

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of Hardin)
Wind LLC for a Certificate to Construct a) Case No. 13-1177-EL-BGN
Wind-Powered Electric Generation Facility)
in Hardin and Logan Counties, Ohio.)

In the Matter of the Application of Hardin)
Wind LLC for a Certificate of)
Environmental Compatibility and Public) Case No. 13-1767-EL-BSB
Need for a Substation Project in Hardin)
County, Ohio.)

In the Matter of the Application of Hardin)
Wind LLC for a Certificate of)
Environmental Compatibility and Public) Case No. 13-1768-EL-BTX
Need for a 345 kV Transmission Line in)
Hardin County, Ohio.)

ENTRY

The administrative law judge finds:

- (1) On June 28, 2013, Hardin Wind LLC (Hardin) filed an application in Case No. 13-1177-EL-BGN (13-1177) for a certificate of public convenience and necessity to site a 300 megawatt, wind-powered, electric generation facility (Scioto Ridge Wind Farm) in Hardin and Logan counties.
- (2) By entry of August 26, 2013, the administrative law judge (ALJ) granted the motion to intervene filed by the Ohio Farm Bureau Federation (Farm Federation) in 13-1177. The August 26, 2013 entry also granted Staff's motion for a waiver of Rule 4906-5-05(A), Ohio Administrative Code (O.A.C.), pertaining to the period within which the Chairman of the Board is required to issue a letter indicating whether the application is complete.
- (3) On August 27, 2013, Hardin filed, pursuant to Rule 4906-5-08, O.A.C., pre-application notification letters regarding its application to construct a point of interconnect switchyard to interconnect to the East Lima-Marysville 345 kilovolt (kV)

circuit in Case No. 13-1767-EL-BSB (13-1767) and its application to construct a 345 kV transmission line to interconnect its wind generating facility to the East Lima-Marysville 345 kV circuit in Case No. 13-1768-EL-BTX (13-1768).

- (4) On August 29, 2013, Hardin filed a motion to consolidate the above-captioned cases for purposes of all public hearings, evidentiary hearings, public notices, and any other reasons deemed necessary and helpful by the Board. Hardin also requests an expedited ruling. Hardin states that good cause exists to grant this motion, as the transmission line and switchyard projects are only being constructed for purposes of connecting the Scioto Ridge Wind Farm generating facility to the existing American Electric Power (AEP) East Lima-Marysville 345 kV circuit. Hardin claims the consolidation will avoid separate evidentiary hearings, separate landowner mailings, and multiple separate public notices and will result in less resources expended by both the Board and Hardin and less confusion to the public. Hardin notes that Staff and the Farm Federation do not oppose the issuance of an expedited ruling.
- (5) Upon review, the ALJ finds good cause to grant the motion to consolidate the above-captioned cases. Accordingly, 13-1177, 13-1767, and 13-1768 should be consolidated for purposes of all public hearings, evidentiary hearings, and public notices.
- (6) On September 10, 2013, Hardin filed, in 13-1767, a motion for a waiver from the requirement to provide fully-developed information on an alternate location for a 345 kV switchyard that will connect a 345 kV generator lead line from Hardin's proposed wind generating facility, to an existing AEP 345 kV transmission line and a request for an expedited ruling. Hardin notes that there are two other components of the wind project that require applications, including a five-mile generator lead line and a new point of interconnect (POI) switchyard to interconnect to the existing 345 kV AEP transmission line. Hardin states that it intends to provide general information on the alternate POI switchyard location, but seeks a waiver from the requirement to submit fully-developed information on alternate POI switchyard locations, because the alternate POI switchyard location is not preferred because it: requires a longer generator lead line; would require the leasing of

additional properties; could require additional studies by PJM Interconnection, Inc. (PJM); and might result in PJM requiring Hardin to submit a new queue that could delay the project by a year. Hardin notes that the Board has granted similar waivers in Case Nos. 11-5856-EL-BTX, *In re Application of American Transmission Sys.*, and that Staff does not object to an expedited ruling on this motion.

- (7) Also, on September 10, 2013, Hardin filed, in 13-1768, a motion for a waiver from the requirement to provide fully developed information on an alternate route for a 345 kV generator lead line that will connect a wind generating facility to an AEP 345 kV transmission line and a request for expedited ruling. Hardin notes that the preferred route for the generator lead line and the preferred site for the POI switchyard have been leased by Hardin and are the most direct route to the preferred point of interconnect. Hardin also states that PJM has completed its initial studies based on the preferred interconnect point to the AEP East Lima-Marysville 345 kV circuit. Hardin states that the alternate route: is not as direct as the preferred route; is longer; will require additional leasing of properties; and could result in PJM requiring Hardin to submit a new queue request that could add over a year delay to the project. Hardin also notes that Staff does not oppose an expedited ruling on this motion.
- (8) Upon consideration of Hardin's motions for waivers, the ALJ finds that the waivers are reasonable; therefore, the motions for waivers should be granted in 13-1767 and 13-1768, subject to Staff's right to require information from Hardin in areas covered by the waiver requests if Staff determines it to be necessary during the course of the investigation.

It is, therefore,

ORDERED, That, in accordance with finding 5, the motion to consolidate the above-captioned cases is granted. It is, further,

ORDERED, That, in accordance with finding 8, the motions for waivers are granted. It is, further,

ORDERED, That a copy of this entry should be served upon all parties and interested persons of record in these proceedings.

THE OHIO POWER SITING BOARD

s/Scott Farkas

By: Scott Farkas
Administrative Law Judge

JRJ/sc

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in

Case No(s). 13-1177-EL-BGN, 13-1767-EL-BSB, 13-1768-EL-BTX

Summary: Administrative Law Judge Entry grants motion to consolidate Case Nos. 13-1177-EL-BGN, 13-1767-EL-BSB, and 13-1768-EL-BTX in accordance with Finding (5) and grants motions for waivers in accordance with Finding (8). - electronically filed by Sandra Coffey on behalf of Scott Farkas, Attorney Examiner, Public Utilities Commission of Ohio