

FILE

47

PUCO EXHIBIT FILING

Date of Hearing: 11-9-12

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

VOL. II

List of exhibits being filed:

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Reporter's Signature: [Signature]

Date Submitted: 11-29-12

BEFORE THE OHIO POWER SITING BOARD

- - -

In the Matter of the :
Application of Champaign :
Wind LLC for a :
Certificate to Construct : Case No. 12-0160-EL-BGN
a Wind-Powered Electric :
Generating Facility in :
Champaign County, Ohio. :

- - -

PROCEEDINGS

before Ms. Mandy Willey Chiles and Mr. Jonathan
Tauber, Administrative Law Judges, at the Public
Utilities Commission of Ohio, 180 East Broad Street,
Room 11-A, Columbus, Ohio, called at 9:00 a.m. on
Friday, November 9, 2012.

- - -

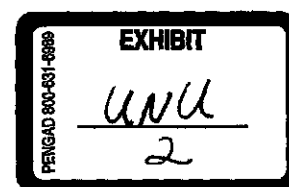
VOLUME II

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

- - -

REQUEST NO. 13



Parcel Number	Acres
301470000033000	198.8
301470000043001	20.1
J371000420001000	9.8
J351000400000715	53.8
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C072100010402300	0.0
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C060300550002400	202.6
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301460000026000	64.2
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291480000028000	52.9
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J351000410000501	71.2
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J351000410002700	36.3
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C060300480003900	3.3
J351000410003201	1.6
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J351000410003300	49.6

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	NRO Mode*	HH	Rated Power	Wind Speed at 10m (m/s)						RPM	Max Blade Pass Frequency (Hz)	
		(m)	(MW)	4	5	6	7	8	9			10
MM 100	0	100	1.815	97.8	102.7	104.2	104.8	104.8	104.8	104.8	7.8 - 13.9	0.695
MM92	0	100	2.05		101.7	103.4	104.2	104.2	104.2	104.2	7.8 - 15.0	0.75
N100	0	100	2.5	99	101.5	105	106	106	106	106	9.6-14.9	0.745
N100	1	100	2.5	99	101.5	104.5	105.5	105.5	105.5	105.5	NA	NA
N100	2	100	2.5	98.5	101	103.5	104.5	105	105	105	NA	NA
N100	3	100	2.5	98.5	101	103	104	104.5	104.5	104.5	NA	NA
N100	4	100	2.5	97.5	100	101	102	102	102	102	NA	NA
V100	0	95	1.8	96.4	100.7	104.4	105	105	105	105	9.3 - 16.6	0.83
V100	1	95	1.8	95.7	99.7	103.4	105	105	105	105	NA	NA
V100	2	95	1.8	96.4	100.7	103	103	103	103	103	NA	NA
G97	0	100	2	96	100	103.4	105.8	105.8	105.8	105.8	9.6 - 17.8	0.89
GE100	0	100	1.6		95.4	100.2	103.9	104.9	105	105	9.75 - 16.2	0.81
GE103	0	98.5	2.5		96.8	101.9	105	105	105	105	4.7-14.8	0.74

**BEFORE
THE OHIO POWER SITING BOARD**

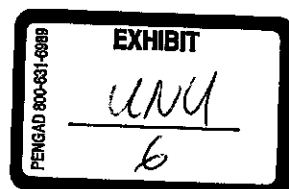
In the Matter of the Application of)
Champaign Wind LLC, for a)
Certificate to Install Electricity) Case No. 12-0160-EL-BGN
Generating Wind Turbines in)
Champaign County)

**CHAMPAIGN WIND LLC'S SECOND SUPPLEMENTAL RESPONSES TO UNION
NEIGHBORS UNITED'S FIRST SET OF INTERROGATORIES**

Pursuant to Rule 4906-7-07(D) of the Ohio Administrative Code, Champaign Wind LLC ("Champaign Wind") provides this supplemental response to the First Set of Interrogatories from Intervenor Union Neighbors United, Inc., Robert McConnell, Diane McConnell and Julia Johnson (collectively "UNU"), amending its response to Interrogatory No. 13.

GENERAL OBJECTIONS

1. Champaign Wind objects to the Interrogatories to the extent that they do not comply with OAC 4906-7-07, or otherwise seek to impose duties or obligations upon Champaign Wind that are greater than or inconsistent with that rule.
2. No objection made herein, or lack thereof, shall be deemed an admission by Champaign Wind as to the existence or non-existence of any documents and/or information.
3. Champaign Wind objects to each Interrogatory herein to the extent that it seeks to define terms and/or to characterize certain matters. To the extent Champaign Wind responds to Interrogatories, such response is neither an express nor implied agreement or admission as to the meaning of a term or characterization of certain matters.
4. Champaign Wind objects to each Interrogatory to the extent that it seeks documents and/or information protected by the attorney-client privilege, the attorney work product privilege, or any other legally recognized privilege, protection, or immunity. No



privileged materials or information will be produced or disclosed. Inadvertent disclosure of any such protected information or production of any documents containing such protected information shall not constitute a waiver of Champaign Wind's right to assert the applicability of any privilege or immunity and all copies or images thereof shall be returned to counsel for Champaign Wind upon discovery thereof.

5. Champaign Wind objects to these Interrogatories to the extent they seek confidential business information proprietary to Champaign Wind or any affiliate and persons with whom Champaign Wind does business.

6. Champaign Wind objects to these Interrogatories to the extent that they purport to obligate Champaign Wind to provide information or documentation from persons or entities not subject to the control of Champaign Wind.

7. Champaign Wind objects to any Interrogatory, definition or instruction that seeks to require Champaign Wind to take extraordinary measures to perform a search for responsive documents, including searching electronic information stored on back-up media, on the grounds that such request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

8. With respect to Interrogatories which utilize terms or words that inherently may be construed unreasonably broadly, Champaign Wind objects on the grounds of vagueness, overbreadth, undue burden, and that such Interrogatories are not reasonably calculated to lead to the discovery of admissible evidence.

9. To the extent Champaign Wind asserts an objection of vagueness, overbreadth, or undue burden, it asserts a further objection that the Interrogatory is not reasonably calculated to lead to the discovery of admissible evidence.

10. Champaign Wind objects to these Interrogatories to the extent they go beyond the scope of discovery that is relevant to the subject matter of this action or reasonably calculated to lead to the discovery of admissible evidence.

11. To the extent a response is made to an Interrogatory to which there is one or more specific objection(s), said response is made notwithstanding and without waiving any of the general objections.

12. In making these objections, Champaign Wind does not in any way waive or intend to waive, but rather intends to preserve and is preserving, should it become appropriate:

- a. all objections to the competency, relevancy, materiality, and admissibility of any information that may be produced and disclosed in response to these Interrogatories;
- b. all rights to object on any ground to the use of any information that may be produced or disclosed in response to these Interrogatories, or the subject matter thereof, in any subsequent proceedings, including the trial of this action;
- c. all rights to object on any ground to any request for further responses to these Interrogatories or any other discovery requests from UNU; and
- d. all rights to supplement its responses to these Interrogatories.

13. Champaign Wind has made reasonable efforts to respond to each and every Interrogatory as Champaign Wind understands and interprets the Interrogatory. If Intervenor subsequently assert an interpretation of an Interrogatory that differs from that of Champaign Wind, Champaign Wind reserves the right to supplement its response.

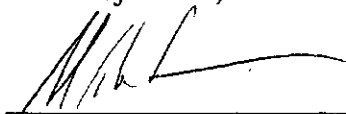
14. As formal discovery has not been completed, Champaign Wind reserves the right to rely upon any facts, documents or other evidence which may develop or come to its attention later.

**SECOND SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO INTERROGATORIES**

INTERROGATORY NO. 13: Provide the parcel number and acreage for each parcel of real property within the Project Area that is under lease or lease option with Champaign Wind LLC, EverPower, EverPower Renewables Corp, or any affiliate.

Second Supplemental Response: Champaign Wind objects to Interrogatory No. 13 as being unduly burdensome and seeking information not reasonably calculated to lead to the discovery of admissible evidence. Without waiving the specific objection and general objections, see previously produced documents, CW07681 – CW07703, which show all parcels and acreage under lease by Champaign Wind and its affiliates in Champaign County.

As to objections,



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mrleppla@vorys.com

Attorneys for Champaign Wind LLC

STATE OF OHIO)
)
COUNTY OF CHAMPAIGN)

VERIFICATION

Jason Dagger, being first duly sworn according to law, deposes and states that he is an authorized representative of Champaign Wind LLC and that he has read the answers to the foregoing Interrogatories, and that the facts and statements contained herein are true and accurate to the best of his knowledge.

Further affiant sayeth naught.



JASON DAGGER

SWORN TO BEFORE ME and subscribed in my presence this 9th day of October,
2012.



NOTARY PUBLIC



MIRANDA R. LEPLA, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the following parties of record via hand delivery on this 9th day of November, 2012.

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Christopher A. Walker
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Dayton, Ohio 45402
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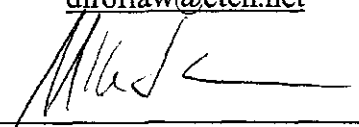
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Michael J. Settineri



Megan
Seymour/R3/FWS/DOI
07/16/2009 04:07 PM

To "Michael Speerschnneider" <mspeer@everpower.com>
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Jeff_Gosse@fws.gov, Keith.Lott@dnr.state.oh.us,
Mary_M_Knapp@fws.gov, Stuart.Siegfried@puc.state.oh.us,
bcc

Subject Indiana bat meeting—Friday July 17, 10 am, at FWS office,
Columbus, OH

All,

This is just a confirmation of our meeting tomorrow.

I am attaching a draft agenda, which we can modify as the discussion progresses. These are just the topics I want to make sure we cover. I would be happy to make additions if there are other items.

Here is a link to a map to our office:

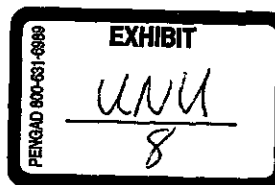
<http://www.mapquest.com/maps?city=Columbus&state=OH&address=4625+Morse+Road&zipcode=43230>
0

See you tomorrow,
Megan

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EverPowerODNRUSFWsibatMtgAgenda.doc



1FWS 000347

444 Exh. 8

EverPower, ODNR, OPSB, USFWS Indiana bat meeting
July 17, 2009

Draft Agenda

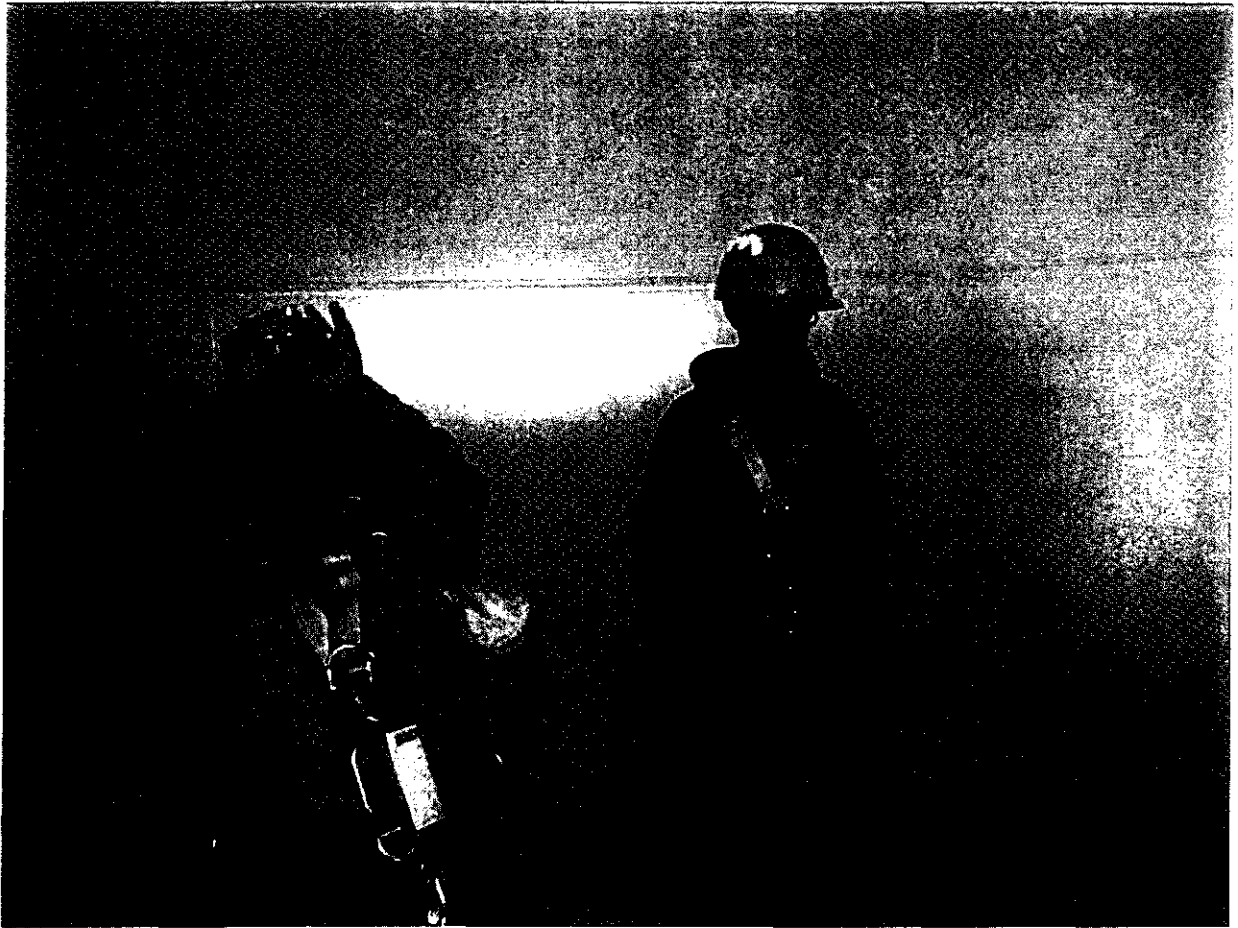
1. Welcome and Introductions
2. Recent Indiana bat captures relative to EverPower's proposed wind power projects
 - a. Buckeye Wind I and II
 - b. Hardin Co. wind
3. Relevant Indiana bat life history
 - a. Reproductive capacity and longevity
 - b. Hibernation/migration
 - c. Summer habitat—males and maternity colonies
 - d. Landscape composition/usage, and foraging patterns
 - e. What we don't know
4. Options to move forward
 - a. Pursue Federal nexus with FERC
 - b. HCP
 - i. Project specific, Collaborative, or Regional
 - ii. Benefits and drawbacks of each
 - iii. Incidental Take Permit--limitations
 - c. Avoidance and minimization measures
 - d. Section 6 grant process
 - e. Address additional research needs
5. Timeframes
 - a. OPSB process/EverPower's current plans
 - b. HCP timeframe under various scenarios
6. Next steps

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.



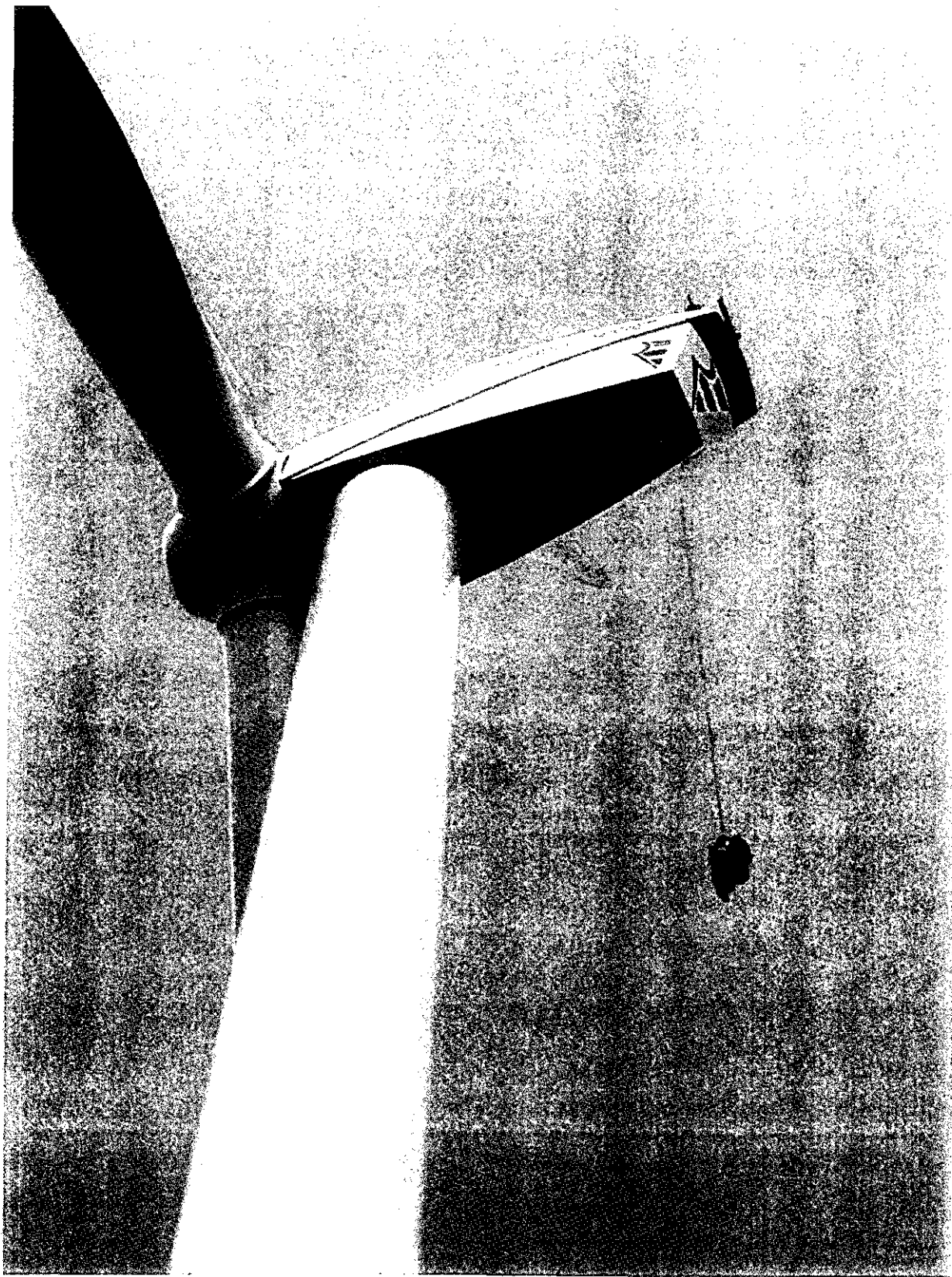


Everpower went over the basic safety procedures of the wind turbine with the HAR team members and discussed tie off points to be used during the drill. The HAR team members took photographs of the nacelle to review a rigging procedure with their team.

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.

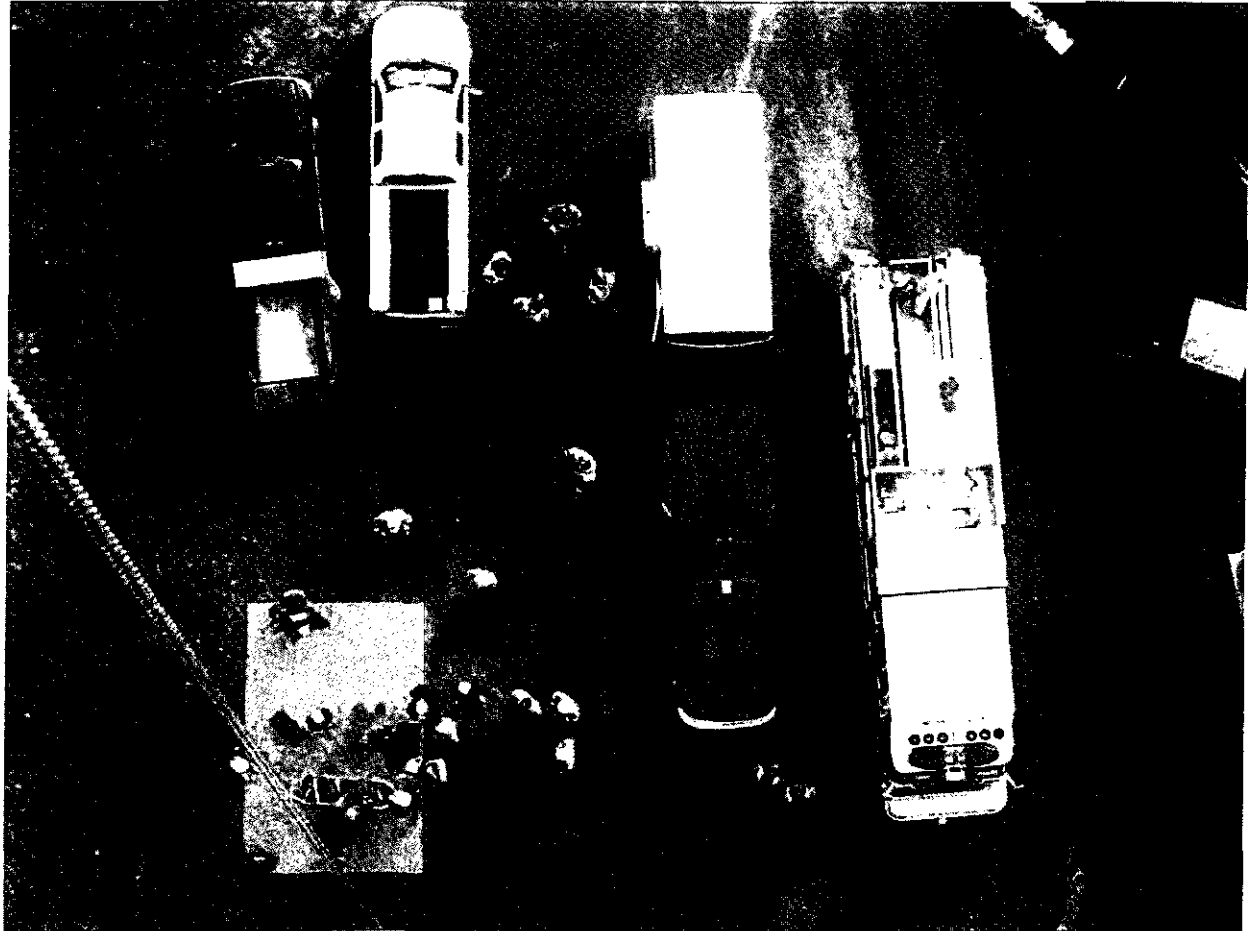


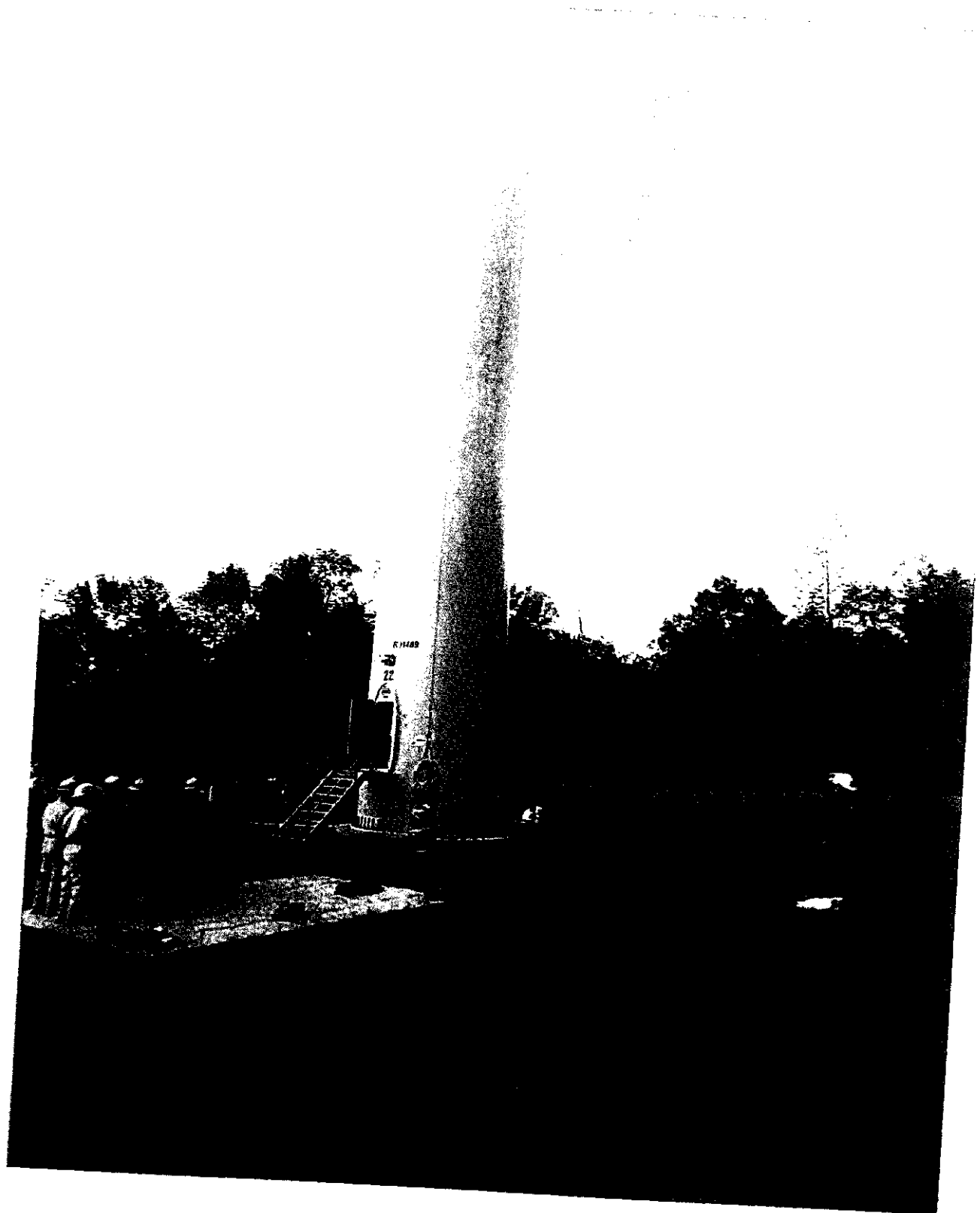


The initial on scene personnel set up a command center at the tower base and also set up a landing area for the LifeNet rescue chopper.



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.

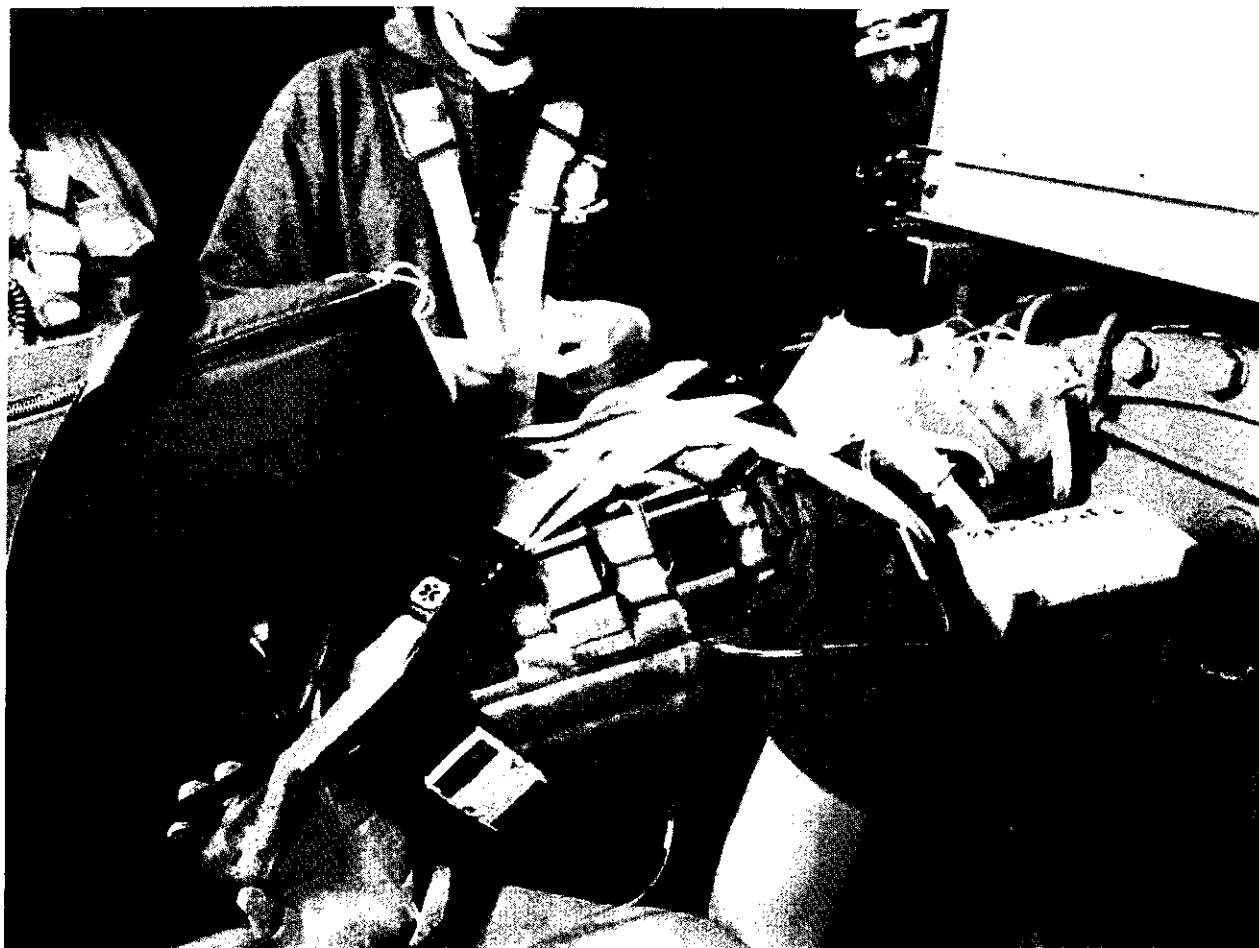








Over the next two hours the rigging was set up and the dummy was secured to the stretcher.



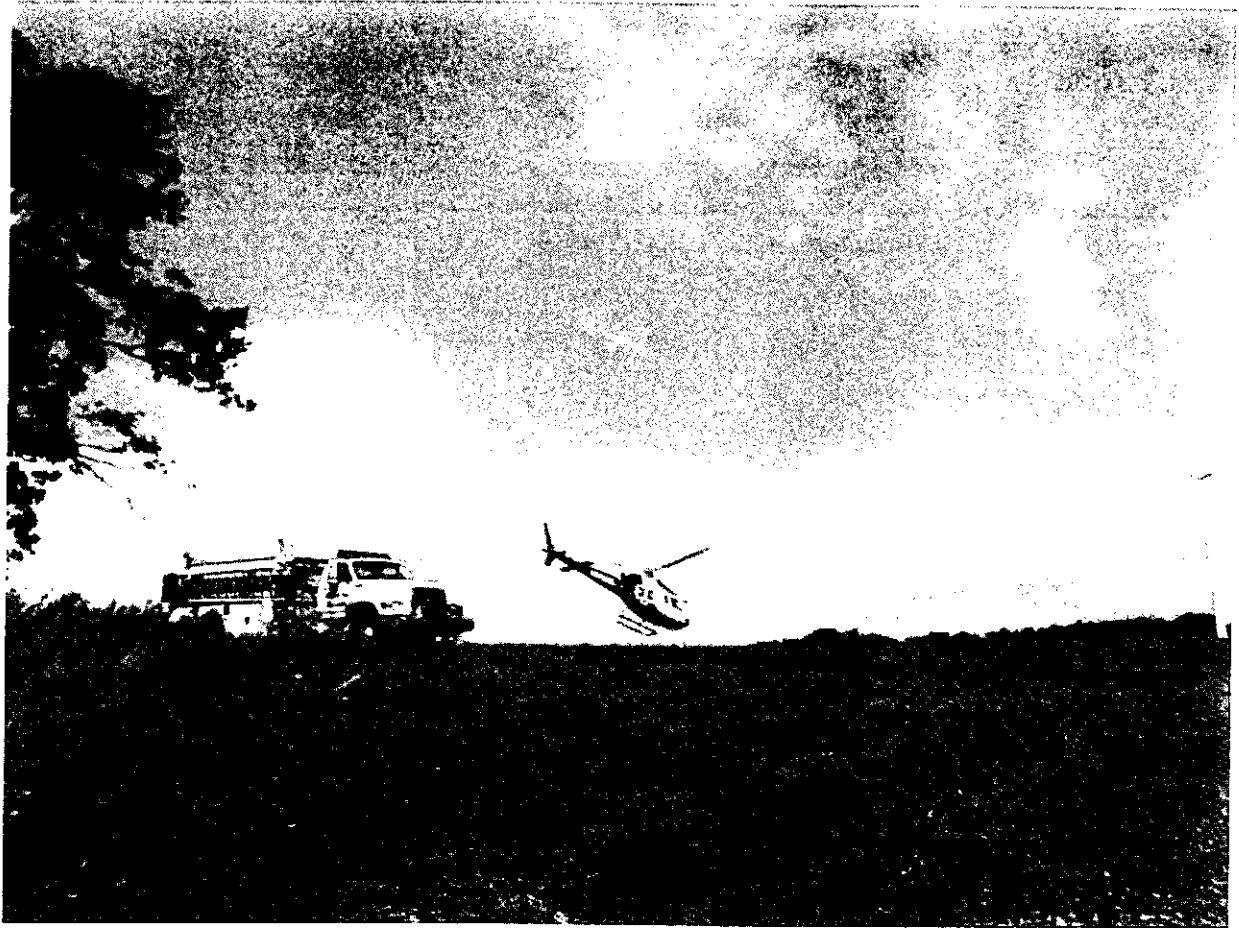
The stretcher was lowered from the back of the Nacelle and lowered with the HAR team's equipment. Time at this point was 11:01 hours, (2 hours and 42 minutes after initial call).







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.