizing the actual schedule on the first day of the hearing is quite burdensome to the undersigned's small office and, therefore, we would request clarification of the schedule prior to the date of hearing, including specific dates for hearing. In lieu of clarification from the ALJ, a

conference as soon as possible with the parties' counsel of record in order to set the true schedule for such hearing would be welcome.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was sent to Miranda R. Leppla, Esq., Vorys, Sater, Seymour & Pease, 52 East Gay Street, P.O. Box 008, Columbus, Ohio 43216-1008, to Chad A. Endsley, Esq., Ohio Farm Bureau Federation, 280 N. High Street, P.O. Box 182383, Columbus, Ohio 43218-2383, to Christopher A Walker, Esq., Van Kley & Walker LLC, 137 North Main Street, Suite 316, Dayton, Ohio 45402, and to Gil S. Weithman, City of Urbana Law Director, 205 S Main St., Urbana, Ohio 43078 by electronic service, this 22nd day of October, 2012.



Jane A. Napier (0061426)

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in

Case No(s). 12-0160-EL-BGN

Summary: Motion for Clarification of Adjudicatory Hearing Schedule electronically filed by Jane A. Napier on behalf of Goshen Township Board of Trustees and Champaign County Board of Commissioners and Union Township Board of Trustees and Urbana Township Board of Trustees