

**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)	Case No. 12-0160-EL-BGN
Generating Facility in Champaign)	
County, Ohio)	

DIRECT TESTIMONY OF MICHAEL SPEERSCHNEIDER

Q.1. Please state your name, title and business address.

A.1. My name is Michael Speerschenider. I am an officer of Champaign Wind LLC and Senior Director of Permitting and Government Affairs for EverPower Wind Holdings Inc. which is the parent corporation of Champaign Wind LLC. My business address is 24 West 40th St, 12th Floor, New York, NY, 10018.

Q.2. What are your duties as Senior Director of Permitting and Government Affairs?

A.2. I am responsible for all aspects of the permitting necessary to construct and operate EverPower's utility scale wind energy projects in the Mid-Atlantic and Midwest, including management of an internal development team and external consultants. I also am responsible for coordinating the permitting processes with state and federal agencies. I am also responsible for governmental affairs, communicating with state and federal agencies to development and maintain relationships and manage political risks for EverPower's business.

Q.3. What is your educational and professional background?

A.3. I received a B.S. in Physics and a B.A. in environmental studies from the University of Pittsburgh. I received a M.S. in Technology and Policy and a M.S. in Materials Science and Engineering from the Massachusetts Institute of Technology. Prior to attending MIT, I worked for Cambridge Energy Research Associates developing models for demand, supply and pricing in North American natural gas markets. I joined EverPower in 2004 and have been involved in all facets of its developed projects and operations. While my focus has been on development, permitting and policies and siting or zoning regulations, I have worked closely with our financial, commercial and operations teams to help ensure efficient development, construction and operation of our projects. I have worked closely with project operators to engage local officials and residents, as well as state federal regulators, regarding what few issues have arisen as a result of project operations.

Q.4. On whose behalf are you offering testimony?

A.4. I am testifying on behalf of the Applicant, Champaign Wind LLC. Champaign Wind LLC is a wholly owned subsidiary of EverPower Wind Holdings, Inc.

Q.5. What is the purpose of your testimony?

A.5. The purpose of my testimony is fivefold. First, I would like to provide background information concerning the May 15, 2012 Application. Second, I will summarize the major items in the Application and sponsor its admission into evidence along with the exhibits and the various proofs of publication. Third, I will introduce the witnesses who will present direct testimony for the Applicant. Fourth, I will testify on the general benefits of wind energy and a few common misconceptions about utility-scale

wind projects. Finally, I will review the 70 conditions suggested by the Board's Staff in the Staff Report of Investigation filed on October 10, 2012 and respond on behalf of the Applicant.

Q.6. Would you please provide a summary and overview of the proposed facility?

A.6. Champaign Wind, LLC ("the Applicant" or "Champaign Wind") is proposing to construct a wind-powered electric generation facility located in Rush, Wayne, Salem, Urbana, Union, and Goshen Townships in Champaign County. The energy generated at the wind farm will collect to a new 138kV electric substation in Union Township. The proposed facility will consist of 56 wind turbine generators, along with access roads, electrical interconnection, construction staging areas, an operations and maintenance facility, and the substation. The actual footprint of the facility equipment will be quite small, with only 68 acres out of a project area of approximately 13,500 acres being converted for use for turbine bases, access roads, a substation and other ancillary structures.

Q.7. What is the general purpose of the facility?

A.7. It is to produce wind-powered electricity that will maximize energy production from wind resources in order to deliver clean, sustainable electricity to the Ohio bulk power transmission system. The electricity generated by the facility would be available for dispatch within the PJM regional transmission system which services thirteen states. However it is anticipated that the power will be sold within the state of Ohio to assist electricity companies to increase the amount of renewable energy in their generation mix in line with the requirements of the April 2008, Sub Senate Bill 221 which introduced a Alternative Energy Portfolio Standard (AEPS) requiring Ohio to secure 12.5% of its

electricity usage from renewable sources by 2025. There is also a potential for direct sales of power to third parties.

Q.8. Would you please describe the power generation potential of the wind farm?

A.8. Each of the 56 turbines will have a nameplate maximum capacity rating of 1.6 to 2.5 MW, depending upon the final turbine model selected. This will result in a total generating capacity of 89.6 to 140 MW. The Facility is expected to operate at an average annual capacity factor of 30-35%, generating a total of approximately 235,000 to 429,000 megawatt hours (MWh) of electricity each year, the equivalent annual electrical power consumption of 25,000 to 45,000 Ohio homes (based on the average Ohio household consumption).

Q.9. Is the May 15, 2012 Application including all appendices and exhibits true and accurate to the best of your knowledge and belief?

A.9. Yes with the exception that the Applicant is not considering the Vestas V100 for the project at this time as stated in the Applicant's September 28, 2012 correspondence to the Board's Staff. A copy of the Application is marked as Company Exhibit 1. A copy of the September 28, 2012 correspondence is marked as Company Exhibit 2.

Q.10. Did Champaign Wind have notices of the Application and of the Hearing published in a newspaper of general circulation in Champaign County?

A.10. Yes, notices were published on August 4, 2012 and on October 12, 2012 in the Urbana Daily Citizen. See Company Exhibits 2 and 3.

Q.11. Did the Applicant file and serve a copy of the letter sent to property owners and tenants within the plan site or contiguous to the plan site?

A.11. Yes, on September 27, 2012, the Applicant filed a copy of the letter sent to property owners and tenants. A copy of that filing is marked as Company Exhibit 4.

Q.12. Will the Applicant be sponsoring witnesses to support the Application in addition to your testimony?

A.12. Yes, Champaign Wind will be providing testimony in the fields of aviation, environment, wildlife, noise, safety, property values and general community benefits of the project. Francis Marcotte, a helicopter pilot, will testify to address concerns on Careflight operations. Terry VanDeWalle of Stantec Consulting will provide testimony regarding studies Stantec Consulting performed for the Application. Hugh Crowell of Hull & Associates will provide testimony, in part, regarding the studies Hull & Associates performed for the Application. David Hessler of Hessler and Associates will provide testimony, in part, regarding the acoustic studies performed for the Application and the standards used in designing the Facility. Robert Poore of DNV KEMA and Christopher Shears of EverPower Renewable Holdings, Inc. will testify on safety in the industry. Mark Thayer will testify as to property values. Dale Arnold from the Ohio Farm Bureau Federation (OFBF) will provide, in part, general testimony regarding the overall benefits of the Champaign Wind Project to the OFBF members. Lastly, Donald Bauer and Mark Westfall will provide, in part, general testimony regarding the benefits of the Project to participating landowners.

Q.13 How will the Buckeye II Wind Project contribute to Ohio's renewable energy targets?

A.13. As indicated previously, this project will generate renewable energy which in turn can be sold to utilities or competitive retail electric suppliers through a power purchase

agreement. Based on information from counsel, the project will also qualify as a renewable energy generator and every megawatt-hour of production will create a renewable energy credit. Utilities and/or competitive retail electric suppliers can then purchase those renewable energy credits to apply toward their renewable energy portfolio obligations under S.B. 221. The project can also be built as a merchant plant, meaning that the power would then be sold at wholesale on the PJM competitive power spot market, which could also be applied toward the renewable energy portfolio obligations under S.B. 221.

Q.14. What made EverPower select Champaign County as an appropriate location for the Buckeye II Wind Project?

A.14. Many different factors have to come together for a wind farm to be successfully developed, constructed and operated. For example, a high wind resource (the mean wind speed) is desirable. Champaign County is host to Ohio's highest elevations, resulting in some of the best wind resources in the State. The ability to interconnect into the transmission system is very important, and Champaign County has high voltage transmission lines crossing the area with available capacity. Also important is the ability to balance local environmental factors such as habitat, cultural resources and property setback requirements. Champaign County demonstrated that it met all these key criteria and this has been borne out through the certification of the Buckeye I Wind Farm and our dealings with state and federal resource agencies. Another key factor in site selection is the ability to sell the power generated at a price to make a project financially viable. The Ohio renewable portfolio standard and the fact the wind farm is located in the PJM electricity network – which is the most liquid in the country – was therefore another

important factor in EverPowers' decision to progress with an application for a second wind farm in Champaign County.

Q.15. Do you believe that the Buckeye II Wind Project will have a positive impact on the local community?

A.15. Yes. First of all, the Buckeye II Wind Project will provide a positive economic impact to the community. As the socioeconomic study submitted as part of the Application indicates, there are various ways in which the region will benefit. First of all, the project will contribute to the taxing entities that host the project, primarily school districts, townships and the county. Assuming 56 turbines are constructed, the increase in local tax revenues will be between \$840,000 and \$1,260,000 annually, depending on the nameplate capacity of the turbine selected. The estimated average percentage distribution of the annual tax payments under 2010 tax rates would include 25.9% for Champaign County, 10.3% for the affected townships, and 63.8% for local schools. Under S.B. 232, additional revenues may go directly to the County's general fund. Also, landowners will receive annual lease payments for hosting the Facility. It is expected that a certain portion of these payments will be used to purchase goods and services in the local communities and in the region, which will further stimulate economic activities. The total local benefit during the 12 month construction phase is estimated to be \$78.6 million with a total annual benefit to the local economy during operation of \$7.3 million.

Additionally, we believe the project will be a source of pride for the community. As a host of a renewable energy project, Champaign County farmers will be able to use their land to provide clean, domestic energy for the country. Many of the region's farmers

see wind energy as a part of the solution to securing our energy needs for future generations.

Q.16. In your experience, what are some of the common concerns that arise during the development of a utility-scale wind generation facility?

A.16. While it is impossible to predict how certain individuals will react to any new development, I believe that the Buckeye Wind II Project is designed to minimize or eliminate any potential complaints arising from these issues. We understand that some people may believe that the turbines will distort the visual attractiveness of Champaign County. However, beauty is in the eye of the beholder, and many people believe that wind turbines are a graceful and harmonious addition to the landscape. As indicated in the visual impact study, in many cases, turbines were thought to be compatible with the working agricultural landscape of the area.

Mr. Hessler has prepared a Noise Impact Assessment and has helped design a project that employs rigorous standards for sound levels at nearby residents. We strongly believe that the project is designed with prudence and complaints associated with noise will be minimal. The topic of property values is very sensitive as the idea that home values can drop precipitously can cause high levels of fear and anxiety. However, as discussed by Dr. Mark Thayer, appropriately conducted research shows an absence of measurable effects of wind farm visibility on property transaction values.

Shadow flicker is the phenomenon whereby the turbine's blades come between the sun and a receptor. Shadow flicker is characterized by the on/off modulation of the sun's light and can cause a nuisance when the shadow being cast by the blades passes through a

window in a residential structure. In my experience, shadow flicker outside buildings, in open field or along roads is less distinctive and has generally not caused impacts on human activity. The shadow flicker report completed for the Buckeye II Wind Project utilizes industry standard modeling methodologies and provides an accurate representation of the potential occurrence of shadow flicker at residential locations. The model uses conservative assumptions so that the modeled result would error on the side of over-predicting the impact. Factors such as the blocking effect of buildings and trees (landscaping and individual trees are not inputted in the model), the assumed presence of humans at all times when flicker would occur (the majority of the time shadows would be cast on homes are in daylight morning or evening hours, and in the winter) and omni-direction modeling (shadow flicker impacts are accounted for all sides of a receptor building, with no consideration for location of windows and orientation of more highly used rooms). Also, the design goal of limiting the potential for shadow flicker to 30 hours per year complies with the limit approved by the Board for the Buckeye I Wind Farm, and is a reasonable limit that I believe will result in very few, if any, complaints. I have reviewed Condition 50 in the October 10, 2012 Staff Report of Investigation and find it generally agreeable assuming that the phrase “sensitive receptor” means an inhabited residential structure.

Blade and ice throw is also sometimes raised as a concern because of the potential risk to public safety. There are hundreds of thousands of wind turbines operating throughout the world and there has been very low rate of blade failures and thrown debris, and no cases of harm to the public. Ice throw, or ice shedding, can occur when ice accumulates on rotor blades. The ice can break free of the blades and either fall to the ground or, if the

rotors are moving, be thrown from the blades. Modern turbines are equipped with many control features that will stop the turbine when icing occurs. Appropriate operational measures will also be employed to ensure safety during icing events and at start-up.

Field observations and studies of ice shedding indicate that most shedding occurs as air temperatures rise, therefore, the tendency is that ice fragments drop off the rotors and land near the base of the towers. Ice throw is less common, and there has been no reported injury caused by ice being thrown from an operating wind turbine.

Concerns about health effects have also been raised in this proceeding. This issue was addressed and rejected by the Board in the Buckeye I Wind proceeding (Case No. 08-666-EL-BGN). Moreover, the Board has approved eight wind farms for construction and operation in Ohio. I am not aware of any credible scientific evidence for the concerns regarding adverse health effects due to sound, shadow flicker or other impacts associated with wind turbines, though some people have reported being annoyed by these impacts. I believe the Buckeye Wind Project has been designed in a prudent and responsible way to minimize any potential effect.

Also, Determinations of No Hazard have been received from the Federal Aviation Administration for all turbine locations. It is worth noting that the turbine locations for the Buckeye II Wind Project are further from Grimes Field and the Weller airstrip than the approved turbine locations for the Buckeye I Wind Project.

Q.17. What are the real issues facing the Buckeye II Wind Project?

A.17. The Buckeye II Wind Project has no real issuesEverPower has been engaged in the community since very early on, participating in Prosecutor Selvaggio's Wind Turbine

Study Group, hiring three local employees to aid in development of this and other projects in Ohio, frequent engagement with community groups and leaders (for example, providing information booths at the County Fair and regularly attending public meetings of the Township Supervisors and County Commissioners to answer questions and provide updates). While these evidentiary proceedings are adversarial in nature, it is important to recognize that we do not consider our relationships with most interveners to be adversarial at all. We have every incentive to be productive members of the community and to resolve any issues before they become truly problematic.

The primary issue facing the project is a repeat of the litigation experienced for the Buckeye I Wind Project. Given the delays litigation will likely cause, the earliest we would be able to begin construction would be the second quarter of 2013 rather than as indicated in the Application.

Q.18. Have you reviewed the Staff Report of Investigation issued in this proceeding?

A.18. Yes.

Q.19. Does the Applicant have any concerns with any of the 70 conditions recommended by Staff in the Staff Report of Investigation?

A.19. The Applicant is agreeable to the majority of conditions recommended by Staff. It is important to clarify Condition 5 (complaint resolution process); Condition 6 (final design drawings); Condition 8 (timing of as-built submissions); Condition 10 (timing of site restoration); Condition 11 (identification of turbine models); Condition 15 (Phase I cultural resources survey program); Condition 17 (historic preservation mitigation); Condition 26 (implementation of HCP and ITP); Condition 28 (post-construction avian and bat monitoring plan); Conditions 31, 32, 33, 34 (road permits and repair); Condition

35 (limitation on construction activities); and Conditions 52 and 53 (microwave path system study). The Applicant has concerns with Condition 19 as written (construction and maintenance access plan); Condition 20 as written (vegetation management plan); Condition 21 (streamside vegetation restoration plan); Condition 22 (use of herbicides); Condition 47 (gas pipeline setback); Condition 49 as written (operational noise limitations); Condition 55 (decommissioning); Conditions 67 and 68 (notices to airman) and Condition 70 (medical needs service plan).

Q.20. How does the Applicant suggest clarifying Condition 5 in the Staff Report?

A.20. Condition 5 should be clarified in the following manner to avoid any confusion over the Applicant's obligation to resolve unfounded complaints: "At least 30 days prior to the preconstruction conference, the Applicant shall have in place a complaint resolution procedure to address potential public grievances resulting from project construction and operation. The resolution procedure must provide that the Applicant will ~~work-~~ make a good faith effort to mitigate or resolve any issues with those who submit either a formal or informal complaint and that the Applicant will immediately forward all complaints to Staff. The Applicant shall provide the complaint resolution procedure to Staff, for review and confirmation that it complies with this condition, prior to the preconstruction conference."

Q.21. How does the Applicant suggest clarifying Condition 6 in the Staff Report?

A.21. Condition 6 implies that all conditions in the certificate should be referenced in final engineering drawings. The Applicant suggests minor clarification to avoid confusion on what should be in the final engineering drawings: "At least 30 days before the preconstruction conference, the Applicant shall submit to Staff, for review and

acceptance, one set of detailed engineering drawings of the final project design, including the wind turbines, collection lines, substation, temporary and permanent access roads, any crane routes, construction staging areas, and any other associated facilities and access points, so that Staff can determine that the final project design is in compliance with the terms of the certificate. The final project layout shall be provided in hard copy and as geographically-referenced electronic data. The final design shall include ~~all conditions of the certificate and~~ references at the locations where the Applicant and/or its contractors must adhere to a specific environmental condition in order to comply with the certificate.”

Q.22. How does the Applicant suggest clarifying Condition 8 in the Staff Report?

A.22. Sixty days to complete as-built drawings is too short a time period. The Applicant suggests amending Condition 8 to allow for additional time to submit as-built drawings: “Within ~~60~~ 90 days after the commencement of commercial operation, the Applicant shall submit to Staff a copy of the as-built specifications for the entire facility. If the Applicant demonstrates that good cause prevents it from submitting a copy of the as-built specifications for the entire facility within ~~60~~ 90 days after commencement of commercial operation, it may request an extension of time for the filing of such as-built specifications. The Applicant shall use reasonable efforts to provide as-built drawings in both hard copy and as geographically-referenced electronic data.”

Q.23. How does the Applicant suggest clarifying Condition 10 in the Staff Report?

A.23. Condition 10 should be clarified to account for seasonal or other conditions that could prevent site restoration within 30 days: “If construction has commenced at a turbine location and it is determined that the location is not a viable turbine site, that site

shall be restored to its original condition within 30 days. If the Applicant demonstrates that good cause prevents it from completing the site restoration within 30 days, it may request an extension of time for completing such site restoration.”

Q.24. How does the Applicant suggest clarifying Condition 11 in the Staff Report?

A.24. Condition 11 limits the Applicant turbine selection to only the turbines models listed in the Application as being under consideration. The Applicant believes the condition from the Buckeye Wind I project certificate that was affirmed by the Supreme Court of Ohio is appropriate for this project as well. That condition can be revised for this project to state as follows: At least 60 days prior to construction, the Applicant shall file a letter with the Board that identifies which of the turbine models listed in the application has been selected. If the Applicant selects a turbine model other than one of the models listed in the application, in addition to the letter, the Applicant shall also: file copies of the safety manual for the turbine model selected and manufacturer contact information; and provide assurances that no additional negative impacts would be introduced by the model selected.

Q.25. How does the Applicant suggest clarifying Condition 15 in the Staff Report?

A.25. Condition 15 relates to additional cultural resource survey work that counsel has informed me is not an application requirement under the Board’s rules. Nevertheless, the Applicant believes that the additional cultural resource survey work is appropriate but is concerned about the language suggesting an amendment be submitted if a find is made, or a register eligible site is found. The Applicant believes that submitting a modification or mitigation to the Board’s Staff may suffice to address the results of any additional cultural resource survey work. The condition should be clarified as follows: “Prior to

commencement of any construction, the Applicant shall prepare a Phase I cultural resources survey program for archaeological work within the construction disturbance area, in consultation with Staff and the OHPO. If the resulting survey work discloses a find of cultural or archaeological significance, or a site that could be eligible for inclusion in the National Register of Historic Places, then if necessary, the Applicant shall submit an amendment, a modification, or mitigation plan to the ~~Board~~ Board's Staff for review and approval."

Q.26. How does the Applicant suggest clarifying Condition 17 in the Staff Report?

A.26. Condition 17 should be simplified to allow the Applicant to present Staff and OHPO with a draft historic preservation mitigation plan and avoid specific details of that plan. The Applicant has begun consultation with the Staff and OHPO and sees no reason why the current path would not be continued. However, to avoid unnecessary complications, the Applicant suggests that the condition does not specify specific procedures or concepts that are out of context with the overall process that is being conducted. In no way should the mitigation plan require any form of mitigation that would affect turbine operation. With that said, the Applicant suggests clarifying Condition 17 as follows: "Prior to commencement of construction, the Applicant shall develop a historic preservation mitigation plan in consultation with Staff and the OHPO, ~~to be used to promote the area's rural history.~~ Unless agreed to by the Applicant, no part of the plan shall limit or affect turbine operation or the Applicant's activities authorized under the certificate.", ~~detailing procedures for promoting the continued meaningfulness of the survey area's rural history."~~

Q.27. How does the Applicant suggest clarifying Condition 19 in the Staff Report?

A.27. Condition 19 provides extensive detail on a suggested construction and maintenance access plan that appears to be copied from a transmission line Staff report. Much of the information sought by this condition is presented in the Application and all construction plans will be detailed in the final engineering drawings which Staff will approve. Also, the last sentence of the proposed condition indicates that the plan will have to be broken up into phases for the project and requires multiple preconstruction conferences. This does not make sense given that there will be one preconstruction conference held for the project to kick off all construction. The Applicant recommends deleting this condition to avoid redundancy and unnecessary costs. In the alternative, the condition should be rewritten as follows: “Unless addressed by final engineering drawings, the ~~The~~ Applicant shall have a construction and maintenance access plan based on final plans for the access roads ~~,transmission line,~~ collection lines, and types of equipment to be used. Prior to commencement of construction, the Applicant shall submit the plan to Staff, for review and confirmation that it complies with this condition. ~~The plan shall consider the location of streams, wetlands, wooded areas, and sensitive plant species, as identified by the ODNR, Division of Wildlife (ODNR DOW), and explain how impacts to all sensitive resources will be avoided or minimized during construction, operation, and maintenance. The plan shall provide specific details on all wetlands, streams, and/or ditches to be crossed by the transmission line, including those where construction or maintenance vehicles and/or facility components such as access roads cannot avoid crossing the waterbody. In such cases, specific discussion of the proposed crossing methodology for each wetland and stream crossing (such as culverts), and post-construction site restoration, must be included. The plan shall include the measures to be~~

~~used for restoring the area around all temporary access points, and a description of any long-term stabilization required along permanent access routes. For each phase of construction, the Applicant shall delineate each phase prior to any construction and the Applicant shall participate in a preconstruction conference with Staff prior to each phase of construction.~~

Q.28. How does the Applicant suggest clarifying Condition 20 in the Staff Report?

A.28. Condition 20 is a condition that appears to have been copied from a transmission line report and seems to relate to a transmission right of way. That is not applicable to this facility, which will have buried collection lines primarily running in open areas and turbines located in open fields. The condition should be deleted in its entirety.

Q.29. How does the Applicant suggest clarifying Condition 21 in the Staff Report?

A.29. Any requirements for restoration or mitigation would be addressed through best management practices as required by the National Pollutant Discharge Elimination System or Clean Water Act permits that will be secured by the Applicant. This condition is also redundant with condition 20. This condition results in regulatory redundancy and uncertainty and should be deleted in its entirety.

Q.30. How does the Applicant suggest clarifying Condition 22 in the Staff Report?

A.30. Condition 22 again appears to be taken from a transmission line application, and is not applicable to the facility, its buried collection lines and the general location of the facility in open fields. For this reason and for the reasons stated by Hugh Crowell in his testimony, the Applicant recommends deleting the condition.

Q.31. How does the Applicant suggest clarifying Condition 26 in the Staff Report?

A.31. Condition 26 would codify the conservation measures that are included in the current ABPP. However, the ABPP is constructed as a living document that is subject to change and amendment, through coordination with the USFWS and ODNR and as informed by the results of post-construction monitoring and other information available from continued research within the industry. Guidance on developing ABPPs (or, as they are now called, Bird and Bat Conservation Strategies) is included in the USFWS Land-Based Wind Energy Guideline and were conceived as a document that is voluntarily developed by project developers through a coordinate process with USFWS and state resource agencies (in this case, ODNR). By installing a condition that requires the ABPP to be implemented in its current form, the ABPP becomes a static regulatory tool. This condition will dissuade applicants from developing an ABPP in the future and will frustrate an important process that can have great benefits for Ohio's wildlife. Importantly, the ABPP is not included as a *requirement* of the ITP being considered by the USFWS.

The Applicant requests that the Condition 26 be rewritten: "The Applicant shall implement all conservation measures and conditions outlined in the final HCP and USFWS' Incidental Take Permit, ~~including the Avian and Bat Protection Plan found in the USFWS' draft EIS,~~ which is subject to inclusion as an environmental commitment in the USFWS' Record of Decision (ROD)."

Q.32. How does the Applicant suggest clarifying Condition 28 in the Staff Report?

A.32. The Applicant is concerned that the condition as written limits the ability of the Applicant to work with the ODNR and develop alternative post-construction monitoring methods. The Applicant is also currently discussing variations in post-construction

monitoring sampling with the ODNR. For example, it is possible that the Applicant can do carcass persistence trials prior to the first year of monitoring and adjust the searcher frequency as recommend in the ODNR protocol. In addition, in part because the level of monitoring required by the HCP associated with the federal ITP is much more extensive than is recommended in the ODNR protocol, the ODNR has already agreed to certain amendments to the protocol that would be acceptable for this project.. Stating in Condition 28 that a sample of turbines *must* be searched daily or otherwise requiring strict adherence to the current Protocol as a condition of the Certificate would preclude the ability to adopt a different method. The Applicant recommends the following changes to Condition 28: “Sixty days prior to the first turbine becoming operational, the Applicant shall submit a post-construction avian and bat monitoring plan for DOW and Staff review and confirmation that it complies with this condition. Unless otherwise agreed to by the DOW and Staff, the ~~The~~ Applicant’s plan shall be consistent with ODNR-approved, standardized protocol, as outlined in ODNR’s *On-Shore Bird and Bat Pre- and Post-Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio*. ~~This includes having a sample of turbines that are searched daily.~~ The post-construction monitoring shall begin within two weeks of operation of the first turbine and be conducted for a minimum of two seasons (April 1 to November 15), which may be split between calendar years. If monitoring is initiated after April 1 and before November 15, then portions of the first season of monitoring shall extend into the second calendar year (e.g., start monitoring on July 1, 2011 and continue to November 15, 2011; resume monitoring April 1, 2012 and continue to June 30, 2012). The second monitoring season may be waived at the discretion of ODNR and OPSB Staff. The monitoring start date and

reporting deadlines will be provided in the DOW approval letter and the OPSB concurrence letter. If it is determined that significant mortality, as defined in ODNr's approved, standardized protocols, has occurred to birds and/or bats, or a state-listed species is killed, then the DOW and OPSB Staff will require work with the Applicant to develop and implement a mitigation plan. If required, the Applicant shall submit a mitigation plan to the DOW and OPSB Staff for review and approval within 30 days from the date reflected on ODNr letterhead, in coordination with OPSB Staff, in which the DOW is requiring the Applicant to mitigate for significant mortality to birds and/or bats. Mitigation initiation timeframes shall be agreed upon by the Applicant, DOW and Staff and outlined in the DOW approval letter and the OPSB concurrence letter."

Q.33. How does the Applicant suggest clarifying Conditions 31, 32, 33 and 34 in the Staff Report?

A.33. These conditions relate to road transportation permits, repairs and improvements. The Applicant suggests minor clarifications because often either the projects engineering procurement construction contractor (EPC contractor) or the transportation company will obtain the necessary permits for transportation during actual construction, and not prior to the start of construction. The Applicant recommends the following minor revisions to Conditions 31, 32, 33 and 34:

(31) ~~Prior to commencement of construction activities that require transportation permits,~~
the The Applicant shall ensure obtain all such transportation permits are obtained prior to transport. The Applicant shall coordinate with the appropriate authority regarding any temporary or permanent road closures, lane closures, road access restrictions, and traffic control necessary for construction and operation of the proposed facility. Coordination

shall include, but not be limited to, the county engineer, Ohio Department of Transportation, local law enforcement, and health and safety officials. This coordination shall be detailed as part of a final traffic plan submitted to Staff prior to the preconstruction conference for review and confirmation that it complies with this condition.

(32) The Applicant shall provide the final Champaign County delivery route plan and the results of any traffic studies to Staff and the County Engineer(s) 30 days prior to the preconstruction conference. The Applicant shall complete a study on the final equipment delivery route to determine what improvements will be needed in order to transport equipment to the wind turbine construction sites. The Applicant shall make all improvements outlined in the final delivery route plan prior to equipment and wind turbine delivery. The Applicant's delivery route plan and subsequent road modifications shall include, but not be limited to, the following:

- (a) Perform a survey of the final delivery routes to determine the exact locations of vertical constraints where the roadway profile will exceed the allowable bump and dip specifications and outline steps to remedy vertical constraints.
- (b) Identify locations along the final delivery routes where overhead utility lines may not be high enough for over-height permit loads and coordinate with the appropriate utility company if lines must be raised.
- (c) Identify roads and bridges that are not able to support the projected loads from delivery of the wind turbines and other facility components and make all necessary upgrades.

(d) Identify locations where wide turns would require modifications to the roadway and/or surrounding areas and make all necessary alterations. Any alterations for wide turns shall be removed and the area restored to its reconstruction condition unless otherwise specified by the County Engineer(s).

(33) The Applicant shall repair damage to government-maintained (public) roads and bridges caused by construction activity. Any damaged public roads and bridges shall be repaired promptly to their preconstruction state by the Applicant under the guidance of the appropriate public authority regulatory agency. Any temporary improvements shall be removed unless the County Engineer(s) request that they remain. The Applicant shall provide financial assurance ~~to the counties~~ to the Board of Commissioners of Champaign County that it will restore the public county and township roads in Champaign County it uses to their preconstruction condition. The Applicant shall also enter into a Road Use Agreement with the County Engineer(s) or other appropriate public authority prior to construction and subject to Staff review and confirmation that it complies with this condition. The Road Use Agreement shall contain provisions for the following:

- (a) A preconstruction 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.
- (d) A timetable for posting of the construction road and bridge bond prior to the use or transport of overweight equipment~~heavy equipment~~ on public roads or bridges.

(34) The facility owner and/or operator shall repair damage to government-maintained (public) roads and bridges caused by decommissioning activity. Any damaged public roads and bridges shall be repaired promptly to their pre-decommissioning state by the facility owner and/or operator under the guidance of the appropriate public authority ~~regulatory agency~~. The Applicant shall provide financial assurance to the Board of County Commissioners of Champaign County ~~the counties~~ that it will restore the public ~~county and township~~ roads and bridges it uses in Champaign County to their pre-decommissioning condition. These terms shall be defined in a Road Use Agreement between the Applicant and the County Engineer(s) or other applicable public authority prior to construction. The Road Use Agreement shall be subject to Staff review and confirmation that it complies with this condition, and shall contain provisions for the following:

- (a) A pre-decommissioning survey of the condition of public roads and bridges conducted within a reasonable time prior to decommissioning activities.
- (b) A post-decommissioning survey of the condition of public roads and bridges conducted within a reasonable time after decommissioning activities.
- (c) An objective standard of repair that obligates the facility owner and/or operator to restore the public roads and bridges to the same or better condition as they were prior to decommissioning.
- (d) A timetable for posting of the decommissioning road and bridge bond prior to the use or transport of heavy equipment on public roads or bridges.

Q.34. How does the Applicant suggest clarifying Condition 35 in the Staff Report?

A.34. Condition 35 should be clarified to allow certain crane activities at night for safety reasons. Lower winds generally occur during the evening hours which is the safest time to perform large crane lifts. The Applicant suggests amending Condition 35 as follows: “General construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., or until dusk when sunset occurs after 7:00 p.m. This limitation shall not apply to nacelle, tower, and rotor erection activities which may need to be carried out during low wind, nighttime hours for safety reasons. Impact pile driving operations and blasting if required, shall be limited to the hours between 10:00 a.m. to 5:00 p.m., Monday through Friday. Construction activities that do not involve noise increases above ambient levels at sensitive receptors are permitted outside of daylight hours when necessary. The Applicant shall notify property owners or affected tenants within the meaning of Rule 4906-5-08(C)(3), O.A.C., of upcoming construction activities including potential for nighttime construction activities.”

Q.35. How does the Applicant suggest clarifying Condition 47 in the Staff Report?

A.35. Condition 47 appears to be intended to protect from a turbine collapsing and hitting a buried gas pipeline. I am not aware of any such event occurring, and the probability of a turbine tower collapsing in such a way to pierce an underground gas line is extremely low if not nonexistent. Also, counsel has informed me that setbacks of this nature are not required under state pipeline safety rules or federal pipeline safety rules. It is also my understanding that no major gas transmission lines are in Champaign County. Given the lack of risk, the Applicant recommends the following modification to Condition 47: “The Applicant shall adhere to a setback distance of at least 1.1 times the total height of the turbine structure, as measured from its tower's base (excluding the

subsurface foundation) to the tip of its highest blade, from any natural gas transmission pipeline in the ground at the time of commencement of construction.

Q.36. How does the Applicant suggest clarifying Condition 49 in the Staff Report?

A.36. Condition 49 needs to be written to account for the fact that the *Leq* measurements for the project were based on the critical wind speed of 6 meters per second. That is the speed of the wind where the greatest differential exists between ambient background noise and the turbine's sound power output. Using a set limit during nighttime hours ignores the increase in ambient noise that occurs during high winds. Also, rather than using the phrase "sensitive receptor," the phrase "non-participating residence" should be used as it is more precise. The condition should be revised as follows: "The facility shall be operated so that the facility noise contribution, other than short-term excursions, does not result in noise levels at the exterior of any currently existing non-participating residence ~~sensitive receptor~~ that exceed the greater of: project area ambient nighttime *Leq* (39 dBA) plus five dBA. During daytime operation only (7:00 a.m. to 10:00 p.m.), the facility may operate at the greater of: (a) the project area ambient nighttime *Leq* (39 dBA) plus five dBA; or, (b) the validly measured ambient *Leq* plus five dBA at the exterior of any currently non-participating location of the residence ~~sensitive receptor~~. After commencement of commercial operation, the Applicant shall conduct further review of the impact and possible mitigation of all project-related noise complaints through its complaint resolution process."

Q.37. How does the Applicant suggest clarifying Conditions 52 and 53 in the Staff Report?

A.37. Conditions 52 and 53 require minor editing to ensure that the Applicant is not required to take mitigation steps as a result of new microwave path or systems installed

after submittal of its Application. Also, the requirement to locate the center point for all turbines within 1,000 feet of the worst case Fresnel zone should be changed as 1,000 feet is unnecessary. The center point should be located within a much lower amount, such as the distance to the tip of the blade, since that is what can interfere with the Fresnel zone. Conditions 52 and 53 can be revised as follows:

(52) At least 30 days prior to construction, the Applicant shall perform a study of the potential impacts of the project to any known microwave path or system existing as of the date the Applicant's application was deemed filed with the Board. The Applicant shall contact all electric service providers that operate within the project area for a description of specific microwave paths to be included in the study. A copy of this study shall be provided to the electric service providers for review, and to Staff for review and confirmation that it complies with this condition. The assessment shall conform to the following requirements:

(a) An independent and registered surveyor, licensed to survey within the state of Ohio, shall determine the exact locations and worst-case Fresnel zone dimensions of all known microwave paths or systems operating within the project area, including all paths and systems identified by the electric service providers that operate within the project area. In addition, the surveyor shall determine the center point of all turbines within ~~1,000~~ the length of the turbine blade, plus 50 feet, of the worst-case Fresnel zone of each system, using the same survey equipment.

(b) Provide the distance (feet) between the surveyed center point of each turbine identified within section (a) above and the surveyed worst-case Fresnel zone of each microwave system path.

(c) Separately provide the distance (feet) between the nearest rotor blade tip of each surveyed turbine identified within section (a) above and the surveyed worst-case Fresnel zone of each microwave system path.

(d) Provide a map of the surveyed microwave paths and turbines at a legible scale.

(e) Describe the specific, expected impacts of the project on all microwave paths and systems considered in the study.

(53) All known microwave paths and communication systems, as identified in the communication studies performed for this project or required by the Board, shall be subject to avoidance or mitigation. The Applicant shall complete avoidance or mitigation measures prior to commencement of construction for impacts that can be predicted in sufficient detail to implement appropriate and reasonable avoidance and mitigation measures. After construction, the Applicant shall mitigate all observed impacts of the project to microwave paths and systems existing prior to Application submittal within seven days or within a longer time period acceptable to Staff. Avoidance and mitigation shall consist of measures acceptable to Staff, the Applicant, and the affected path owner, operator, or licensee(s).

Q.38. Are you familiar with decommissioning of wind turbines?

A.38. I have not personally been involved with the decommissioning of wind turbines as there have been few examples, but every project on which I have worked has had a decommissioning plan.

Q.39. Can you briefly describe what typically will occur when a wind turbine is decommissioned?

A.39. A wind turbine can be taken down and using a crane and standard salvage equipment. Most of the turbine components can then be recycled. The turbine foundation is then removed to below plough depth of 3-4 feet and covered over. Access roads can either remain in place or be re-instated depending on the desires of the landowner and requirements of the decommissioning plan.

Q.40. How does the Applicant suggest clarifying Condition 55 in the Staff Report?

A.40. Condition 55 is very thorough. However, it ignores the fact that the salvage value of a newly installed turbine will far outweigh the cost to take the turbine down. It is not reasonable and very costly to the project to post financial assurance prior to turbine construction without taking into account the salvage value of the turbine. The Applicant believes that no financial assurance should be required in the first five years of operation given the salvage value of the equipment. As an alternative, the Applicant proposes utilizing language from Conditions 69 and 70 from the Buckeye I project certificate. If that language is used, Condition 55 can be revised as follows: “The Applicant, facility owner, and/or facility operator shall comply with the following conditions regarding decommissioning:

(a) The Applicant, facility owner, and/or facility operator shall provide the final decommissioning plan to Staff and the County Engineer(s) for review and confirmation of compliance with this condition, at least 30 days prior to the preconstruction conference. The plan shall:

(i) Indicate the intended future use of the land following reclamation.

(ii) Describe the following: engineering techniques and major equipment to be used in decommissioning and reclamation; a surface water drainage plan and any proposed impacts that would occur to surface and ground water resources and wetlands; and a plan for backfilling, soil stabilization, compacting, and grading.

(iii) Provide a detailed timetable for the accomplishment of each major step in the decommissioning plan, including the steps to be taken to comply with applicable air, water, and solid waste laws and regulations and any applicable health and safety standards in effect as of the date of submittal.

(b) The facility owner and/or facility operator shall file a revised decommissioning plan to the Staff and the County Engineer(s) every five (5) years from the commencement of construction. The revised plan shall reflect advancements in engineering techniques and reclamation equipment and standards. The revised plan shall be applied to each five-year decommissioning cost estimate. Prior to implementation, the decommissioning plan and any revisions shall be reviewed by Staff to confirm compliance with this condition.

(c) The facility owner and/or facility operator shall, at its expense, complete decommissioning of the facility, or individual wind turbines, within 12 months after the end of the useful life of the facility or individual wind turbines. If no electricity is generated for a continuous period of 12 months, or if the Board deems the facility or turbine to be in a state of disrepair warranting decommissioning, the wind energy facility or individual wind turbines will be

presumed to have reached the end of its useful life. The Board may extend the useful life period for the wind energy facility or individual turbines for good cause as shown by the facility owner and/or facility operator. The Board may also require decommissioning of individual wind turbines due to health, safety, wildlife impact, or other concerns that prevent the turbine from operating within the terms of the Certificate.

(d) Decommissioning shall include the removal and transportation of the wind turbines off site. Decommissioning shall also include the removal of buildings, cabling, electrical components, access roads, and any other associated facilities, unless otherwise mutually agreed upon by the facility owner and/or facility operator and the landowner. All physical material pertaining to the facility and associated equipment shall be removed to a depth of at least 36 inches beneath the soil surface and transported off site. The disturbed area shall be restored to the same physical condition that existed before erection of the facility. Damaged field tile systems shall be repaired to the satisfaction of the property owner.

(e) During decommissioning, all recyclable materials, salvaged and non-salvaged, shall be recycled to the furthest extent practicable. All other non-recyclable waste materials shall be disposed of in accordance with state and federal law.

(f) The facility owner and/or facility operator shall not remove any improvements made to the electrical infrastructure if doing so would disrupt the electric grid, unless otherwise approved by the applicable regional transmission organization and interconnection utility.

(g) Prior to construction of each turbine. The Applicant, facility owner and/or facility operator shall post and maintain financial assurance for said turbine in the amount of \$5,000. This financial assurance shall be in place until such time that the facility has been operational for one year. With regard to financial assurance after the first year of operation of the facility, the following shall apply: Subject to approval by staff, an independent and registered professional engineer, licensed to practice engineering in the state of Ohio, shall be retained by the Applicant, facility owner and/or facility operator to estimate the total cost of decommissioning in current dollars (decommissioning costs), without regard to salvage value of the equipment, and the cost of decommissioning net salvage value of the equipment (net decommissioning costs). Said estimate shall include: an analysis of the physical activities necessary to implement the approved reclamation plan, with physical construction and demolition costs based on ODOT's Procedure for Budget Estimating and RS Means material and labor costs indices; the number of units required to perform each of the activities, and an amount to cover contingency costs (not to exceed 10 percent of the above-calculated reclamation cost). Said estimate should be on a per turbine basis and shall be submitted for staff review and approval after one year of facility operation and every third year thereafter, until the facility is decommissioned. The Board reserves the right to hire its own expert, at the generation facility's expense, to evaluate any of the periodic reports. After one year of facility operation. The Applicant, facility owner and/or facility operator shall post and maintain decommissioning funds in an amount equal to the net decommissioning costs,

provided that at no point shall the net decommissioning funds be less than 25 percent of the decommissioning costs. The Applicant, facility owner and/or facility operator shall adjust the funds, if necessary, based on the updated estimate within 90 days after notice of staff's approval of the estimate. The decommissioning funds (financial assurance) shall be in a financial instrument mutually agreed upon by staff and the Applicant, facility owner and/or facility operator, and conditioned on the faithful performance of all requirements and conditions of the approved decommissioning and reclamation plan. Alternatively, the Applicant, facility owner and/or facility operator may use a performance bond in lieu of the 25 percent requirement. Decommissioning funds shall be in a form approved by Staff.

~~Subject to confirmation of compliance with this condition by Staff, and seven days prior to the preconstruction conference, an independent, registered Professional Engineer, licensed to practice engineering in the state of Ohio, shall be retained by the Applicant, facility owner, and/or facility operator to estimate the total cost of decommissioning in current dollars, without regard to salvage value of the equipment. Said estimate shall include: (1) an identification and analysis of the activities necessary to implement the most recent approved decommissioning plan including, but not limited to, physical construction and demolition costs assuming good industry practice and based on ODOT's *Procedure for Budget Estimating and RS Means* material and labor cost indices or any other publication or guidelines approved by OPSB Staff; (2) the cost to perform each of the activities; (3) an amount to cover contingency costs, not~~

~~to exceed 10 percent of the above calculated reclamation cost. Said estimate will be converted to a per turbine basis (the "Decommissioning Costs"), calculated as the total cost of decommissioning of all facilities as estimated by the Professional Engineer divided by the number of turbines in the most recent facility engineering drawings. This estimate shall be conducted every five years by the facility owner and/or facility operator.~~

~~(h) The Applicant, facility owner and/or facility operator shall post and maintain for decommissioning, at its election, funds, a surety bond, or similar financial assurance in an amount equal to the per turbine Decommissioning Costs multiplied by the sum of the number of turbines constructed and under construction. The funds, surety bond, or financial assurance need not be posted separately for each turbine so long as the total amount reflects the aggregate of the Decommissioning Costs for all turbines constructed or under construction. For purposes of this condition, a turbine is considered to be under construction at the commencement of excavation for the turbine foundation. The form of financial assurance or surety bond shall be a financial instrument mutually agreed upon by the Board and the Applicant, the facility owner, and/or the facility operator. The financial assurance shall ensure the faithful performance of all requirements and reclamation conditions of the most recently filed and approved decommissioning and reclamation plan. At least 30 days prior to the preconstruction conference, the Applicant, the facility owner, and/or the facility operator shall provide an estimated timeline for the posting of decommissioning funds based on the construction schedule for each turbine. Prior to commencement of construction,~~

the Applicant, the facility owner, and/or the facility operator shall provide a statement from the holder of the financial assurance demonstrating that adequate funds have been posted for the scheduled construction. Once the financial assurance is provided, the Applicant, facility owner and/or facility operator shall maintain such funds or assurance throughout the remainder of the applicable term and shall adjust the amount of the assurance, if necessary, to offset any increase or decrease in the financial assurance ~~Decommissioning Costs~~.

(i) The decommissioning funds, surety bond, or financial assurance shall be released by the holder of the funds, bond, or financial assurance when the facility owner and/or facility operator has demonstrated, and the Board concurs, that decommissioning has been satisfactorily completed, or upon written approval of the Board, in order to implement the decommissioning plan.

Q.41. Does the Applicant have any concerns with Conditions 67, 68 and 69 in the Staff Report?

A.41. Conditions 67 and 68 relate to notices to airman that the FAA can require as part of its determinations of no hazard investigations. As part of the Determination of No Hazard, the FAA studied the structures to determine if NOTAMS would be needed. The FAA did not require any such notices or a Form 7460-2, Part 1 to be filed by the Applicant. It is also my understanding that the FAA considers cranes and construction equipment during its determination of no hazard investigations. Accordingly, Conditions 67 and 68 are unnecessary. The Applicant will follow all FAA requirements, but should not be required to take steps that the FAA does not deem necessary. Conditions 67 and 68 should be deleted. Condition 69 seems reasonable and can be implemented.

Q.42. How does the Applicant suggest clarifying Condition 70 in the Staff Report?

A.42. Conditions 70 appears to be in reaction to the City of Urbana's concerns over CareFlight operations near turbines. The Board, however, has previously held that the project will not interfere with local emergency life flight services in the vicinity of the project area. See Case No. 08-666-EL-BGN, March 27, 2010 Opinion, Order and Certificate. The Applicant believes that the Board's decision should not be disturbed. Moreover, shutting down turbines depending on a helicopter route is not feasible, given the myriad of variations that can occur depending on the helicopter's final destination. As more further discussed in Francis Marcotte's testimony, the Buckeye II Wind project should have no impact on Careflight operations. Condition 70 should be deleted. With that said, the Applicant believes that safety is of the utmost importance, and is committed to working with local responders to provide adequate training and information that will facilitate efficient and safe operations. Attached as Company Exhibit 5 is a report on a joint training exercise conducted at EverPower's Howard , New York project prepared by EverPower personnel. Champaign Wind intends to conduct a similar exercise for the Buckeye II project and will work closely both with local emergency responders, 911 dispatching and local emergency life flight companies to ensure all responders are properly equipped and are properly trained not only on accidents at any turbine site, but also on conducting emergency operations around turbine sites.

Q.43. Do you have any other comments on Staff's recommended conditions?

A.43. Yes. The Applicant was contacted by Champaign Telephone Company regarding concerns with two communication towers. Champaign Telephone Company and Champaign Wind LLC have agreed to apply Condition 53 from the Buckeye I Wind

project Opinion, Order and Certificate issued in Case No. 08-666-EL-BGN to Champaign Wind's construction of the Buckeye II Wind project. I would recommend adding an additional condition to Staff's condition list as follows: "The Applicant shall be prohibited from locating a proposed turbine where: (1) the distance from the turbine to either of two towers owned by the Champaign Telephone Company located at 10955 Knoxville Road, Mechanicsburg, Ohio 43044 (LAT: 40-0-30.16 N; LONG: 83-35-14.39 W) and at 2733 Mutual Union Road, Cable, Ohio 43009 (LAT: 40-9-26.0 N; LONG: 83-37-52.0 W) is less than the total height of the turbine above ground level or (2) the turbine would be in the direct line of sight between the two towers."

Q.44. What do you recommend that the Ohio Power Siting Board do in this case?

A.44. I recommend that the Ohio Power Siting Board grant the Application based upon the recommended conditions contained in the October 10, 2010 Staff Report of Investigation but incorporating our limited clarifications and suggested amendments as contained in my testimony.

Q.45. Does this conclude your direct testimony?

A.45. Yes, it does.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served by electronic mail upon the following persons this 29th day of October, 2012:

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s/ Michael J. Settineri

Tower Rescue Drill Summary 09-29-12

Up tower Personnel:	Down tower Personnel:
John Nichols (Everpower) Lucas Soren (REpower) Buster the Dummy (victim) 4-HAR team Members	Steve Sick (Everpower) Kevin Wigell (Everpower) Rob Patrick (Howard Fire) 27 Members of the local emergency services organizations

Everpower met with the Bath High Angle Rescue team on September 15th to go over a tower familiarization and perform a site tour. There were 33 participants from 7 different local service agencies attend this first meeting. We then took the Bath HAR team uptower for a tour of the tower and nacelle to help with their training.



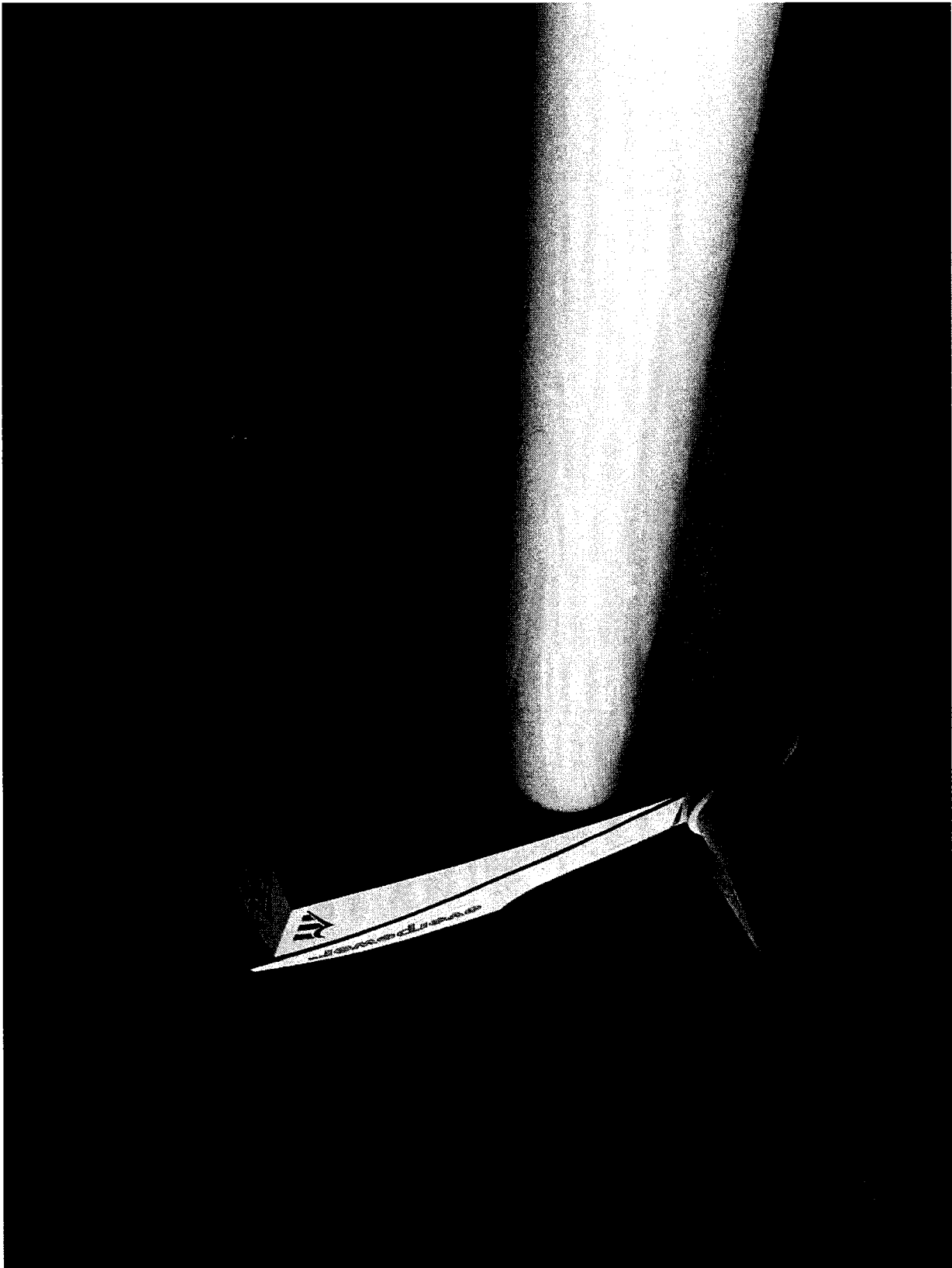


Everpower went over the basic safety procedures of the wind turbine with the HAR team members and discussed tie off points to be used during the drill. The HAR team members took photographs of the nacelle to review a rigging procedure with their team.

September 29th

Everpower met with REpower Personnel at WTG 22 at 0700. JN and LS went up the tower, they then utilized the uptower crane to place the rescue dummy (victim) in the nacelle. SS and KW stayed on the ground to escort the HAR team members to the top of the WTG with the service lift.

At 08:19 John Nichols made the 911 call stating that he was an employee at the Howard Wind Farm and we have an employee with a back injury at the top of WTG 22. The 911 operator took some information from John and they got off the phone. Emergency vehicles arrived onsite at 08:34.

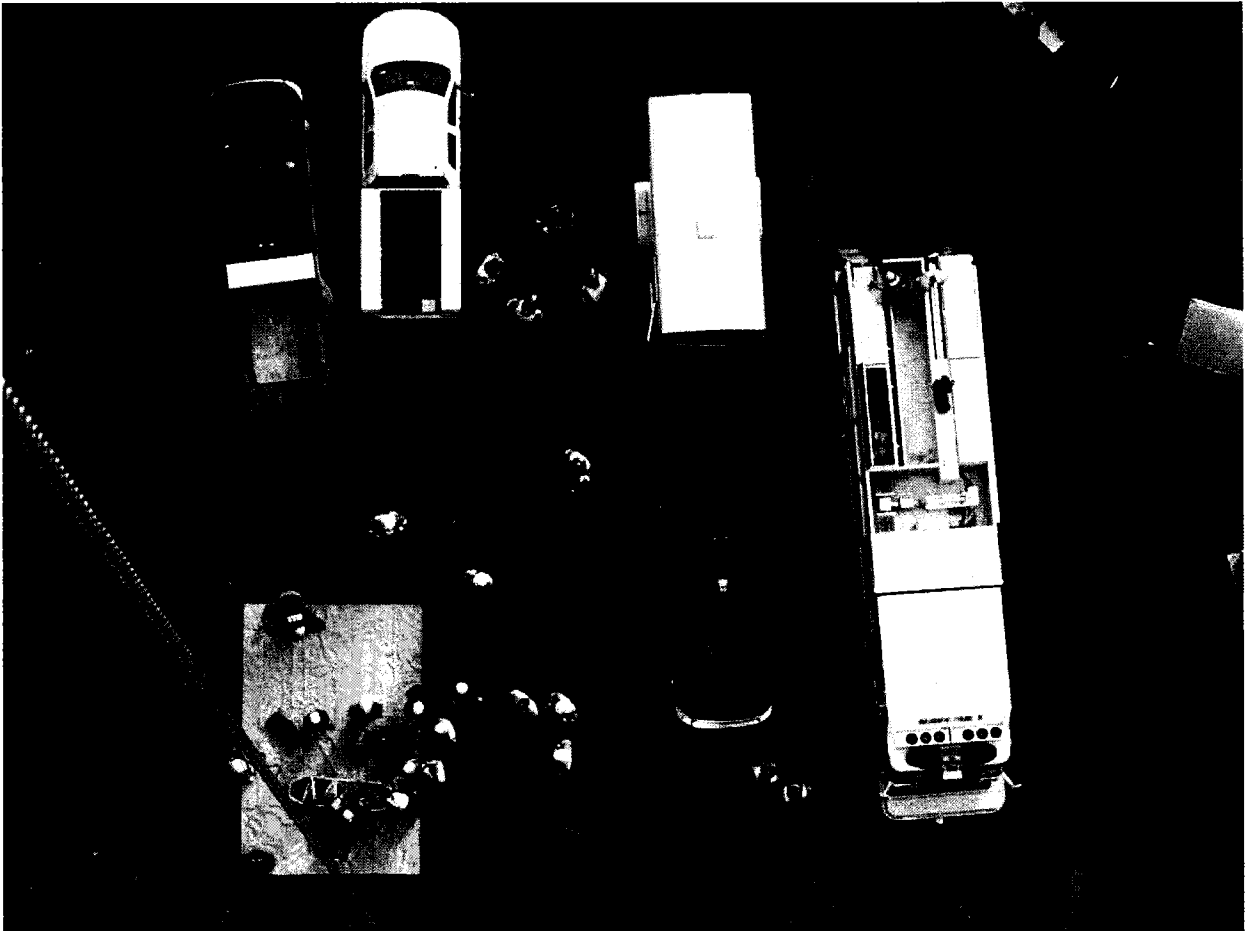




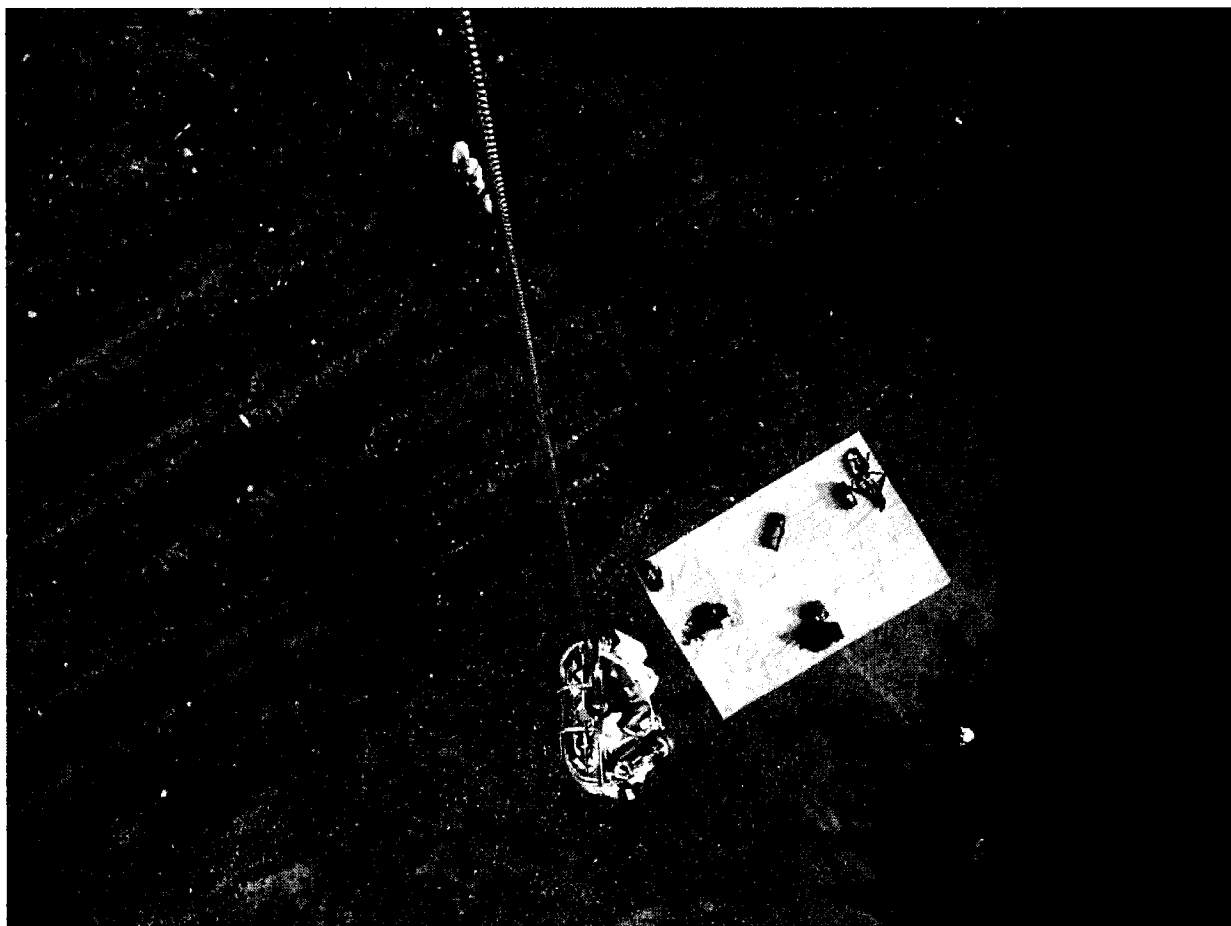
The initial on scene personnel set up a command center at the tower base and also set up a landing area for the LifeNet rescue chopper.

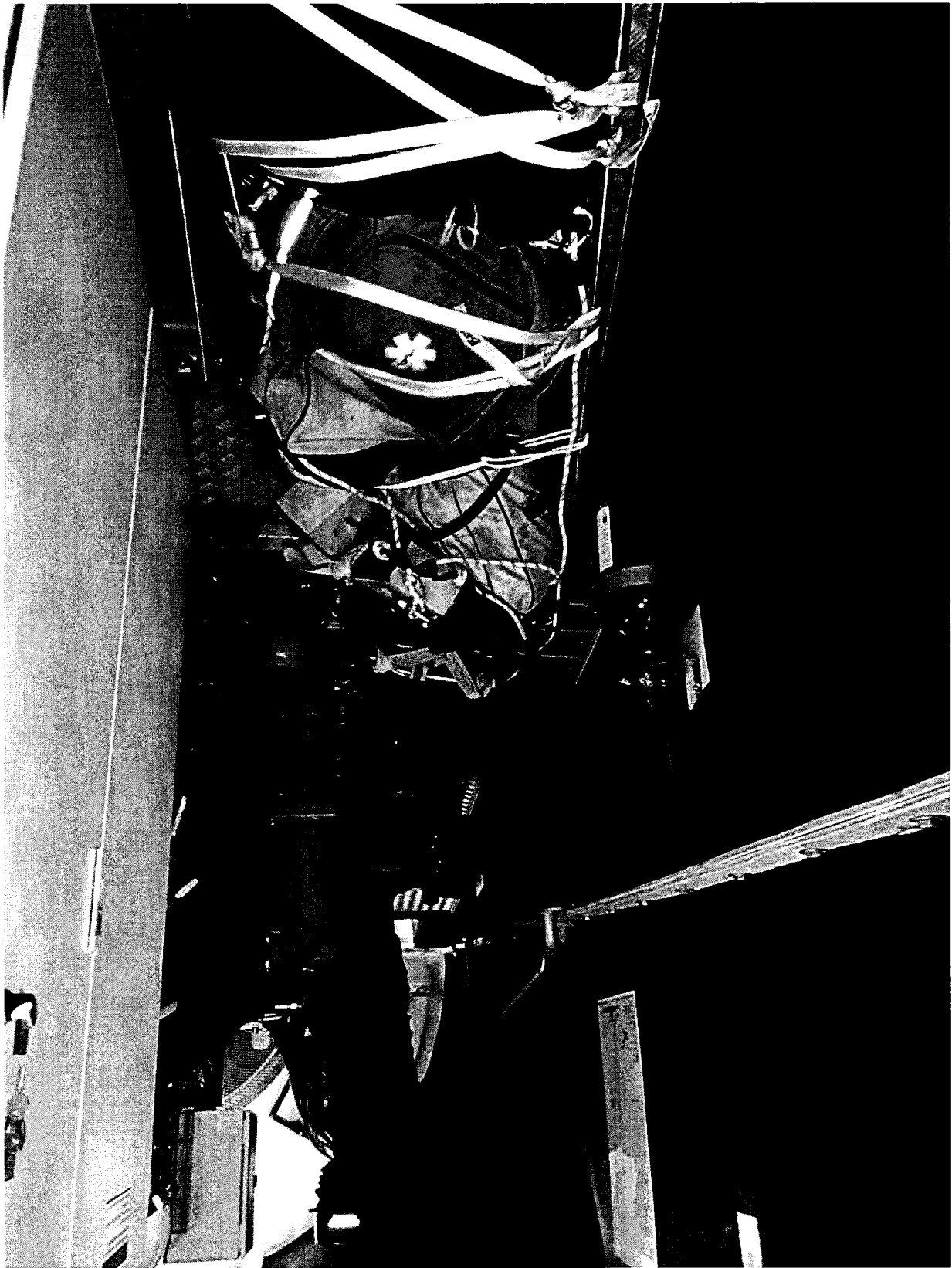


The rescue equipment was set up by the Bath HAR team. Our up tower personnel began lowering the chain hoist down to the ground personnel. The equipment was loaded onto the chain hoist and raised to the nacelle.

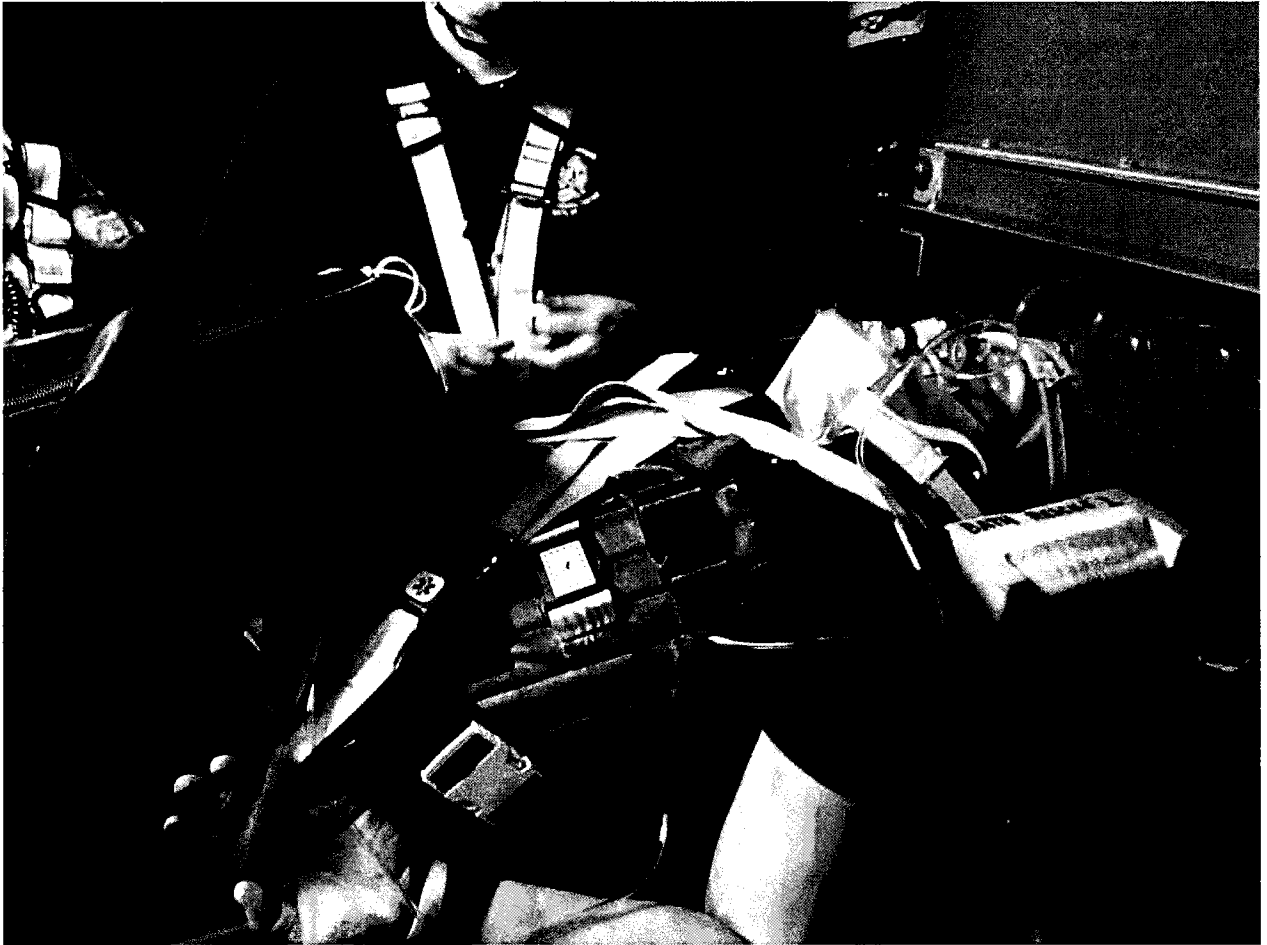








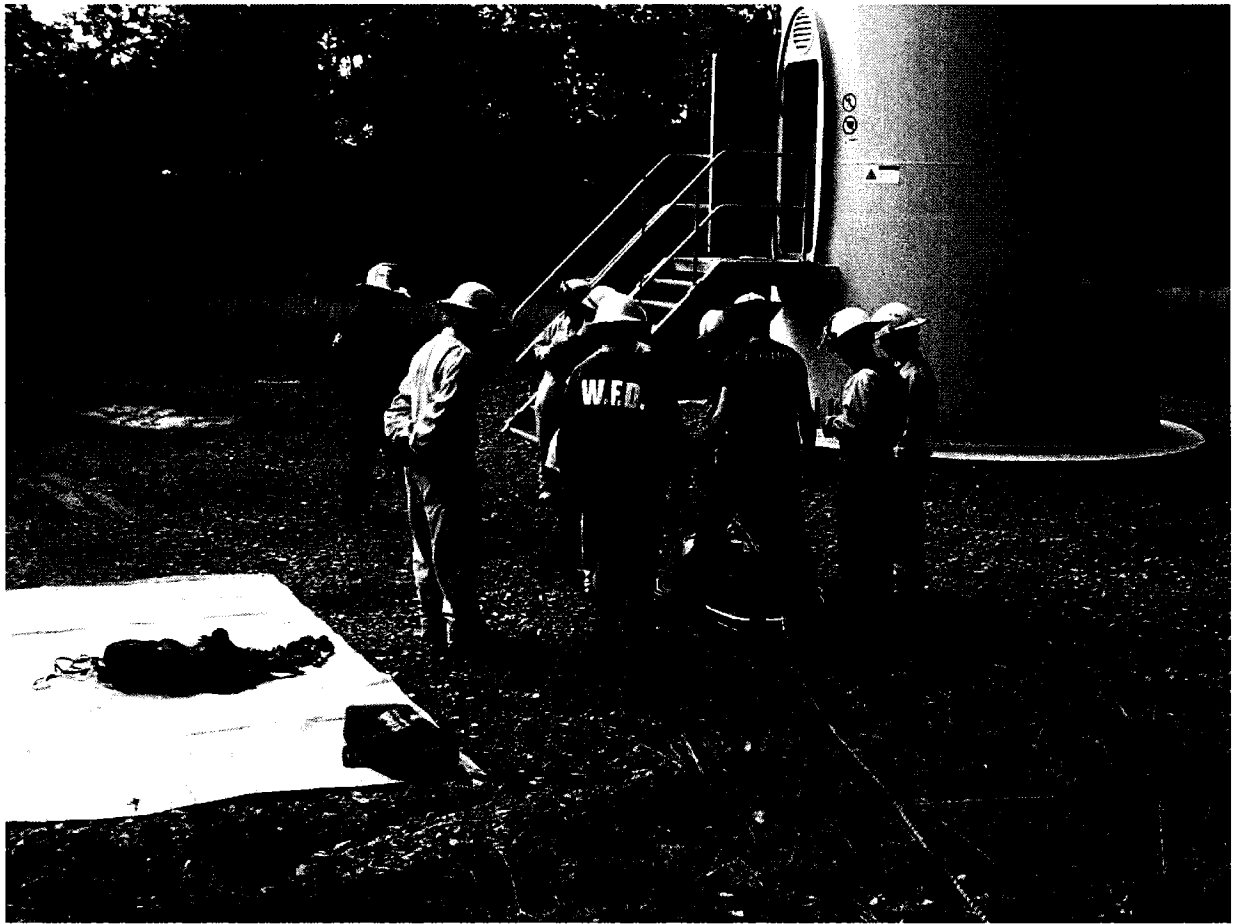
Over the next two hours the rigging was set up and the dummy was secured to the stretcher.



The stretcher was lowered from the back of the Nacelle and lowered with the HAR team's equipment. Time at this point was 11:01 hours, (2 hours and 42 minutes after initial call).







The dummy was removed from the stretcher and the rigging was lowered back down with the chain hoist.



Organizations represented:
Everpower (Howard Wind LLC)
REpower
Howard Fire Dept
Bath High Angle Rescue team
Bath VA Fire Dept.
Canisteo Fire Dept.
LifeNet 7-7
Steuben County 911

An October critique meeting is planned to review the rescue drill and cover any issues or concerns that became apparent during the drill.

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

Summary: Testimony of Michael Speerschneider electronically filed by Mr. Michael J. Settineri
on behalf of Champaign Wind LLC