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February 14, 2013

**Via Electronic Filing**

Ms. Barcy McNeal  
Administration/Docketing  
Public Utilities Commission of Ohio  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

**Re: Oregon Clean Energy, LLC  
Case No. 12-2959-EL-BGN**

Dear Ms. McNeal:

I am enclosing for filing in the above-referenced matter, pursuant to Ohio Administrative Code (OAC) Rule 4906-5-09, the proofs of publication attesting to the publication of the first public notice. The notice was published in the following newspapers:

<b><u>Newspaper</u></b>	<b><u>Publication Date</u></b>
<i>The Toledo Blade</i>	February 8, 2013
<i>The Press</i>	February 11, 2013

Please do not hesitate to contact me if you have any questions.

Sincerely,

Sally W. Bloomfield

Enclosures

Cc: Chris Cunningham (w/Enclosures)

## AFFIDAVIT OF PUBLICATION STATE OF OHIO, LUCAS COUNTY}SS.

Advertiser's Name: Bricker Eckler LLP

Account: 424517

Width: 4 columns Depth: 19.5 inches Ad # 174639 Price: \$10,644.66 (net)

Run dates: February 8, 2013, 1x

Classification: 0010 Legal Notices

I, Debra L. Yip being first duly Sworn, make oath and say that I am an Advertising Clerk in the employ of THE TOLEDO BLADE CO., the publishers of THE BLADE, that I personally know the facts herein stated, that said BLADE is a daily newspaper printed, and of general circulation in excess of 15,000, in said County, and in said State, and that the notice of which the below is a true copy of the text, was published in said Daily BLADE according to the above run schedule.

Subscribed in my presence and sworn to before me this 8 day of February, A.D. 2013



ANN M. MARTINEZ  
NOTARY PUBLIC - OHIO  
MY COMMISSION EXPIRES 01-13-2015

Ann M. Martinez  
Notary Public, State of Ohio

**2175 Fishing/Hunting Equipment**

OHIO CONCEALED CARRY CLASS  
SAT & SUN FEB 16 & 17 9-3.  
10710 S. River Rd., Waterville OH  
585 Info: 419-276-0739

**2200 Home Furnishings**

DINING ROOM SET - 6 chairs with dining cabinet, onique, \$350/obo. TABLE and 1 shipped bench, seats 6 with storage. Amish built, \$1,200/obo. 419-340-2312

**2200 Home Furnishings**

UNCLERE CHEST/DRESSER sofa wood 7 drawer \$250. Call (419) 806-9062  
2 PC sectional sofa 1 yr old 8 top tables \$475. Twin bed Call 567-225-7287  
PIANO: CABLE MINI-GRAND 1984. One Owner, Beautiful wood, in EXCELLENT Condition. Value \$9,000. Ask OBO. \$4,250. Call (419) 806-

RIFLES FOR SALE MWI AND MWII - US 30 Cal. M-Garands 1940 & 1943, also 1903 and 1903A3 available. All excellent condition. Call 419-729-2315 for price and info

LUXURY ROLLAWAY BED 39" wide with 6" tufted Premium inner spring Mattress, stands 24" off floor. Used ONE WEEK NEW May 29, 2012, for \$635. Asking \$450. OBO. \$450. Call (419) 806-9062

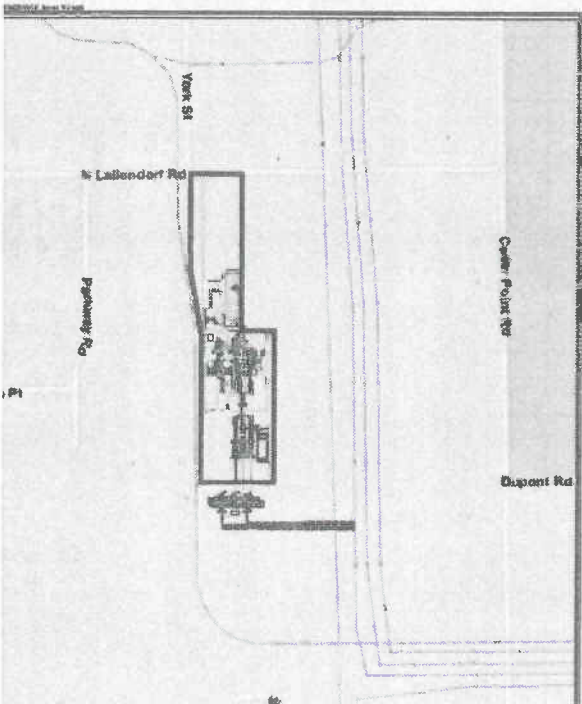
## Notice of Proposed Major Utility Facility

### FACILITY DESCRIPTION

Oregon Clean Energy, LLC proposes to construct, own and operate an 800 m cycle power station, Oregon Clean Energy Center, to be located on approximately industrial zoned area located on North Lallendorf Road near the intersection of Lucas County, Ohio.

### LOCATION AND GENERAL LAYOUT

The general location and planned project layout of Oregon Clean Energy Center is shown on the map below.



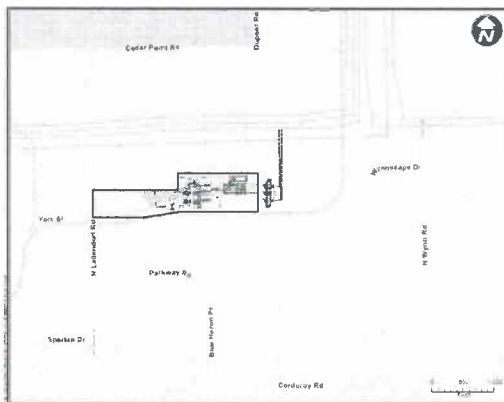
# Notice of Proposed Major Utility Facility

## FACILITY DESCRIPTION

Oregon Clean Energy, LLC proposes to construct, own and operate an 800 megawatt (MW) gas fired, combined cycle power station, Oregon Clean Energy Center, to be located on approximately 30 acres in a commercial/industrial zoned area located on North Lallendorf Road near the intersection of York Road in the City of Oregon, Lucas County, Ohio.

## LOCATION AND GENERAL LAYOUT

The general location and planned project layout of Oregon Clean Energy Center is shown on the map below.



## APPLICATION NOW PENDING

Oregon Clean Energy, LLC has an Application pending before the Ohio Power Siting Board. The assigned docket number for the Application is Case No. 12-2959-EL-BGN, and copies of all filings in the case can be located at the Ohio Power Siting Board website at <http://www.opsb.ohio.gov> by scrolling down to "Pending Cases" and selecting the case by name or docket number. To view the filings, click the case number for the case record.

## PUBLIC OFFICIALS SERVED WITH COPIES OF THE APPLICATION

The following public officials were served with a copy of the Application: City of Oregon Mayor Michael J. Seferian; City of Oregon Administrator Michael J. Beazley; City of Oregon Director of Public Service, Paul Roman; Lucas County Commissioners Carol Contrada, Tina Skeldon Wosniak and Peter Gerkin (in care of Lucas County Administrator, Peter S. Ujvagi); and Toledo-Lucas County Health Commissioner David L. Grossman, MD. A copy of the Application is also available for public inspection at the Toledo-Lucas County Public Library, 3340 Dustin Road, Oregon, Ohio 43616.

## OHIO POWER SITING BOARD APPLICATION REVIEW CRITERIA

Pursuant to Ohio Revised Code Section 4906.10(A) the Ohio Power Siting Board shall not grant a certificate for the construction, operation, and maintenance of a major utility facility, either as proposed or as modified by the Board, unless it finds and determines all of the following: (1) The basis of the need for the facility; (2) The nature of the probable environmental impact; (3) That the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations; (4) In the case of an electric transmission line, that the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability; (5) That the facility will comply with Chapters 3704., 3734., and 6111. of the Revised Code and all rules and standards adopted under those chapters and under Sections 1501.33, 1501.34, and 4561.32 of the Revised Code. In determining whether the facility will comply with all rules and standards adopted under Section 4561.32 of the Revised Code, the Board shall consult with the office of aviation of the division of multi-modal planning and programs of the department of transportation under Section 4561.341 of the Revised Code; (6) That the facility will serve the public interest, convenience, and necessity; (7) In addition to the provisions contained in divisions (A)(1) to (6) of this section and rules adopted under those divisions, what its impact will be on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929 of the Revised Code that is located within the site and alternative site of the proposed major utility facility; rules adopted to evaluate impact under Division (A)(7) of this section shall not require the compilation, creation, submission, or production of any information, document, or other data pertaining to land not located within the site and alternative site; and (8) That the facility incorporates maximum feasible water conservation practices as determined by the Board, considering available technology and the nature and economics of the various alternatives.

## STATEMENT PURSUANT TO OHIO REVISED CODE SECTION 4906.07

Upon the receipt of an application complying with Section 4906.06 of the Revised Code, the Ohio Power Siting Board shall promptly fix a date for a public hearing thereon, not less than sixty nor more than ninety days after such receipt, and shall conclude the proceeding as expeditiously as practicable. The public hearing for this case shall consist of two parts:

- (1) A local public hearing, pursuant to Section 4906.08(C), Revised Code, where the Board shall accept written or oral testimony from any person. The local public hearing date is **Tuesday, April 2, 2013, at 6:00 p.m.**, at Oregon City Council Chambers, 5330 Seaman Road Oregon, Ohio 43616; and,
- (2) The date for the adjudicatory hearing has been scheduled for **Tuesday, April 9, 2013 at 10:00 a.m.**, at the offices of the Public Utilities Commission of Ohio, 11th Floor Hearing Room 11-C, 180 East Broad Street, Columbus, Ohio 43215-3793.

The chairman of the Ohio Power Siting Board shall cause each application filed with the Ohio Power Siting Board to be investigated and shall, not less than fifteen days prior to the date any application is set for hearing, submit a written report to the Ohio Power Siting Board and to the applicant. A copy of such report shall be made available to any person upon request. Such report shall set forth the nature of the investigation, and the report shall contain recommended findings with regard to division (A) of Section 4906.10 of the Revised Code and shall become part of the record and served upon all parties to the proceeding.

## STATEMENT OF OHIO REVISED CODE SECTION 4906.08(C)

The Ohio Power Siting Board shall accept written or oral testimony from any person at the public hearing, but the right to call and examine witnesses shall be reserved for parties. However, the Board may adopt rules to exclude repetitive, immaterial, or irrelevant testimony.

Petitions to intervene in the adjudicatory hearing will be accepted by the Board up to 30 days following the publication of this notice required by Rule 4906-5-08(C)(1), O.A.C., or later if good cause is shown. However, the Board strongly encourages interested persons who wish to intervene in the adjudicatory hearing to file their petitions as soon as possible but by no later than March 25, 2013. Petitions should be addressed to the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215-3793 and cite the above-listed Case No. 12-2959-EL-BGN.



Metro Suburban Maumee Bay

Publications serving Lucas, Ottawa, Sandusky & Wood Counties

## PUBLISHERS AFFIDAVIT

### STATE OF OHIO

County of Wood

Leeanne LaForme sworn, says that she is the Sales Representative for The Press Newspapers, and duly authorized to sign for Metro and Suburban Press (The Press Newspapers), a Free circulated newspaper to over 33,892 homes of general circulation, in the 4 county area (Lucas, Ottawa, Sandusky, Wood) and printed once each Monday (weekly) published in said county. Bricker/Oregon Clean Energy ran a 63 inch "Notice of Proposed Major Utility Facility" ad for the following issue. February 11, 2013 (date (s) of publication).

Leeanne LaForme  
(Signature)

Subscribed and sworn to before me, this

11<sup>th</sup> day of February 2013.

Cindy L. Harder  
(Signature)



CINDY L. HARDER  
Notary Public, State of Ohio  
My Commission Expires 06/06/14

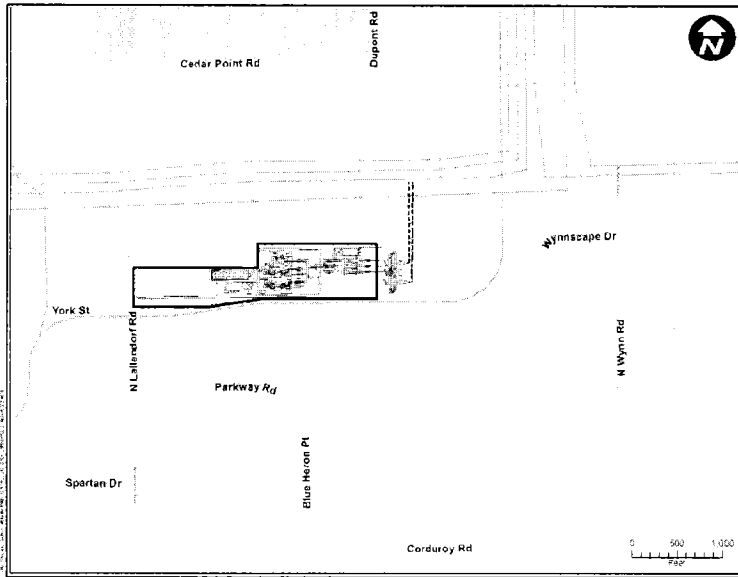
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**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**2/14/2013 12:28:15 PM**

**in**

**Case No(s). 12-2959-EL-BGN**

Summary: Proof of Pub electronically filed by Teresa Orahood on behalf of Sally Bloomfield for Oregon Clean Energy, LLC