

Before
THE SUPREME COURT OF OHIO

Union Neighbors United, Robert McConnel,)
Diane McConnel, and Julia F. Johnson)

Appellant,)

vs.)

Supreme Court No. 15-1715

The Ohio Power Siting
Board,)

Appellee.)

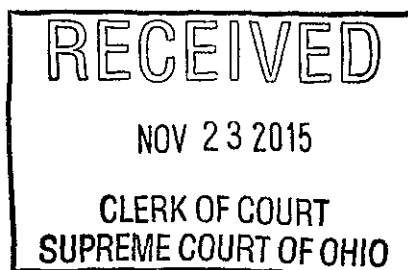
Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the matter of the application of)
Buckeye Wind, LLC for a certificate)
To install numerous electricity generating)
Wind turbines in Champaign County)
To be collected at an electrical substation)
In Union Township, Champaign County,)
Ohio)

Case No. 08-666-EL-BGN

In the matter of the application of)
Buckeye Wind LLC to amend its)
certificate)

Case No. 13-360-EL-BGA



This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business. Technician Am Date Processed 11/24/15

On October 4, 2010, the record for Case No: 08-666-EL-BGN, to that point in time was submitted to the Supreme Court of Ohio. Please refer to S.C. No10-1554, ICN No: 1-169
On August 15, 2014, the record for Case No. 13-360-EL-BGA, to that point in time was submitted to the Supreme Court of Ohio. Please refer to S.C. No. 14-1210 ICN No.: 1-74
(Cont. 2/19/2014 ICN No. Corres. – 10/23/2015 S.C. Appeal ICN No. 196)
These cases were filed separately

The numbers listed below are items occurring subsequently and are a continuation of the numbering used in the previously filed documents in Case 08-666-EL-BGN with Case 13-360-EL-BGA added to the ICN No. order.

| <u>INDEX AND DOCKET ENTRIES</u> | <u>ICN</u> |
|--|------------|
| <u>10/4/2010</u> Supreme Court transmittal No. 10-1554. | 170 |
| <u>3/6/2012</u> Supreme Court Document The following decision, announcement or notice of action by the Supreme Court of Ohio with respect to this case is provided solely for the information and convenience of the reader, and should not be construed as a part of the record of this case before the Public Utilities Commission of Ohio, and may be subject to formal revision before it is published in the Ohio Official Reports. The Court's opinions from 1992 to the present are available online from the Reporter of Decisions at http://www.sconet.state.oh.us/ROD/ . Slip Opinion issued March 6, 2012 affirming the Board's decision in a 4-3 decision. [Until this opinion appears in the Ohio Official reports advance sheets, it may be cited as In re Application of Buckeye Wind, LLC, Slip Opinion No. 2012-Ohio-878.] electronically filed by Kimberly L Keeton on behalf of Ohio Power Siting Board. | 171 |
| <u>2/19/2014</u> Public comment in opposition filed by consumer, Rich Fossen. | Corres. |
| <u>4/22/2014</u> Public comment response to Rich Fossen from K. Lambeck, OPSB Staff. | Corres. |
| <u>7/14/2014</u> Motion to Extend Certificate and Memorandum in Support electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 172 |
| <u>7/15/2014</u> Correspondence Regarding Motion for Extension of Certificate electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 173 |
| <u>7/28/2014</u> Public comment response to Mr. and Mrs. Hughes filed by S. Irwin on behalf of OPSB. | Corres. |
| <u>7/29/2014</u> Public comment response letter to Bob and Barbara Behling from M. Butler, OPSB Staff. | Corres. |

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| <u>7/29/2014</u> | Public comment response letter mailed to M. Parello from M. Butler, OPSB Staff. | Corres. |
| <u>7/29/2014</u> | Memorandum in Opposition To Buckeye Wind, LLC's Motion for Extension of Certificate electronically filed by Jane A. Napier on behalf of Champaign County Board of Commissioners and Urbana Township Board of Trustees. | 174 |
| <u>7/29/2014</u> | Motion and memorandum in support for Extension of Time to Respond to Buckeye Wind, LLC's Motion for Extension of Certificate electronically filed by Jane A. Napier on behalf of Goshen Township Board of Trustees and Union Township Board of Trustees. | 175 |
| <u>7/29/2014</u> | Memorandum in Opposition to Buckeye Wind's Motion for Extension of Certificate electronically filed by Mr. Jack A Van Kley on behalf of Union Neighbors United and Johnson, Julia Ms. and McConnell, Robert Mr. and McConnell, Diane Ms. | 176 |
| <u>7/30/2014</u> | Public response letter mailed to Mary Kay Klausing from M. Butler, OPSB Staff. | Corres. |
| <u>7/30/2014</u> | Public response letter mailed to John and Joy Mohr from M. Butler, OPSB Staff. | Corres. |
| <u>7/30/2014</u> | Public comment response letter mailed to Ms. Malicki from S. Irwin, OPSB Staff. | Corres. |
| <u>8/1/2014</u> | Memorandum Contra by Buckeye Wind LLC to Goshen and Union Townships' Request for Extension of Time electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 177 |
| <u>8/1/2014</u> | Proof of Pub electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC | P.O.P. |
| <u>8/1/2014</u> | Certificate and Proof of Service electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 178 |

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| <u>8/4/2014</u> | Motion for Waiver and Request for Expedited Ruling and Memorandum in Support electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 179 |
| <u>8/4/2014</u> | Public comment response letter mailed to Anthony and Katie Elsasser from S. Irwin, OPSB Staff. | Corres. |
| <u>8/5/2014</u> | Reply by Buckeye Wind LLC to the Memorandum Contra of Intervenor Champaign County and Urbana Township to Buckeye Wind's Motion to Extend Certificate electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 180 |
| <u>8/5/2014</u> | Reply By Buckeye Wind LLC to Memorandum Contra of Union Neighbors United, Robert and Diane McConnell and Julia Johnson to Buckeye Wind's Motion for Certificate Extension electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 181 |
| <u>8/5/2014</u> | Public comment response sent to Mr. Dan Boulton on behalf of OPSB Staff, S. Irwin. | Corres. |
| <u>8/6/2014</u> | Notice of withdrawal by Buckeye Wind LLC - Withdrawing Opposition to Motion for Extension of Time by Union and Goshen Townships electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 182 |
| <u>8/6/2014</u> | Public comment response sent to Mrs. April Boggs on behalf of OPSB Staff, S. Irwin. | Corres. |
| <u>8/8/2014</u> | Memorandum In Opposition to Buckeye Wind, LLC's and Motion for Extension of Certificate electronically filed by Jane A. Napier on behalf of Goshen Township Board of Trustees and Union Township Board of Trustees. | 183 |
| <u>8/8/2014</u> | Proof of Pub Attaching Affidavit of Publication electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | P.O.P. |
| <u>8/11/2014</u> | Exhibit A and B to UNU Memo Contra Motion for Waivers and Expedited Ruling electronically filed by Mr. Christopher A Walker on behalf of Union Neighbors United and Johnson, Julia F. Ms. and McConnell, Robert Mr. and McConnell, Diane Mrs. | 184 |

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| <u>8/11/2014</u> | Memorandum Contra Buckeye Wind, LLC's Motion for Waivers electronically filed by Jane A. Napier on behalf of Goshen Township Board of Trustees and Union Township Board of Trustees and Urbana Township Board of Trustees and Champaign County Board of Commissioners. | 185 |
| <u>8/11/2014</u> | Memorandum Contra Buckeye Wind's Motion for Waivers and Expedited Ruling electronically filed by Mr. Christopher A Walker on behalf of Union Neighbors United and Johnson, Julia F. Ms. and McConnell, Robert Mr. and McConnell, Diane Mrs. | 186 |
| <u>8/12/2014</u> | Reply by Buckeye Wind to Memorandum Contra by Intervenors Union and Goshen Townships to Buckeye Wind's Motion to Extend Certificate electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 187 |
| <u>8/15/2014</u> | Supreme Court Transmittal papers filed. (S.C. No. 14-1210) | 188 |
| <u>8/25/2014</u> | Entry granting the motion for an extension of the certificate to May 28, 2018. | 189 |
| <u>9/24/2014</u> | Exhibit A and B to Application for Rehearing of Union Neighbors United, Robert and Diane McConnell, and Julia F. Johnson electronically filed by Mr. Christopher A Walker on behalf of Union Neighbors United and McConnell, Robert Mr. and McConnell, Diane Mrs. and Johnson, Julia F. Ms. | 190 |
| <u>9/24/2014</u> | App for Rehearing of Union Neighbors United, Robert and Diane McConnell, and Julia F. Johnson electronically filed by Mr. Christopher A Walker on behalf of Union Neighbors United and McConnell, Robert Mr. and McConnell, Diane Mrs. and Johnson, Julia F. Ms. | 191 |
| <u>10/6/2014</u> | Memorandum Contra to Application for Rehearing electronically filed by Mr. Michael J. Settineri on behalf of Buckeye Wind LLC. | 192 |
| <u>10/23/2014</u> | Administrative Law Judge Entry that the application for rehearing filed by Union Neighbors United, Julia Johnson, and Robert and Diane McConnell is granted for the purpose of affording the Board additional time to consider the issues raised therein; electronically filed by Debra Hight on behalf of Scott E. Farkas, Administrative Law Judge. | 193 |
| <u>4/27/2015</u> | Notice of withdrawal of counsel electronically filed by Mr. Michael J. Settineri on behalf of Champaign Wind LLC and Hardin Wind LLC and Carroll County Energy LLC and Buckeye Wind LLC. | 194 |

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| <u>8/27/2015</u> | Entry on rehearing ordered that the application for rehearing filed by UNU is denied. | 195 |
| <u>10/23/2015</u> | Supreme Court Notice of Appeal. (S.C. #15-1715) | 196 |

Before
THE SUPREME COURT OF OHIO

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| Diane McConnel, and Julia F. Johnson |) | |
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| vs. |) | Supreme Court No. 15-1715 |
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| Appellee. |) | |

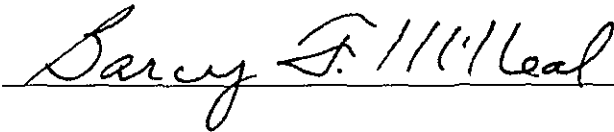
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| Buckeye Wind LLC to amend its |) | Case No. 13-360-EL-BGA |
| certificate |) | |

CERTIFICATION

I, Barcy F. McNeal, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. **170-196**, the **Entry dated 8/25/2014** and the **Entry on Rehearing dated 8/27/2015** inclusive; and the Certification of the record in Case No.'s **08-666-EL-BGN and 13-360-EL-BGA**.

IN WITNESS THEREOF, I have thereunto set my hand
and affixed the official seal of The Public Utilities Commission
of Ohio this 23rd day of NOVEMBER, 2015.



Barcy F. McNeal, Secretary
Tanowa M. Troupe, Acting Secretary
Felecia D. Burdett, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO