

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of Clean)
Energy Future-Lordstown, LLC for a)
Certificate of Environmental) Case No. 14-2322-EL-BGN
Compatibility and Public Need to)
Construct an Electric Generation Facility)
in Trumbull County, Ohio.)

ENTRY

The administrative law judge finds:

- (1) On March 23, 2015, as amended on March 27, 2015, Clean Energy Future-Lordstown, LLC (CEFL) filed an application with the Ohio Power Siting Board pursuant to the requirements of Ohio Adm.Code Chapter 4906-13. CEFL requests authority to construct, own, and operate an 800-megawatt electric generation facility, five-breaker ring bus, and a 345-kilovolt (kV) transmission line connecting the five-breaker ring bus to the generating facility (project). The project is proposed to be constructed in the Village of Lordstown, Trumbull County, Ohio.
- (2) Pursuant to Entry issued May 26, 2015, petitions to intervene in this proceeding were due to the Board within 30 days following publication of the notice required by Ohio Adm.Code 4906-5-08(C)(1), or by July 13, 2015, whichever is later. The May 26, 2015 Entry also scheduled this matter for a local public hearing, to be held on July 28, 2015, in Lordstown, Ohio and an adjudicatory hearing to be held on August 11, 2015, in Columbus, Ohio.
- (3) On May 18, 2015, American Transmission Systems, Inc. (ATSI) and Ohio Edison Company (OE), wholly-owned subsidiaries of FirstEnergy Corporation, filed a motion to intervene. ATSI and OE (jointly FirstEnergy) state that each has a significant interest in this matter. As proposed in the application, the ring bus will be built by CEFL and conveyed, with the land, to ATSI. The 345-kV transmission line will be located within the right-of-way owned by OE. FirstEnergy requests intervention to have input with regard

to the construction, location, and interconnection of the ring bus to ATSI's existing transmission lines and facilities. Further, FirstEnergy requests intervention to address any issues in regards to the ring bus interconnection and crossing of OE's right-of-way.

- (4) On June 2, 2015, CEFL filed a reply to FirstEnergy's request for intervention. CEFL states that it does not oppose FirstEnergy's motion to intervene in relation to the ring bus and the interconnection with and location of transmission facilities; however, CEFL objects to FirstEnergy's request that the Board include a condition that obligates CEFL to reach an agreement with FirstEnergy on all issues relating to the location of the ring bus, the interconnection of the ring bus, access to and construction of the 345-kV transmission line, and the transfer and ownership of the ring bus. CEFL objects to the notion that the Board should obligate CEFL to reach an agreement satisfactory to FirstEnergy on such issues. In CEFL's opinion, FirstEnergy's position does not contribute to the just and expeditious resolution of the issues before the Board. Finally, CEFL states that it intends to work with FirstEnergy in good faith, collaboratively, and cooperatively to address the issues raised. As such, CEFL asks that the Board refuse to impose conditions satisfactory only to FirstEnergy.
- (5) Pursuant to R.C. 4906.08(A)(3) and Ohio Adm.Code 4906-7-04, the Board considers four factors when evaluating a motion for leave to intervene: the nature and extent of the person's interest, the extent to which the person's interest is represented by existing parties, the persons potential contribution to a just and expeditious resolution of the issues involved in the proceeding, and whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice an existing party.
- (6) The administrative law judge (ALJ) finds that, in accordance with Ohio Adm.Code 4906-7-04, ATSI and OE have demonstrated good cause for their request for intervention in this proceeding. The ALJ finds that ATSI and OE have a real and substantial interest in the proposed project and their participation will contribute to the just and expeditious

resolution of the issues in this matter and will not delay or unjustly prejudice an existing party. Accordingly, the request for intervention should be granted.

It is, therefore,

ORDERED, That the request for intervention filed by FirstEnergy be granted. It is, further,

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

THE OHIO POWER SITING BOARD

s/Greta See

By: Greta See
Administrative Law Judge

JRJ/dah

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in

Case No(s). 14-2322-EL-BGN

Summary: Administrative Law Judge Entry that the request for intervention filed by FirstEnergy be granted; electronically filed by Debra Hight on behalf of Greta See, Administrative Law Judge.