

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of)	
Paulding Wind Farm III for a Certificate)	
of Environmental Compatibility and Public)	Case No. 15-1737-EL-BTX
Need for the Timber Road III Transmission)	
Line with Associated Point of Interconnect)	
Switchyard in Paulding County)	

**REPLY TO MEMORANDUM CONTRA TO PETITION OF THE CAMPAIGN FOR
AMERICAN AFFORDABLE AND RELIABLE ENERGY TO INTERVENE**

I. INTRODUCTION

In their opposition to the Campaign For American Affordable and Reliable Energy’s (“CAARE”) Petition to Intervene, the applicant in this case, Paulding Wind Farm III LLC (“Applicant”), mischaracterizes the nature of the interests CAARE seeks to protect in these proceedings. Moreover, the Applicant incorrectly suggests—with pure conjecture and speculation—that CAARE’s participation has and will unduly delay these proceedings. Because the Applicant is simply wrong, CAARE respectfully urges the Board to grant its Petition to Intervene in this case.

II. ARGUMENT

As noted in its Petition, CAARE was organized for a number of reasons, not the least important of which is to participate in state and federal siting certification, licensing and permitting proceedings to ensure that alternate energy sources fully comply with all applicable standards and regulations including impact on the community, environment and natural wildlife resources. Contrary to the Applicants’ argument, CAARE’s interests are strikingly similar to those advanced by the Ohio Farm Bureau Federation, which has been granted intervention in

numerous cases, including this one, before this Board. *In the Matter of the Application of Paulding Wind Farm III*, No. 15-1737-EL-BTX, slip op. at 4, ¶¶10-11 (Ohio Power Siting Bd. Feb. 29, 2016).

In this case, the Federation asserted that “it maintains a non-profit organization representing agricultural interests, its members are involved in farm and agribusiness activities, and have a keen interest in effective transmission line placement and development. [The Federation] claims that the majority of the potential right of way for this transmission line will be agricultural ground and farmers want to ensure that construction activities on their property adhere to procedures ensuring soil and water conservation.” *Id.* slip op at 4, ¶10. Although the Federation asserted that it has members in Paulding County, it did not assert that the Applicant’s proposed transmission line would be constructed on or across any of its members’ property. Federation Motion to Intervene at 3-4. Rather, the Federation asserted only its general “keen interest in effective transmission line placement and development,” *Id.* at 4, and, “on the state level,” its work “with utilities, energy service providers, the Public Utilities Commission of Ohio, other government agencies and interested citizens groups to explore strategies and introduce new technologies to help consumers and communities control energy costs.” *Id.* Quite simply, the Federation’s intervention—which was unopposed by the Applicant—was supported by nothing more than the Federation’s “general” interests similar in nature to those the Applicant now seeks to prohibit CAARE from advancing.

Contrary to the Applicant’s assertion, its application in this case—for approval of the construction of a 138 kV transmission line to deliver electricity generated by the Timber Road I and III Wind Farms—directly implicates CAARE’s interests. CAARE contends that the construction of the Timber Road Wind Farms, and the integration of those projects into the PJM

interconnection grid—which is the subject of the present Application—present substantial problems for the preservation of affordable, reliable, safe, and secure supplies of electricity for all consumers in Ohio. This is the fundamental purpose for which CAARE was organized.

Applicant seeks approval for a transmission line that will run, at a minimum, 8.6 miles—11.6 miles for the alternative route—across two townships in Paulding County, and the proposed POI switchyard will occupy approximately 2.1 acres. The construction and operation of these facilities will have a direct and substantial impact on area roads, infrastructure, and wildlife, and adversely affect property values. All of these are concerns CAARE has pledged to advance and protect.

Moreover, it is clear that these interests are not currently represented in this proceedings. Applicant opposes CAARE's intervention as a means to silence all voices that might be opposed to its proposal and would have the Board accept, without question, its assertions regarding the environmental compatibility and public need therefor. CAARE appropriately seeks to intervene in this proceeding to ensure that the true impacts and effects of the Applicant's proposal are adequately and accurately explored and the record properly developed.

Furthermore, there is no truth to Applicants' assertion that CAARE's participation has already caused, and will continue to cause, unnecessarily delay in these proceedings. The Entry establishing a schedule for the proceedings in this case was not issued until February 29, 2016. See *In the Matter of the Application of Paulding Wind Farm III*, No. 15-1737-EL-BTX, slip op. at 4, ¶¶10-11 (Ohio Power Siting Bd. Feb. 29, 2016). Applicant cannot direct the Board's attention to any delay or extension of the deadlines set forth in that Entry, let alone any such extension or delay caused by the action or inaction of CAARE. Indeed, nothing CAARE has done in any proceeding before the Board has caused or resulted in any delay.

And finally, the Applicant's suggestion that CAARE's participating in this proceeding will cause unnecessary delay in the future is nothing more than pure conjecture and speculation. CAARE has agreed to abide by all Board deadlines. It will present its information and evidence in a clear and succinct matter. CAARE's participation will not, therefore, cause any undue delay.

III. CONCLUSION

For the foregoing reasons, and for the reasons set forth in CAARE's Memorandum in Support of its Petition to Intervene, CAARE respectfully requests the Board to grant its Petition To Intervene in this case.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Reply To Memorandum Contra Petition To Intervene was served, via regular U.S. mail, postage prepaid, this 21st day of March, 2016, upon all parties listed in the attached Exhibit A.

/s/ John F. Stock _____
John F. Stock

Exhibit A

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/21/2016 11:02:44 AM

in

Case No(s). 15-1737-EL-BTX

Summary: Reply to Memorandum Contra to Petition of the Campaign for American Affordable and Reliable Energy to Intervene electronically filed by John F Stock on behalf of Campaign for American Affordable and Reliable Energy