

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of Oregon )  
Clean Energy LLC for an Amendment to its )  
Certificate of Environmental Compatibility ) Case No. 14-1396-EL-BGA  
and Public Need for an Electric Generating )  
Facility in Oregon, Ohio, Lucas County. )

ENTRY

The administrative law judge finds:

- (1) On May 1, 2013, the Ohio Power Siting Board (Board) issued an Opinion, Order, and Certificate, in *In re Oregon Clean Energy LLC*, Case No. 12-2959-EL-BGN (*Oregon Certificate Case*), granting the application of Oregon Clean Energy, LLC (Oregon) for a certificate to construct, operate, and maintain an electric generation facility in Oregon, Ohio, Lucas County.
- (2) On August 15, 2014, as revised on September 2, 2014, Oregon filed an application to amend the certificate issued in the *Oregon Certificate Case*. In its amendment application, Oregon requests approval to relocate the switchyard to property adjacent to its current facility. It also requests to add a temporary construction trailer and parking lot, also on property adjacent to its land.
- (3) R.C. 4906.07(B) provides that the Board shall hold a hearing on an application for an amendment of a certificate if the proposed change would result in a material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of the facility. In conformance with this statutory provision, Ohio Adm.Code 4906-5-10(B)(1)(a) provides that the administrative law judge (ALJ) shall schedule a hearing in an amendment case, if the proposed change would result in any significant adverse environmental impact of the certified facility or a substantial change in the location of all or a portion of such certified facility.
- (4) The Board's Staff filed its investigative report (Staff Report) on September 19, 2014. In its report, Staff states that it reviewed the application and finds that, compared to the original project,

the proposed changes would result in a similar environmental impact.

- (5) Given the significant change in the location of the switchyard and the addition of other property, recognized in the Staff Report, the ALJ concludes that this constitutes a “substantial change in the location of all or a portion” of the facility under R.C. 4906.07(B) and Ohio Adm.Code 4906-5-10(B)(1)(a). Accordingly, a hearing should be held to consider the amendment application in this case.
- (6) In order to facilitate the Board’s timely consideration of Oregon’s application, parties should adhere to the following procedural schedule:
  - (a) Motions to intervene should be filed by October 1, 2014.
  - (b) The hearing shall commence on October 6, 2014, at 10:00 a.m., at the offices of the Board, Hearing Room 11-D, 180 E. Broad Street, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That the procedural schedule for this proceeding be adopted as set forth in finding (6). It is, further,

ORDERED, That a copy of this Entry be served upon all interested persons of record.

THE OHIO POWER SITING BOARD

s/ Nicholas Walstra

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By: Nicholas Walstra  
Administrative Law Judge

jrj/vrm

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

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**in**

**Case No(s). 14-1396-EL-BGA**

Summary: Administrative Law Judge Entry setting forth procedural schedule; electronically filed by Vesta R Miller on behalf of Nicholas Walstra, Administrative Law Judge, Ohio Power Siting Board