

**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 Generating Facility in	)	
Hardin and Logan Counties, Ohio.	)	

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

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

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**HARDIN WIND LLC’S MEMORANDUM CONTRA  
TO THE PETITION FOR LEAVE TO INTERVENE**

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**I. INTRODUCTION**

Petitioners James Rudolph, Rich Rudolph, Susan Cornell, Ron Brown, and Charles Ruma (collectively “Petitioners”) seek leave to intervene in the above-captioned proceedings claiming that they were unaware of the Hardin Wind project until April 2014. Other Indian Lake residents, however, were aware of the project prior to the evidentiary hearing and participated in the public hearing, submitted correspondence to the docket and attended at least one local meeting on the project. Petitioners also had constructive notice of Hardin Wind’s application, as public notices were issued and the application contained text and figures showing the nearest turbine’s proximity to Indian Lake. With these facts along with the Board’s prior consideration of property values and visual impacts, Petitioners cannot show good cause and extraordinary circumstances justifying their untimely intervention in Case No. 13-1177-EL-BGN. Likewise, intervention in Case Nos. 13-1767-EL-BSB and 17-1768-EL-BTX should be denied as

Petitioners do not raise any issue in their petition relating to the project substation or project transmission line.

## **II. ARGUMENT**

### **A. Petitioners' Request for Intervention Should be Denied.**

Petitioner's request for intervention is governed by Rule 4906-7-04 of the Ohio Administrative Code. Under that rule, Petitioners must show that extraordinary circumstances justify the untimely petition for leave to intervene and must also show good cause for the intervention. OAC Rule 4906-7-04(B), (C). Petitioners also must agree to be bound by agreements previously made in the proceeding. (*Id.*) Petitioners do not satisfy any of these conditions for intervention.

#### **1. Petitioners cannot show "extraordinary circumstances."**

Petitioners give three reasons why they believe "extraordinary circumstances" justify their late intervention. First, Petitioners claim that they were unaware of the project or its proximity to Indian Lake. (Petition at 6.) Second, they argue that even if they had constructive notice, that the application did not show Indian Lake in proximity to the project. (*Id.* at 7.) Third, Petitioners' claim that their concerns about property values and visual impacts alone constitute extraordinary circumstances. (*Id.*) None of these reasons justify Petitioners' intervention.

##### ***a. Other Indian Lake residents were aware of the project and participated in the proceeding.***

Petitioners' claim that they were unaware of the project until after the Board's decision is hard to reconcile with the numerous information sessions held at Belle Center, Ohio, and the public notices published in two newspapers between May and December 2013. Below is a

listing of the notices provided and the public meetings held in these proceedings:

Date	Notice or Meeting
May 18, 2013	Newspaper notices published in <i>Bellefontaine Examiner</i> and <i>The Kenton Times</i> regarding the wind farm project and the public information meeting.
May 29, 2013	Public information meeting regarding the wind farm project, 6-8 p.m., at the American Legion Building, 615 North Center Street, Belle Center, Ohio.
September 3, 2013	Newspaper notices published in <i>Bellefontaine Examiner</i> and <i>The Kenton Times</i> regarding the substation and transmission line projects associated with the wind farm and the public information meeting.
September 11, 2013	Public information meeting regarding the substation and transmission line projects associated with the wind farm, 6-8 p.m., at the American Legion Building, 615 North Center Street, Belle Center, Ohio.
November 9, 2013	Newspaper notices published in <i>Bellefontaine Examiner</i> and <i>The Kenton Times</i> regarding the wind farm, substation and transmission line projects, the right to intervene, the local public hearing, and the adjudicatory hearing.
December 27, 2013	Newspaper notices published in <i>Bellefontaine Examiner</i> and <i>The Kenton Times</i> regarding the wind farm project, the substation and the transmission line projects, the local public hearing, and the adjudicatory hearing.

Petitioners stated that the September 3 newspaper notice was the first notice published about the project. (Petition at 6-7.) That is not true. Hardin Wind published a notice about the project approximately four months earlier, on May 18, 2013. (*See Exhibit A, attached.*) Also, Hardin Wind held a public information meeting after Memorial Day in Belle Center, Ohio during what the Petitioners dubbed the “high occupancy season.”

Although Petitioners claim they were not aware of the project, other Indian Lake residents, including apparent acquaintances of Petitioners, were aware of the project and participated in the proceedings. For example, at the local public hearing on January 8, 2014, 23

members of the public testified and written statements were received, including a statement by Indian Lake resident James Weybright expressing concern about the project's impacts on property values and his "peace and tranquility." (See Exhibit B, attached.) Another Indian Lake resident sent in correspondence to the docket on January 14, 2014 complaining about property value impacts and visual impacts. (See Exhibit C, attached.) Another email on the public document by an apparent acquaintance of two of the Petitioners states that, "[e]arly on around the lake the wind farm was referred to as the project 'over by Belle Center' and seemed to be supported by the farming community so we didn't think too much about it." (See Exhibit D, attached.) Indian Lake residents also participated in a local public meeting on the project. (See Exhibit E, attached.)

Collectively, these facts demonstrate that residents near and around Indian Lake were aware of the project before the evidentiary hearing. Those residents that took an interest in the project did participate. Petitioners on the other hand, only took an interest in the project after the Board approved the project. That does not constitute extraordinary circumstances.

b. *The application expressly noted Indian Lake's proximity to the project's turbines.*

Petitioners next claim that even if they had constructive notice, extraordinary circumstances exist because the application did not show the proximity of the wind farm to Indian Lake. (Petition at 7.) That is not true. Figures 04-1 of the application clearly shows and denotes Indian Lake in proximity to the project's turbines. (See Company Ex. 1 at Fig. 04-1.) Figure 05-2, Sheet 6 of 7 also shows a portion of Indian Lake on the map. (*Id.* at Fig. 05-2, 6 of 7.) Figure 08-2 also identified Indian Lake in relation to the project's turbines. (*Id.* at Fig. 08-2, 4 of 19.) The application at page 155 also expressly stated that Indian Lake State Park is approximately 0.5 miles from the nearest turbine, while the Visual Impact Study in Exhibit R to

the application not only discusses Indian Lake (pages 16, 23-24), but provided the Board with visual assessments on both sides of Indian Lake (Fig. 14; Fig. 17) along with figures clearly denoting the proximity of the lake to the project (Fig. 6 and Fig. 8). Petitioners have no basis for claiming that the application was silent on the proximity of Indian Lake to the project's turbines.

c. *Petitioners' claimed interest does not constitute "extraordinary circumstances."*

Petitioners' last reason for claiming extraordinary circumstances is that their interest in conserving/preserving Indian Lake outweighs "any other factor" considered in determining whether to grant intervention. (Petition at 7-8.) Nothing in the Board's rules declares that a petitioner's interest should be the sole basis for granting a requested intervention. To the contrary, the nature and extent of the person's interest is only one consideration when determining whether good cause exists. *See* OAC 4906-7-04(B)(1)(a). Moreover, Rule 4906-7-04(C) requires a statement of good cause "for failing to timely file the notice or petition ... [.]". Regardless of Petitioners' claimed interest, they must show good cause as to why they waited until after the Board approved the project to take an active interest in this proceeding. Petitioners cannot and their petition should be denied.

2. The Petitioners have not demonstrated good cause.

In addition to demonstrating extraordinary circumstances to justify their untimely request, Petitioners must demonstrate good cause for their intervention. While the Petitioners characterize the nature and extent of their interest as being "limited" to only two issues ("conservation of the natural landscape of Indian Lake" and the devaluation of their real property), it is readily apparent from Petitioners' papers that they are completely opposed to the wind farm. For example, Petitioners state at page 4 of their Petition that "their investment in lake front property in Ohio would be decimated by a foreign corporation's egregious

development of a massive wind farm....” Petitioners’ interests are not limited in any way. Moreover, Petitioners’ claimed interests are remote, considering that none reside in the project area, all are seasonal residents, and all reside 1.7 or more miles from the nearest turbine. (*See* Exhibit F, attached.) It is also worth noting that two commercial grade wind turbines are currently in operation less than a mile and a half southwest of Indian Lake.<sup>1</sup>

Petitioners’ concerns about visual impacts and property values were also considered in the proceeding. As noted above, the Visual Impact Study in Exhibit R to the application not only discusses Indian Lake (pages 16, 23-24), but provided visual assessments on both sides of Indian Lake (Fig. 14; Fig. 17) along with figures clearly denoting the proximity of the lake to the project (Fig. 6 and Fig. 8). Staff addressed Indian Lake in the Staff Report at pages 22-23, noting the proximity of turbines to Indian Lake State Park and describing the visual impacts on all recreational areas. (Staff Ex. 1 at 22-23.) An Indian Lake resident submitted a written statement raising concerns about property values and visual impacts (*see* Exhibit B) while Intervenor Deb Grant, a real estate agent, submitted testimony at the public hearing on property values (TR I at 77-82). Like Petitioners, Intervenor Joseph Grant also opposes the project (TR 89) and has filed an application for rehearing in this matter. Contrary to their claims, Petitioners’ interests were adequately considered during the Board proceedings and parties participating in the proceeding adequately represented their interests.

Petitioners also claim that they are not attempting to retry the entire proceeding, will contribute to a just and expeditious resolution of the issues, and will not unduly delay the proceeding or unjustly prejudice an existing party. Petitioners ignore that a resolution of the issues has already occurred and that their late intervention is prejudicial to the applicant. Simply

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<sup>1</sup> *See* <http://www.examiner.org/news/32244-honda-s-wind-turbines-begin-operation>.

put, Petitioners' request will not expedite a resolution of the issues because they want the Board to reverse its decision, reopen the record, hear new evidence, and issue a new decision denying the project. Their request is nothing less than a proposal to add further delay and cost to a project that has been publicly announced since May of last year. It would also be unduly prejudicial for the Board to allow this intervention solely because a handful of individuals were unaware of the proposed project and/or the project's proximity to Indian Lake. *See e.g. In re Columbus Southern Power Company*, Case No. 08-170-EL-BTX, Order of Rehearing (March 22, 2010) (lack of awareness insufficient given public notices about project).

Letting Petitioners intervene at this time (on the basis that they simply were not aware of the project and/or its proximity) would also establish bad precedent in future Board proceedings. Individuals could excuse their lack of interest and participation in a Board proceeding simply by claiming that they were unaware of a project. That is not the purpose of the Board's rule limiting and disfavoring untimely interventions. Accordingly, the Board should conclude that good cause for Petitioners' intervention does not exist.

3. Petitioners refuse to be bound by the stipulation.

The Petitioners agree to be bound by any agreements, arrangements, and other matters previously made in these proceedings, but only "to the extent those agreements do not stipulate to the merits of [the] Petitioners' issues in the proceeding." (Petition at 8.) Given that the Board already has approved a stipulation that resolves all issues in these proceedings and ruled that the certificates should be issued, it is unclear to what the Petitioners have agreed to be bound. The Petitioners were vague, at best, on this point and have not adequately reflected any willingness to be bound by any agreements, arrangements, and other matters previously made in these

proceedings. Accordingly, the Board should conclude that the Petitioners have not satisfied this requirement of Rule 4906-7-04(C), Ohio Administrative Code.

### **III. CONCLUSION**

Petitioners took an interest in this project only after it was approved by the Board. Prior to that time, Petitioners ignored the project even as other Indian Lake residents took an active interest in the project. Petitioners have not show extraordinary circumstances or good cause justifying their untimely intervention. Like the request for leave to file an application for rehearing, the Board should deny Petitioners' request for intervention in all three proceedings.

Respectfully submitted,

s/ Miranda R. Leppla  
M. Howard Petricoff (0008287), Trial Counsel  
Michael J. Settineri (0073369)  
Miranda R. Leppla (0086351)  
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*Attorneys for Hardin Wind LLC*



## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served this 1<sup>st</sup> day of May 2014, via email on the parties listed below.

Thomas G. Lindgren  
Steven Beeler  
Public Utilities Commission of Ohio  
180 E. Broad St.  
Columbus, OH 43215  
[thomas.lindgren@puc.state.oh.us](mailto:thomas.lindgren@puc.state.oh.us)  
[steven.beeler@puc.state.oh.us](mailto:steven.beeler@puc.state.oh.us)

Sarah Bloom Anderson  
Summer J. Koladin Plantz  
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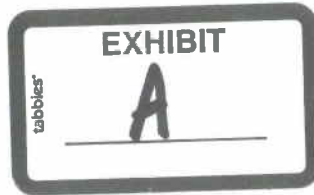
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(AND BY U.S. MAIL)

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s/ Miranda R. Leppla  
Miranda R. Leppla

# VORYS

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Email smhoward@vorys.com

June 7, 2013

Ms. Barcy F. McNeal, Secretary  
Public Utilities Commission of Ohio  
180 E. Broad St., 11th Floor  
Columbus, OH 43215-3793

Re: OPSB Case No. 13-1177-EL-BGN  
Hardin Wind LLC  
Proofs of Publication

Dear Ms. McNeal:

Please find attached affidavits of publication and tear sheets indicating that notice of the public information meeting which was held on May 29, 2013 was, in fact, published in the Bellefontaine Examiner, a newspaper of general circulation in Logan County, Ohio and in The Kenton Times, a newspaper of general circulation in Hardin County, Ohio on May 18, 2013.

Thank you in advance for your consideration.

Sincerely,

Stephen M. Howard  
Attorneys for Hardin Wind LLC

SMH/ris  
Enclosure

State of Ohio  
Logan County, Ohio

Jon B. Hubbard

being duly sworn, says that he is the representative of the publisher of the Bellefontaine Examiner a newspaper printed and of general circulation in the said county, and that the annexed

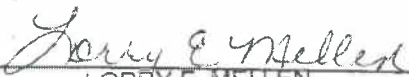
advertisement was published in said paper \_\_\_\_\_

May 18, 2013



Sworn to and subscribed before me A Notary Public

on this 18th day of May 2013

  
LORRY E. MELLEN

Notary Public, State Of Ohio  
My Comm. Expires October 04, 2013

Printer's Fee \$ 291.38      Paid CC

# **Notice of Public Information Meeting for Proposed Major Utility Facility**

Hardin Wind LLC, a wholly owned subsidiary of EverPower Wind Holdings, Inc., will be holding a public information meeting regarding plans to build the Scioto Ridge Wind Farm in the townships of Roundhead, McDonald, Lynn and Taylor Creek in Hardin County, Ohio and the townships of Richland and Rush Creek in Logan County, Ohio. The Scioto Ridge Wind Farm will cover approximately 17,000 acres of leased lands and consist of up to 180 turbines and related equipment including collection lines, access roads and a substation. The Scioto Ridge Wind Farm will have a total installed generating capacity of a maximum of 300 megawatts depending on the generation capacity of the wind turbines selected for the project. The purpose of the Scioto Ridge Wind Farm project is to use wind energy to generate electricity; its anticipated function is to supply renewable energy to the interstate grid.

The public information meeting will be held from 6:00 PM to 8:00 PM on May 29, 2013 at the American Legion Building located at 615 North Center Street, Belle Center, Ohio 43310. Company representatives will be present to discuss the Scioto Ridge Wind Farm and answer questions. If you have questions, you may call the local office for the Scioto Ridge Wind Farm in Bellefontaine, Ohio at 937-595-0304.


## Proof of Publication

The State of Ohio, Hardin County, ss:

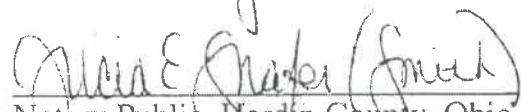
### Personally Appeared Before Me, a Notary

**Public in and for said County, Jeff Barnes**  
a representative of **The Kenton Times**, a news  
paper printed and in general circulation in the  
County and State aforesaid, who, after being  
sworn, depose and saith that the Advertisement,  
a true copy of which is hereunto annexed, was

published in the said paper for one (1)  
consecutive week, from and after the 18th day  
of May 2013.

  
\_\_\_\_\_  
Jeff Barnes, Publisher  
Subscribed and sworn to me, this 24th

day of May 2013.

  
\_\_\_\_\_  
Notary Public, Hardin County, Ohio  
My commission expires June 22, 2014

**Printers Fee: \$264.60**  
**Net Due 15th of the Month**

1

1. *Journal of the American Medical Association*, 2000; 283: 2686-2692.

The public information meeting will be held from 6:00 PM to 8:00 PM on May 29, 2013 at the American Legion Building located at 615 North Center Street, Belle Center, Ohio 43310. Company representatives will be present to discuss the Scioto Ridge Wind Farm and answer questions. If you have questions, you may call the local office for the Scioto Ridge Wind Farm in Bellefontaine, Ohio at 937-595-0304.

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

**Commission of Ohio Docketing Information System on**

**6/7/2013 3:42:18 PM**

**in**

**Case No(s). 13-1177-EL-BGN**

Summary: Proof of Pub electronically filed by Mr. Stephen M Howard on behalf of Hardin Wind LLC

FILE

PUCO EXHIBIT FILING

EXHIBIT

B

In the Matter of the :  
Application of Hardin Wind, :  
LLC for a Certificate to :  
Construct a Wind-Powered : Case No. 13-1177-EL-BGN  
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: Case No. 13-1767-EL-BSR  
and Public 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: Case No. 13-1768-EL-BTX  
and Public Need for a :  
345 KV Transmission Line :  
in Hardin County, Ohio. :

Jan 8, 2014

Various Letters

PUCO

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technician TH Date Processed JAN 24 2014

Reporter's Signature: \_\_\_\_\_  
Date Submitted: \_\_\_\_\_



OPSB PUBLIC HEARING-- JAN. 8 2014

My name is James Weybright.

I live at Indian Lake on Long Island, right across the road from where some of the windmills will be installed.

I find it very disconcerting that I must help finance a private enterprise with my paid taxes, in the form of subsidies and favorable tax structures, that is detrimental to my peace and tranquility and to my property values.

If this project is so unsound that it must be subsidized with tax money, then it should not move forward.

I request that the OPSB deny this application.

James A. Weybright  
8633 Long Island Rd.  
Belle Center, OH 43310

FILE

3



## Power Siting Board

John R. Kasich, Governor  
Todd A. Snitchler, Chairman

Board Members  
Director, Ohio Environmental Protection Agency  
Director, Ohio Development Services Agency  
Director, Ohio Department of Health  
Director, Ohio Department of Natural Resources  
Director, Ohio Department of Agriculture  
Public Member  
Ohio House of Representatives  
Ohio Senate  
Executive Director  
Kim Wissman

Mrs. Kelley Campbell  
9523 Heron Way  
Belle Center, Ohio 43310

Re: Scioto Ridge Wind Farm, Case No. 13-1177-EL-BGN

Mrs. Campbell,

Thank you for contacting the Ohio Power Siting Board (OPSB) regarding the proposed Scioto Ridge Wind Farm. Your correspondence in regards to the project will be docketed in the project file.

It is noted that you are in opposition to the proposed project.

To view all activity pertaining to this case, siting application, and/or rules governing the installation and operation of wind energy in Ohio, please visit the Ohio Power Siting Board's website at [www.OPSB.ohio.gov](http://www.OPSB.ohio.gov).

If you have any additional questions or concerns, please contact the OPSB at (866) 270-6772. Again, thank you for your continued interest in this case.

Very truly yours,

Kim Wissman, Executive Director  
Ohio Power Siting Board

KW: sai

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2014 JAN 16 AM 11:39

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Date Processed: JAN 16 2014

180 East Broad Street  
Columbus, Ohio 43215-3793

(866) 270-6772  
[www.OPSB.ohio.gov](http://www.OPSB.ohio.gov)

An equal opportunity employer and service provider

From: webmaster@puc.state.oh.us  
To: PUCO ContactThePUCO  
Subject: 78780  
Received: 1/14/2014 8:28:44 AM  
Message:  
WEB ID: 78780 AT:01-14-2014 at 08:28 AM

Related Case Number: 13-1177

TYPE: comment

NAME: Mrs. Kelley Campbell

CONTACT SENDER ? Yes

MAILING ADDRESS:

- 9523 Heron Way
- Belle Center , Ohio 43310
- USA

PHONE INFORMATION:

- Home: 937-843-2772
- Alternative: 937-935-2308
- Fax: 937-592-5025

E-MAIL: kelly.campbell@mobileinstrument.com

INDUSTRY:Other

ACCOUNT INFORMATION:

- *(no utility company name provided?)*
- *(no account name provided?)*
- *(no service address provided?)*
- *(no service phone number provided?)*
- *(no account number provided?)*

COMMENT DESCRIPTION:

WE just invested over half of our life savings in a new Home at Long View Cove on Indian Lake.

The wind turbines will not only deter folks from building and buying here; but will harm our property value.

Chances are we would not have made the same decision had we know we would be looking at 50 story turbines on our peaceful deck looking over the water.

As Columbus residents drive to Indian lake they will now be deterred as well from wanting to invest on our Lake.

Longview cove was the nicest and most prestigious thing to happen to Indian Lake. this will ruin the further development.

Kelley Campbell

FILE

13-1177-EL-B4N 3  
13-1767-EL-BSB  
13-1768-EL-BTX

Butler, Matthew

From: PUCO ContactOPSB  
Sent: Tuesday, April 22, 2014 3:30 PM  
To: PUCO ContactOPSB  
Subject: FW: Ohio Power Siting Board procedures



From: Jim Reed [mailto:jimreed@spendaday.com]  
Sent: Friday, April 04, 2014 6:30 PM  
To: Butler, Matthew; Jim Rudolph  
Cc: Rich Rudolph  
Subject: Re: Ohio Power Siting Board procedures

Matt, Thank you for taking the time to prepare that response. I do feel like I at least have proper information rather than the "sound bites" that we typically get from other sources. You have been very thorough. I have already communicated with our Trustees so I'll wait and see what they and/or the intervenors do in the next week or so. I do think that property value changes should be addressed in the decisions so I will suggest to my respective legislators that values be added as a criteria to the Siting Board responsibilities. Again, thank you and please stop in if at the lake.

Regards,  
Jim Reed

Jim Reed  
jimreed@spendaday.com



P.O. Box 1428  
9481 St. Rt. 706 N  
Russells Point, Ohio 43348  
Ph: (937) 843-3036  
Fax: (937) 843-6090

www.spendaday.com

On 4/4/2014 1:08 PM, Butler, Matthew wrote:

Hello Jim,

The map in the staff report illustrates the project area as defined by the project boundary. Several of the maps provided in EverPower's application show Indian Lake in relation to the project. The full application is available in the case record at <http://dis.puc.state.oh.us/CaseRecord.aspx?Caseno=13-1177&link=DIVA>. Here are three examples from the application (open the link, then click "view document" to open the maps):

- <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=a11c2f31-2459-4f41-8bbf-4fe1e1781cac>
- <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=d93fff01-e7e1-44ed-bfbd-19fdb04a7d15>
- <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=cba51ed9-d74e-4677-82ac-28abc3f79d1a>

The Board's responsibility is to find and determine the following eight criteria. Neither the Board order nor the staff report address individual property values.

1. The probable environmental impact of the proposed facility;

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2. Whether the facility represents the minimum adverse environmental impact, considering available technology and the nature and economics of alternatives;
3. The need for any transmission facility;
4. That the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving Ohio and interconnected systems and that the facility will serve the interests of electric system economy and reliability;
5. That the facility will comply with all air and water pollution and solid waste disposal laws and regulations;
6. The facility will serve the public interest, convenience, and necessity;
7. The facility's impact on the continued agricultural viability of any land in an existing agricultural district; and
8. The facility incorporates maximum feasible water conservation practices considering available technology and the nature and economics of various alternatives.

The Board's rehearing process allows the EverPower and intervenors (Joe and Deb Grant of Belle Center and the Ohio Farm Bureau Federation) to file requests for rehearing through April 16, 2014. Upon completion of the rehearing process, Board decisions may be appealed to the Supreme Court of Ohio.

The PILOT program is administered by the Ohio Development Services Agency. More details at [http://development.ohio.gov/bs/bs\\_depte.htm](http://development.ohio.gov/bs/bs_depte.htm). Pages 2-3 of this [fact sheet](#) from The Ohio State University Extension do a good job of explaining the local role in the PILOT program.

Please feel free to give me a call if you'd like to discuss anything further.

Thanks,

Matt

Matt Butler  
Public Outreach Manager  
Ohio Power Siting Board  
614-644-7670  
[OPSB.ohio.gov](http://OPSB.ohio.gov)



*This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.*

**From:** Jim Reed [<mailto:jimreed@spendaday.com>]  
**Sent:** Thursday, April 03, 2014 2:51 PM  
**To:** Butler, Matthew; Jim Rudolph  
**Cc:** Rich Rudolph  
**Subject:** Re: Ohio Power Siting Board procedures

Very interesting to go through that history Matt. I hope that your kids get to enjoy the lake through the years as well!

Relative to the Scioto Ridge project. I read through some of the materials (especially the "Staff Report") you sent which were very informative. There were 2 points that stuck out in my mind;

1. The map relatively conveniently does not show Indian Lake even though the project is so close. I had hear about the project and glanced at the map of course but did not realize how close to the lake it was proposed. Early on around the lake the wind farm was referred to as the project "over by Belle Center" and seemed to be supported by the farming community to we didn't think to much about it. I believe the map was specifically done to carefully exclude Indian Lake so that the lake population would show little interest.

2. I may have missed it but I didn't see anything addressed as far as negative property values and the



possible difference in property value affect between agricultural land and resort residential land. The reasons for land ownership are highly different between those two interests and I believe that the negative impact will be significantly greater for the resort property around the lake.

Is there any organization, government or private, that have any control over the project at this point, other than the Siting Board over-site of the construction? It would appear that the only route is to simply convince EverPower that it would not be in their best financial interests to pursue the project. I had heard that our County commissioners had the final say on the entrance into the "PILOT" tax program but the info I read would indicate that was a State controlled function. Can you give me any insight on that?

Best Regards,  
Jim Reed

*Jim Reed*

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On 4/3/2014 7:24 AM, Butler, Matthew wrote:





Grand jury indictments; JC Penney closing stores

# BELLEFONTAINE EXAMINER

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LOGAN COUNTY MAYORS ASSOCIATION

## LUC introduces comprehensive transportation plan

### Input sought for projects

BY REUBEN MEES  
 EXAMINER STAFF WRITER  
[mees@examiner.org](mailto:mees@examiner.org)

Logan and Champaign counties could have a comprehensive transportation plan in place within two years with the help of the Logan-Union-Champaign Regional Planning Commission. LUC officials introduced the effort to members of the Logan County Mayors Association at the Wednesday evening meeting.

The agency, which deals with zoning and planning issues for the tri-county area, has received a \$174,000 grant through the Ohio Department of Transportation to draw up a long-term transportation plan within two years.

While the agency represents Union County, the transportation plan would only pertain to Logan and Champaign counties as Union County is in a different ODOT district and extensive planning has already taken place because of its proximity to Columbus, LUC director Jenny Snapp said.

Currently, the agency is seeking input from local leaders regarding their wants and needs.

"We're open to any ideas, big or small," Ms. Snapp said. "You might think of simple road improvements, but it doesn't have to be that. It can be new roads, intermodal transportation or multi-modal."

The grant does not provide funds for any specific projects, but provides the LUC with a

### Residents sought for council posts

BY REUBEN MEES  
 EXAMINER STAFF WRITER  
[mees@examiner.org](mailto:mees@examiner.org)

One topic of discussion at the first meeting of the Logan County Mayors Association was the shortage of council members in some villages.

Mayor Gary Comer of DeGraff noted that his council is two members shy of a full slate while Belle Center Mayor Rhonda Fulmer said her council is one member short.

Those were the only two of the five mayors present to express concerns, but Quincy is still one member short of a full slate, village Fiscal Officer Sandra Ward said in a telephone conversation Wednesday.

According to the Logan County Board of Elections Web site, West Mansfield needs one member and Valley Hill is short one commissioner.

Those interested in serving their respective communities, should contact an appropriate local official.

Five Logan County mayors who turned out for the quarterly Mayors Association meeting Wednesday evening got to hear from both sides of the Scioto Ridge Wind Farm project.

At the start of the meeting, which took place in Belle Center, a group of Belle Center area residents spoke out against

Everpower Renewables' effort to build a 300-megawatt industrial wind development in northern Logan and southern Hardin counties.

Michael Shepherd, a resident of Taylor Creek Township in Hardin County, led the brief presentation in opposition to the development while Jason Dagger, the lone representative of Everpower, offered information from the company's perspective.

"We're here to show you as a community we mean business and as a community we are very upset," Mr. Shepherd said before touching on concerns of the project, such as noise, shadow flicker, low-frequency sound,

but the study included too few female heavy drinkers to test the effect of drinking the same amount as in men, said Severine Sabia, a study author from University College London.

In an email, she said it was not possible to identify a specific minimum level of consumption at which the risk begins in men. Her study used data from over 20 years. Using questionnaires, researchers calculated the men's average daily intake of alcohol for the decade up to when they were an average of 56 years old. Then, they tracked decline in mental abilities over the following decade from tests administered every five years.

Accelerated decline was seen for the heaviest-drinking group, which included 468 men with a wide range of alcohol intake. The minimum amount was the equivalent of about 13 ounces of wine a day or about 30 ounces of beer. The maximum was about three times that.

Men drinking that minimum



Michael Shepherd, left, points to a chart that compares the 492-foot height of the proposed Scioto Ridge Wind Farm turbines to the 100-foot tall Belle Center water tower during the Wednesday quarterly meeting of the Logan County Mayors Association in Belle Center.

## Mayors get both sides of wind project

BY REUBEN MEES  
 EXAMINER STAFF WRITER  
[mees@examiner.org](mailto:mees@examiner.org)

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*"We're here to show you as a community we mean business and as a community we are very upset."*

Michael Shepherd  
 Scioto Ridge Wind Farm project opponent

ice throw, concerns for emergency responders, the decommissioning plan and property devaluation.

"Every one of these projects seems to have a horror story coming from it, and this will be no exception," he said before suggesting that Logan County's elected officials take a formal stand against the project — as Belle Center Village Council did in its Tuesday meeting.

"What can we do?" Mr. Shepherd asked. "There is nothing a city can do and nothing the townships can do to stop this. The only thing Logan County can do is to withhold the tax abatement. Hardin County has already given a blanket tax abatement to alternative energy, but we are working on them."

"But we do encourage every municipality to pass a resolution like Belle Center did. It makes

me proud that Belle Center stood up for us."

Indian Lake area residents Don Eggenschwiler and Bill Halter then briefly discussed the impact the development would have on the scenic Indian Lake area.

Mr. Eggenschwiler said turbines that could be placed within a half mile of the lake would detract from the "vastly beautiful and tranquil skyline of Indian Lake" while Mr. Halter said the presence of wind turbines would have been a deal breaker on his decision to buy a retirement home on Long Island 13 years ago.

"Why do people move here?" Mr. Halter asked. "It is because of the aesthetics. This is a beautiful natural lake."

In responding to the concerns raised by residents, Mr. Dagger, a Champaign County

native hired by Everpower during the development of this project and the Buckeye Wind Farm in Champaign County, addressed the decommissioning plan and the tax abatement issues specifically.

In regards to the decommissioning plan, which is the plan required by the Ohio Power Siting Board to address what will happen when towers age and need to be repaired or removed, Mr. Dagger said, "it is required that we set aside large amounts of money in a bond and evaluate that every five years."

He also said the application that calls for up to 176 turbines could be reduced to 100 turbines depending on the turbines selected.

In the application, we reference 176 locations," he said. "That would be if we used 1.7-megawatt General Electric turbines that are the same as they used at Honda (Transmission Manufacturing). We are considering turbines up to 3 megawatts and may choose to only put up 100 turbines to generate the same amount of power."

See WIND on Page 4

## Sheriff's office awarded \$34K for traffic safety grant

BY THE BELLEFONTAINE EXAMINER STAFF

Logan County Sheriff Andrew J. Smith announced this week that the Ohio Department of Public Safety's Office of Criminal Justice Services has awarded his office \$34,350.52 in federal traffic safety funding for fiscal year 2014.

"These funds are essential in ensuring that we are doing everything we possibly can to keep our local community safe,"

Sheriff Smith said. "Based on crash data, impaired driving and fatal accidents are a priority for Logan County, and we are pleased to work with our partners at the state level to address these safety issues."

Crash data for 2012 shows 80 crashes were related to impaired driving. These crashes caused injury to 30 people and eight fatalities.

See SAFETY on Page 4

## Drinking linked to faster mental decline in men

BY MALCOLM RITTER  
 AP SCIENCE WRITER

NEW YORK — Middle-aged men risk a faster mental decline as they age if they've been drinking heavily for years, new research suggests.

The study of about 5,000 British civil servants found that over a decade, the added decline was the equivalent of about two extra years of aging for a combined measure of mental abilities like reasoning, and about six years for memory. The heavy drinkers' abilities were compared to those of men who drank moderately or abstained.

It's not surprising that heavy alcohol consumption can affect the brain, but the study focuses on an age range that has received much less attention from alcohol researchers than the elderly and college students.

The work was published online Wednesday by the Journal Neurology. Researchers found no such effect in women,

but the study included too few female heavy drinkers to test the effect of drinking the same amount as in men, said Severine Sabia, a study author from University College London.

In an email, she said it was not possible to identify a specific minimum level of consumption at which the risk begins in men. Her study used data from over 20 years. Using questionnaires, researchers calculated the men's average daily intake of alcohol for the decade up to when they were an average of 56 years old. Then, they tracked decline in mental abilities over the following decade from tests administered every five years.

Accelerated decline was seen for the heaviest-drinking group, which included 468 men with a wide range of alcohol intake. The minimum amount was the equivalent of about 13 ounces of wine a day or about 30 ounces of beer. The maximum was about three times that.

Men drinking that minimum



A bartender prepares alcoholic drinks at a restaurant in San Francisco. Middle-aged men risk a faster mental decline as they age if they've been drinking heavily for years, new research suggests.

amount are not necessarily at risk for accelerated mental decline, since the results pertain to the category overall, said Sara Jo Nixon, a substance abuse researcher at the University of Florida in Gainesville, who did not participate in the work.

She also said that the study shows a link between drinking and faster mental decline but not proof that alcohol intake was responsible. And she said

that because of the sensitive mental tests used in the study, the extra declines in performance may be too subtle to make a difference in daily life. Sabia said she believed the difference would eventually be noticeable.

Still, Nixon said the study "does suggest that middle-aged to young-old individuals do need to pay attention to what their drinking habits have been, and are."

## OHIO HI-POINT CAREER CENTER

### New board member welcomed

BY THE BELLEFONTAINE EXAMINER STAFF

Ohio Hi-Point school board greeted its newest member and voted to waive computer fees for excellent academic students Wednesday at a regular meeting.

Todd Turner represents Wayne'sfield-Goshen and has been on the school board there for 10 years. He owns an agriculture-related small business, Hi-Point board reports.

Mr. Turner will be one of two new members to the board. Marysville school board has yet to select its representative.

A resolution to waive computer sale fees for students who have met certain requirements, including having earned a perfect attendance and achieved a grade point average of 3.5 or better.

Stacy Colwell was approved as an accounts payable receiv-

able specialist, effective Jan. 20. She has been with Hi-Point for six years, most recently working as Hi-Point's admissions coordinator for adult education.

Ms. Colwell replaces Sheryl Losh, who worked at Hi-Point for 25 years.

The board voted Anne Reames from Bellefontaine, Bill Ramsey from Benjamin Logan, to function as Hi-Point school board president, and vice president, respectively.

This is their seventh year in that capacity.

In other action, the board approved: • Tim Sutton of Russells Point as a substitute teacher effective Jan. 16; and • attendance of Dawn Wallace, Graham agriculture instructor, to chaperone students competing at the National Skills Contest in Oklahoma City in April.



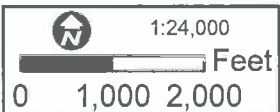
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SCIOTO RIDGE WIND  
Hardin & Logan Co, OH

EXHIBIT

4

tabbles



### Turbine Layout



TCID 22



Petitioner Residences



Distance to Nearest Wind Turbine

Map created by Everpower Wind Holdings, Inc. on  
April 25, 2014  
Using ESRI ArcGIS Desktop Standard 10.2.1

Projected Coordinate System:  
NAD 1983 UTM Zone 17 North

Information on this map is provided for  
purposes of discussion and visualization only.

Sources:  
ESRI, EverPower

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

Summary: Memorandum Contra to the Petition for Leave to Intervene electronically filed by Ms. Miranda R Leppla on behalf of Hardin Wind LLC