

FILE

BEFORE
THE OHIO POWER SITING BOARD

In the Matter of the Application of Hardin Wind
LLC to Amend its Certificate Issued in Case
No. 13-1177-EL-BGN

Case No. 14-1557-BGA

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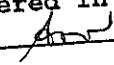
PETITION TO INTERVENE

Pursuant to Ohio Administrative Code ("OAC") rule 4906-7-04, I, Joseph Grant, respectfully petition the Ohio Power Siting Board for leave to intervene in the above-captioned proceeding. The reasons in support of intervention are set forth in the accompanying Memorandum in Support.

Respectfully submitted,



Joseph Grant
20616 US Highway 68N
Belle Center, OH 43310

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MEMORANDUM IN SUPPORT

I, Joseph Grant, respectfully petition the Ohio Power Siting Board (the "Board") for leave to intervene in the proceeding initiated by Hardin Wind LLC, a wholly owned subsidiary of EverPower Wind Holdings, Inc. (the "Applicant") requesting approval to amend its certificate to construct the Scioto Ridge Wind Farm (the "Amendment") issued by the Board on March 17, 2014 in Case Nos. 13-1177-EL-BGN, 13-1767-EL-BSB, 13-1768-EL-BTX. Rule 4906-7-04(A)(2) provides that persons may petition for leave to intervene by:

- (a) Preparing a petition for leave to intervene setting forth the grounds for the proposed intervention and the interest of the petitioner in the proceedings.
- (b) Filing said petition within thirty days after the date of publication of the notice required in accordance with paragraph (C)(1) of rule 4906-5-08 of the Administrative Code or in accordance with division (B) of section 4906.08 of the Revised Code.

For purposes of considering requests for leave to intervene in a Board proceeding, the OAC provides that administrative law judge or the Board may consider:

- (a) the nature and the extent of the person's interest; (b) the extent to which the person's interest is represented by existing parties; (c) the person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding; (d) whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice an existing party. OAC 4906-7-04(B)(1)(a)-(d).

A. The nature and extent of my interest.

I am a non-participating property owner living within the project area. I was a party to Hardin Wind's original application to the OPSB to construct the Scioto Ridge Wind Farm in Case Nos. 13-1177-EL-BGN, 13-1767-EL-BSB, 13-1768-EL-BTX. Currently, I am appealing the decision of the OPSB in Case No. 13-1177-EL-BGN to the Ohio Supreme Court. As a party to the original application, I request intervention in

Hardin Wind's Amendment case for the following reasons. First, I want to maintain my status as a party to the proceeding, in the event that it is not automatically transferred into this docket. Second, Hardin Wind has introduced a new shadow flicker analysis and ecological assessments, which should be examined in a public hearing. (Amendment, Exhibit C, D). As a property owner in the project area, I request intervention in the proceeding to protect my health and property from any potential unsafe or harmful conditions. Finally, I request intervention to protect my property to the extent Hardin Wind's proposed changes in the Amendment impact my property. For these reasons, respectfully request intervention in this proceeding.

B. The extent to which the person's interest is represented by existing parties.

As there are no other intervenors currently in this case, my interests are not represented by existing parties in the proceeding.

C. My potential contribution to a just and expeditious resolution of the issues involved in the proceeding.

I will contribute to the just and expeditious resolution of the issues involved in the proceeding. There are limited issues that I want to raise in the Amendment proceeding, which can be best addressed at a public administrative hearing. Furthermore, I am not attempting to open and re-litigate the original certification case.


D. Granting the requested intervention will not unduly delay the proceeding or unjustly prejudice an existing party

Allowing me to intervene in the proceeding will not delay the proceeding or unjustly prejudice an existing party. Hardin Wind filed its Amendment on September 11, 2014. To date, the Board has not issued a procedural schedule or otherwise ruled in this proceeding. As such, my intervention is timely and will not delay the forthcoming proceedings or prejudice Hardin Wind.

CONCLUSION

For the reasons set forth above, I respectfully request that the Commission grant this Motion to Intervene.

Respectfully submitted,


Joseph Grant
20616 US Highway 68N
Belle Center, OH 43310

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Petition to Intervene and Memorandum in Support* was served this 24th day of September, 2014 via U.S. first class mail, postage prepaid, upon the following:

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