

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of 6011)
Greenwich Windpark, LLC for a)
Certificate to Construct a Wind-Powered) Case No. 13-990-EL-BGN
Electric Generation Facility in Huron)
County, Ohio.)

ENTRY

The administrative law judge finds:

- (1) By Opinion, Order, and Certificate issued on August 25, 2014, the Board granted the application of 6011 Greenwich Windpark, LLC (Greenwich) to construct a wind-powered electric generation facility in Greenwich Township, Huron County, Ohio, subject to certain conditions. *In re 6011 Greenwich Windpark, LLC (Greenwich Wind Case)*, Case No. 13-990-EL-BGN, Opinion, Order, and Certificate (Aug. 25, 2014).
- (2) On August 21, 2014, Omega Crop Co., LLC (Omega) filed a late-filed motion to intervene, to which Greenwich filed a memorandum contra on August 22, 2014. On August 25, 2014, Omega filed a reply. In the Opinion, Order, and Certificate, the Board denied Omega's motion to intervene. *Greenwich Wind Case*, at 3-4.
- (3) R.C. 4906.12 states, in relevant part, that R.C. 4903.02 to 4903.16 and R.C. 4903.20 to 4903.23 apply to a proceeding or order of the Board as if the Board were the Public Utilities Commission of Ohio (Commission).
- (4) R.C. 4903.10 provides that any party who has entered an appearance in a Commission proceeding may apply for rehearing with respect to any matter determined by the Commission within 30 days after the entry of the order upon the journal of the Commission.
- (5) Further, Ohio Adm.Code 4906-7-17(D) states, in relevant part, that any party or affected person may file an application for rehearing within 30 days after the issuance of a Board order in the manner, form, and under the circumstances set forth in R.C. 4903.10.

- (6) Ohio Adm.Code 4906-7-17(I) provides that the administrative law judge (ALJ) may issue an order granting rehearing for the limited purpose of affording the Board more time to consider the issues raised in an application for rehearing.
- (7) On September 23, 2014, Omega filed an application for rehearing of the August 25, 2014 Opinion, Order, and Certificate in the *Greenwich Wind Case*. Greenwich filed a memorandum contra on October 2, 2014.
- (8) By Entry on Rehearing issued August 27, 2015, the Board denied Omega's September 23, 2014 request for rehearing (First Entry on Rehearing).
- (9) On September 24, 2015, Omega filed a second application for rehearing, requesting reconsideration of the Board's First Entry on Rehearing.
- (10) Pursuant to the authority set forth in Ohio Adm.Code 4906-7-17(I), the ALJ finds that, to the extent that Omega's application for rehearing has been filed consistent with the requirements of R.C. 4903.10 and Ohio Adm.Code 4906-7-17(D), which is a matter for the Board's determination, rehearing should be granted for the limited purpose of affording the Board additional time to consider the issues raised by Omega in its September 24, 2015 second application for rehearing.

It is, therefore,

ORDERED, That Omega's second application for rehearing filed on September 24, 2015, be granted as discussed in Finding (10). It is, further,

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

THE OHIO POWER SITING BOARD

/s/ Greta See

By: Greta See
Administrative Law Judge

CMTP/dah

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in

Case No(s). 13-0990-EL-BGN

Summary: Administrative Law Judge Entry ordering that Omega's second application for rehearing filed on September 24, 2015, be granted as discussed in Finding (10) - electronically filed by Debra Hight on behalf of Greta See, Administrative Law Judge.