

FILE **FAX**

BEFORE THE OHIO POWER SITING BOARD

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PUCOConcerning the Application of)
Black Fork Wind Energy, LLC)

Case No. 10-2865-EL-BGN

OBJECTIONS TO REQUESTS FOR WAIVERS

As a homeowner living, and intervener, within the impact area of the proposed Black Fork Wind Energy Project, I respectfully urge the board to enforce the revised code and reserve the ability to do so with the strength and intension of the Administrative Code as written, in order to protect the citizens of Crawford and Richland Counties from the numerous issues involving the siting of an industrial wind installation. I urge that the board not grant waivers to the applicant Black Fork Wind Energy, LLC for the requested provisions of 4906-1-04, 4906.06(A)(6), 4906-1-03, 4906-17-04; -05(A)(4); (B)(20(h) and (i); 4906-17-06(B)(2), (c)(2); 4906-17-08(A)(1), (C)(2)(c); and 4906-17-08(E)(4) of the Ohio Administrative Code.

Furthermore the new setback requirement enacted into law now applies to the project requiring all setbacks to be reworked in keeping with the clear intent on the revised code.

OSPB procedures must be enforced concerning the expiration of the projects lifespan from original approval and is not a matter for waiver.

Respectfully submitted,

John Warrington
Resident
7040 Sr. 96
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(419)683-3112

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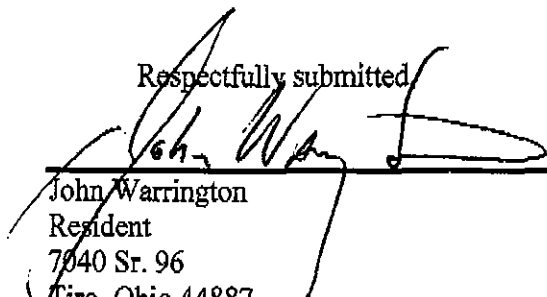
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I. Concerns and objections to reasoning contained in the introduction.

"The Applicant" or "Black Fork" in the opening paragraph raises the possibility that a power purchase agreement may not exist in the future. This has impact upon lease payments to the participating land owners as utilities may not choose to purchase the wind power and thereby potentially lower the revenue and benefits to landowners, this being a factor used by the developer to establish a public need in this area.

In paragraph two subjective terms minimize the immense impact of industrial electricity generation through wind through use of word like unique and small. Also I urge the board to look carefully at the argument that Black Fork is not a public utility. While this is true today Ohio Revised Code 5727.01 gives a definition that may allow the reverse argument at a future date as it suits the developer. May the intent of the law be used to protect the citizens primarily. Also great concern is felt by members of the host community that Black Fork lacks experience in the endeavor they undertake and are reliant on an undetermined construction company to know how to do the actual project work. Could this explain the request to waive many requirements such as grade elevations and maps. Please treat Crawford and Richland counties as its own project and not coequal to what a previous board has determined for Paulding Wind Farm LLC. Especially concerning the waiver of the one year notice provision under Section 4906.06(A)(6). "Paulding Wind" is a much less populated area and proceeded largely without objection.

II. Section 4906.06(A)(6), Revised Code

The financial risk of Black Fork Wind Energy Project is disproportionately placed upon the life long residents of the project area. A project area many times larger than a conventional electric generating facility, while producing a fraction of the energy. The greatest investment of the lives of 1413 residents is subject to noise effects and 604 homes are subject to shadow flicker effects with little exclusion. (Taken from section 5 of the application)

A reasoning is used by the applicant that is at odds with what many homeowners believe may be the true motive behind the request for waivers. That being the 1603 grant monies and the many other taxpayer funded subsidies available to the developer. For this reason do not grant the waiver of the one-year requirement and put first the protection of

Ohio citizens. It is hoped that in the light of new information concerning property devaluation and industrial wind complexes, the leadership of Ohio may take a slow and cautious approach to the siting process.

III. Rule 4906-17

I respectfully object to the applicants request for a waiver alternative site analyses. A strong argument can be made that the project area is far too populated to host an industrial wind development. From my research I understand that it may be necessary to erect 3500 industrial wind turbine to replace one medium sized coal generating plant. Wind energy is extortionately more land intrusive, considering the negative impacts to homeowners. Industrial wind developments in populated rural Ohio communities remain a new phenomena. Words such as what is typical and routine can not yet apply. The applicant argues it is not practical for them to procure land contracts and produce environmental and engineering studies. My view as someone who stands to gain nothing from this project , yet only loose value, it seem all the developer wants to do is coax citizens into signing lease agreements and then provide incomplete maps and studies requiring waivers.

Respectfully, I request that the intent of 4906-17 of the Ohio administrative Code be enforced for the protection of Ohio residents.

IV. Rule 4906-17-05(A)(4) Test Borings

Applicant request for waivers from test borings possible indicate only their intent to cut corners and save themselves money. As a life long resident of this area I understand that bedrock is reached at depths that vary greatly within the project boundary. Also please consider that near the North West portion of the project area is a town named Sulfur Springs. It is common for wells to become sulfurous by digging a well too deeply. Great care is necessary to avoid ruining an otherwise quality water supply. Verbal mention was made by the previous applicant of their intention to have turbine foundations only seven feet deep. Suspicion exists that this shallow foundation was suggested to assuage fears of water damage. However, new concerns are raised with the use of shallow foundations where bedrock is found far below the surface. Shallow turbine foundations can result in a turbine tipping over. For these considerations please insist that the applicant complete all necessary engineering work to protect the residents of Crawford and Richland Counties.

V. Rule 4906-17-05(B)(2)(h) Grade Elevations

For the protection of the residents of the project area I urge the board to consider the impact of the proposed installation not a "minimal" but as significant and substantial. Applicant again suggests that the board does not realize the difference between a power plant built on perhaps a fifty acre lot and a wind generating complex spanning tens of

miles. An installation of this magnitude brings numerous difficulties involving temporary roads and turn radius hurdles. The project area has endured two major floods in the last five years. I urge the board to adhere to the protections written into the code law and not grant waivers for these necessary precautions.

VI. Rule 4906-17-05(B)(2)(i) (Meteorological Towers)

Please hold the applicant to the details as reasoned in the Code Law. Again the intent in the request for the waiver indicated a disregard for the necessity of thorough preparation for a very serious construction project. If small details need to be sidestepped, are larger issues also being neglected? Every tower presents hazards to flight paths and has impact upon landowners.

Certificate of Service

Copies of the forgoing document sent to the following parties of record on September 29, 2014.

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