

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of 6011 )  
Greenwich Windpark, LLC, for a )  
Certificate to Construct a Wind-Powered ) Case No. 13-990-EL-BGN  
Electric Generation Facility in Huron )  
County, Ohio. )

ENTRY

The Administrative Law Judge finds:

- (1) On April 19, 2013, 6011 Greenwich Windpark, LLC (Greenwich or Applicant) filed, with the Ohio Power Siting Board (Board), a preapplication notification letter pursuant to Rule 4906-5-08(A), Ohio Administrative Code (O.A.C.), regarding its intent to file an application for a certificate to construct a wind-powered electric generation facility. According to the Applicant, the project will consist of approximately 25 wind turbine generators, access roads, electrical interconnection, construction staging areas, an operations and maintenance facility, and substation. Each turbine will have a nameplate capacity of approximately 2.4 megawatts (MW), for a total generating capacity of up to 60 MW. The project will be located on approximately 4,600 acres of leased land in Greenwich Township in Huron County, Ohio.
- (2) On April 19, 2013, Greenwich also filed a motion requesting waivers of various provisions contained in Rules 4906-17-04 and 4906-17-05, O.A.C. The Applicant also requests an expedited consideration of its motions to facilitate the submission of its application on or about June 2013, and to facilitate the commencement of construction by December 31, 2013. Based on such timeline, Greenwich expects commercial operation to commence by no later than July 2014. Greenwich's waiver requests are as follows:
  - (a) Greenwich requests a waiver from the requirement that it perform an extensive site selection study as required by Rule 4906-17-04(A), O.A.C., stating that it will provide a significant amount of information regarding Greenwich's selection of its site in Huron County. The

Applicant explains that wind resources are limited in Ohio, as are other resources necessary to site a wind farm. Therefore, only limited viable sites exist to site wind energy projects.

- (b) Greenwich requests a waiver of the requirement that it provide a map showing, among other things, vegetative cover that may be removed during construction, pursuant to Rule 4906-17-05(A)(3)(g), O.A.C., explaining that an attempt to provide this detailed information for the massive acreage that comprises the project area would be cost prohibitive and require cooperation and land access from landowners who are not participants in the project. Instead, Greenwich will provide a general narrative description of the vegetative cover within the project area and an estimate of the quantity of specific vegetation that may be disturbed or removed during construction.
- (c) Greenwich requests a waiver of the requirement that it provide maps and corresponding cross-sectional views showing geological features of the proposed project area and the location of test borings, pursuant to Rule 4906-17-05(A)(4), O.A.C. Greenwich pledges that it will provide a geological desktop study and a generalized cross-sectional view based on available information with its application. Further, Greenwich explains that it plans to perform geological tests at each of the final turbine location sites once the certificate is issued and the final turbine sites are determined. Greenwich will submit the results of the geological tests and cross sections to Staff at a reasonable time prior to construction.
- (d) Greenwich requests a waiver of the requirement that it describe the layout and construction of the proposed site and a description of proposed major structures showing the grade elevation which would be modified during construction, pursuant to Rule 4906-17-06(B)(2)(h), O.A.C., explaining that the final turbine site locations

cannot be known with precision until later in the Board process. Therefore, Greenwich explains that grade elevations, if performed on the locations in the application, would have to be performed again when the final turbine site locations are known with absolute certainty. Greenwich further states that it will provide Staff with the grading information when it submits the final construction drawings.

- (3) Staff filed its response to Greenwich's waiver requests on June 13, 2013. In its response, Staff explains that it does not object to the waiver requests, but reserves the right to require information from Greenwich in areas covered by the waiver requests if Staff determines it is necessary during the course of its investigation. Staff also reserves the right to investigate and contest all other issues presented in the application.
- (4) Upon consideration of Greenwich's waiver requests and Staff's response, the Administrative Law Judge finds that the requests for waivers are reasonable and should be granted.

It is, therefore,

ORDERED, That, in accordance with finding (4), Greenwich's motion for waivers be granted. It is, further,

ORDERED, That a copy of this entry should be served upon all interested persons of record in this proceeding.

THE OHIO POWER SITING BOARD

s/ Greta See

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By: Greta See  
Administrative Law Judge

jrj/vrm

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

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**Case No(s). 13-0990-EL-BGN**

Summary: Administrative Law Judge Entry granting waiver requests; electronically filed by Vesta R Miller on behalf of Greta See, Administrative Law Judge, Ohio Power Siting Board