

BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of)
Paulding Wind Farm and Paulding Wind)
Farm III, LLC for Amendments to Their) Case No. 15-2030-EL-BGA
Certificates to Install and Operate Wind-) Case No. 15-2031-EL-BGA
Powered Electric Generation Facilities in)
Paulding County, Ohio.)

ORDER ON CERTIFICATE

The Ohio Power Siting Board, in considering the above-entitled matters, approves and adopts the joint stipulation and recommendation filed by Paulding Wind Farm and Paulding Wind Farm III, LLC, the Ohio Farm Bureau Federation, and Staff, and grants the applications filed by Applicants to amend their respective certificates in the manner they have proposed in these two cases, subject to the conditions in this Order.

OPINION:

I. Procedural History of this Case

All proceedings before the Ohio Power Siting Board (Board) are conducted according to the provisions of R.C. Chapter 4906 and Ohio Adm.Code Chapter 4906.

On August 23, 2010, in *In re Paulding Wind Farm LLC*, Case No. 09-980-EL-BGN (09-980), the Board issued an Opinion, Order, and Certificate granting the application of Paulding Wind Farm LLC for a certificate to construct *Timber Road I*, a wind-powered electric generating facility in Paulding County, Ohio, consisting of up to 35 turbine sites with a combined generation capacity of 48.6 megawatts (MW).

On November 18, 2010, in *In re Paulding Wind Farm II LLC*, Case No. 10-369-EL-BGN (10-369), the Board issued an Opinion, Order, and Certificate granting the application of Paulding Wind Farm II LLC for a certificate to construct *Timber Road II*, a wind-powered electric generating facility in Paulding County, Ohio, consisting of up to 98 turbine sites with a combined generation capacity of 150.4 MW.

On February 28, 2011, in *In re Paulding Wind Farm II LLC*, Case No. 10-3128-EL-BGA (10-3128), the Board issued an Order on Certificate Amendment permitting Paulding Wind Farm II LLC to amend the certificate granted in 10-369. Changes included an increase in the hub height of the approved Vestas V100 1.8 MW turbine model from 262.5 feet to 311.7 feet, the addition of a new permanent meteorological tower, and the removal of three of the previously approved meteorological tower locations.

On February 28, 2011, in 10-369, the Board authorized the bifurcation of the project approved in 10-369 into two phases. As a result of this bifurcation, Phase I of the project continues to be known as *Timber Road II*. It consists of 55 operational turbines and began commercial operation in July 2011. Phase II of the project approved in 10-369 is now known as the *Timber Road III*. It consists of 37 unconstructed turbine locations and has been assigned to Paulding Wind Farm III LLC.

On December 9, 2015, in *In re Paulding Wind Farm III LLC*, Case No. 15-2030-EL-BGA (15-2030), Paulding Wind Farm III LLC filed an application to amend the certificate, first issued in 10-369 and later amended in 10-3128, which authorizes *Timber Road III*. On December 9, 2015, in Case No. 15-2031-EL-BGA (15-2031), Paulding Wind Farm LLC and Paulding Wind Farm III LLC (Applicants) filed a joint application to amend the certificate, issued in 09-980, which authorizes *Timber Road I*. The project areas involved in 15-2030 and 15-2031 partially overlap and are both located entirely in Paulding County, Ohio. On January 19, 2016, Applicants filed a letter rescinding their request for tree clearing. On February 17, 2016, the Applicants supplemented their filings in both 15-2030 and 15-2031 to modify the layout of several collection lines and access roads. An officer's affidavit for the supplement as well as proof of service of the supplement were filed on February 17 and February 18, 2016, respectively.

As explained further below in the summary of these applications, Applicants have proposed: (1) changes to access roads; (2) changes to collection lines; (3) establishing a new transmission line interconnection point; (4) adding the Gamesa G114 turbine model to the list of approved turbine models for the two projects; (5) the removal of four specific previously approved *Timber Road I* turbine locations and one specific previously approved *Timber Road III* turbine location; (6) notice that four turbine sites previously approved for both projects will be dropped by one, but exclusively retained by the other of the two projects; (7) a proposed relocation of the collector substation serving both projects; and (8) increasing the combined facility output by 0.8 MW.

On December 9, 2015, Applicants filed proof of service of the applications. On January 8, 2016, Applicants filed proof of publication of the notice of the applications that was published in *The Paulding Progress*, a newspaper of general circulation in Paulding County, Ohio. Staff filed a combined investigative report (Staff Report) for both 15-2030 and 15-2031 on March 23, 2016.

By Entry issued April 6, 2016, the administrative law judge (ALJ) granted the motion to intervene filed by the Ohio Farm Bureau Federation (OFBF) and denied the motion to intervene filed by the Campaign for American Affordable and Reliable Energy, LLC (CAARE). In that same Entry, the ALJ found that none of the proposed changes in the certificate amendment applications in 15-2030 and 15-2031, as supplemented and

amended, would result in any material increase in any environmental impact of the facilities; therefore, a hearing was not required under R.C. 4906.07(B) with regard to any material increase in any environmental impact of the facilities due to the proposals in these applications. However, the ALJ found that the following four proposed changes in the certificate amendment applications in 15-2030 and 15-2031, as supplemented and amended, would require a hearing under R.C. 4906.07(B), because they entail a substantial change in the location of all or a portion of the facilities: (1) the proposed modification of access roads; (2) the proposed modification of collection lines; (3) the proposed relocation of the collector substation; and (4) establishing the proposed new transmission line interconnection point.

The April 6, 2016 Entry also scheduled an adjudicatory hearing to commence on April 28, 2016, at the offices of the Board in Columbus, Ohio. By Entry issued April 21, 2016, the ALJ extended to April 26, 2016, the deadline for filing of all testimony. On April 26, 2016, Applicants filed the direct testimony of Benjamin Brazell and Erin Bowser. On April 26, 2016, Staff filed the direct testimony of Grant T. Zeto. On April 26, 2016, Applicants, OFBF, and Staff, (collectively, the Signatory Parties) filed a joint stipulation and recommendation (Stipulation).

The evidentiary hearing was held on April 28 2016. The following parties made appearances at the hearing: Applicants, Staff, and OFBF. No public witnesses appeared at the hearing. Admitted into evidence at the adjudicatory hearing were: Applicants' application and supplements (Applicants' Exs. 6 and 2); the notice of withdrawal of a request for authorization to conduct tree clearing (Applicants' Ex. 1); the proof of publication (Applicants' Ex. 3); the testimony of Applicants' witness, Erin Bowser, in support of the Applications and of the Stipulation (Applicants' Ex. 4); the testimony of Applicants' witness, Benjamin Brazell, regarding the environmental impacts associated with the proposed certificate amendments (Applicants' Ex. 5); the Staff Report (Staff Ex. 1) and the Stipulation filed by the Signatory Parties to the Stipulation (Parties' Joint Ex. 1); and the testimony of Staff witness, Grant T. Zeto, in support of the Staff Report and the Stipulation (Staff Ex. 2).

II. Summary of Ohio Revised Code and Ohio Administrative Code

Paulding Wind Farm LLC is a partnership and a person under R.C. 4906.01(A) and is certificated to construct, operate, and maintain a major utility facility, in the form of a wind-powered electric generation facility, under R.C. 4906.10 in accordance with the Board's Order in 09-980. Paulding Wind Farm III LLC is a partnership and a person under R.C. 4906.01(A) and is certificated to construct, operate, and maintain a major utility facility, in the form of a wind-powered electric generation facility, under R.C. 4906.10 in accordance with the Board's Order in 10-369.

Pursuant to R.C. 4906.10, the Board's authority applies to major utility facilities and provides that such facilities must be certified by the Board prior to the commencement of construction. In accordance with R.C. Chapter 4906, the Board promulgated rules, which are set forth in Ohio Adm.Code Chapters 4906-5 and 4906-17, prescribing regulations regarding applications for wind-powered electric generation facilities.

R.C. 4906.06(E) provides that an application for an amendment of a certificate shall be in such form and contain such information as the Board prescribes. R.C. 4906.07 requires that, when considering an application for amendment of a certificate, the Board shall hold a hearing "****if the proposed change in the facility would result in any material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of such facility***."

Under R.C. 4906.06(E), an applicant is required to provide notice of its application as required by R.C. 4906.06(B) and (C). These sections require an applicant to file proof of service of the application to all public officials in the area where the facility is located and, within 15 days after the date of the filing of the application, give public notice of the application by publishing a summary of the application in newspapers of general circulation in the area.

R.C. 4906.20 prohibits any person from commencing to construct an economically significant wind farm in this state without first having obtained a certificate from the Board and directs the Board to adopt rules governing the certificating of economically significant wind farms. Pursuant to R.C. 4906.13, an economically significant wind farm includes wind turbines and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of five or more megawatts but less than fifty megawatts. The Board has promulgated the required rules as Ohio Adm.Code 4906. These rules shall provide for an application process and establish reasonable regulations regarding wind turbines and associated facilities as well as prescribing minimum setback requirements.

R.C. 4906.201 applies the minimum setback requirements of R.C. 4906.20 to electric generating plant that consists of wind turbines and associated facilities with an aggregate capacity of fifty megawatts or more. Both R.C. 4906.20 and 4906.201 address amendments of existing certificates for wind farms which trigger the application of enhanced setback requirements.

As discussed above, R.C. 4906.06(E), 4906.20, and 4906.201 all address amendments to certificates. R.C. 4906.06(E) applies generally to the amendment of a certificate held by a major utility facility including an electric generating plant and associated facilities designed for or capable of operation at a capacity of fifty megawatts

or more, an electric transmission line and associated facilities of one hundred twenty-five kilovolts or more, and a gas pipeline greater than five hundred feet in length and its associated facilities that is more than nine inches in outside diameter and is designed for transporting gas at a maximum allowable operating pressure in excess of one hundred twenty-five pounds per square inch. R.C. 4906.20 and 4906.201, on the other hand, specifically apply to wind turbines. The Board interprets the amendment addressed in R.C. 4906.20 and 4906.201 to apply specifically in those instances where an amendment results in a substantial change in the location of a turbine or an amendment results in a material increase in an environmental impact caused by a turbine that is not already addressed by conditions placed on the certificate.

III. Summary of the Evidence

A. Summary of the Applications in 15-2030 and 15-2031

As previously indicated, the Applicants are seeking, in 15-2030, to amend the certificate which authorizes *Timber Road III* and, in 15-2031, to amend the certificate which authorizes *Timber Road I*. The project areas involved in 15-2030 and 15-2031 partially overlap and are both located entirely in Paulding County, Ohio. On February 17, 2016, the Applicants supplemented their filings in both 15-2030 and 15-2031 to modify the layout of several collection lines and access roads.

Considering both applications together, Applicants are proposing eight modifications to the certificates which authorize *Timber Road I* and *Timber Road III*. These eight proposed modifications consist of: (1) changes to access roads; (2) changes to collection lines; (3) establishing a new transmission line interconnection point; (4) adding the Gamesa G114 turbine model to the list of approved turbine models for the two projects; (5) the removal of four specific previously approved *Timber Road I* turbine locations and one specific previously approved *Timber Road III* turbine location; (6) notice that four turbine sites previously approved for both projects will be dropped by one but exclusively retained by the other of the two projects; (7) a proposed relocation of the collector substation serving both projects; and (8) increasing the combined facility output by 0.8 MW.

B. Summary of the Staff Report

Staff reviewed both applications and filed a combined Staff Report on March 23, 2016. Noting each of eight of the items identified in the above summary of the two applications, the Staff Report reviews Applicants' proposed modifications to the certificates which authorize *Timber Road I* and *Timber Road III*.

Staff finds that the addition of the Gamesa G114 turbine model would not impact the location of any facilities and would not result in a material increase in environmental impact in light of the conditions specified in the opinions, orders, and certificates issued in 09-980, 10-369, and 10-3128. Additionally, Staff determines that neither the increase in nameplate capacity nor the point of interconnection result in a substantial change in the location of all or a portion of the certified facilities and would not result in a material increase in environmental impact. With respect to the proposed modifications to the access roads, collection lines, and the relocation of the collection substation, Staff also finds that the changes to these facilities would pose no material increase in environmental impact. However, Staff recommends that the Board find that the proposed relocation and addition of the access roads, collection lines, and the relocation of the collection substation constitutes substantial changes in the locations in these portions of the certified facilities. Staff recommends that the Board approve the applications as proposed, provided that the certificates include the conditions specified in the opinions, orders, and certificates issued in 09-980, 10-369, and 10-3128, including the Applicants' compliance with the applicable statutory setback requirements. (Staff Report at 10-11.)

C. Summary of the Stipulation

As previously noted, on April 26, 2016, the Signatory Parties filed a Stipulation purportedly resolving all the issues presented in 15-2030 and 15-2031 (Joint Ex. 1). At the hearing, Applicants' witness Bowser and Staff's witness Zeto offered testimony in support of the Stipulation. As part of the Stipulation, the Signatory Parties agree and recommend that the Board issue an Order approving both applications, in 15-2030 and 15-2031, subject to certain conditions. The following is a summary of the conditions in the Stipulation and is not intended to replace or supersede the language of the Stipulation.

- (1) The Stipulation results from discussions between the Parties who acknowledge that stipulation is amply supported by the record and thus is entitled to careful consideration by the Board. The Stipulation is intended by the Parties to resolve all matters pertinent to the applications of Paulding Wind Farm LLC and Paulding Wind Farm III, LLC for amendments to the certificates which authorize *Timber Road I* and *Timber Road III*.
- (2) The Applicants shall continue to adhere to all conditions of the opinions, orders, and certificates issued in 09-980, 10-369, and 10-3128, for the respective cases, with the addition of the Gamesa G114 turbine model to be added as an acceptable turbine model and including increased facility nameplate capacity and the

modifications of the collector substation, access roads, interconnection point, and collection lines.

- (3) In addition, the Parties have agreed that the decommissioning condition issued for *Timber Road II* -condition 52 - of the Certificate issued in 10-369, will replace the decommissioning condition issued for *Timber Road I* - condition 47 - of the Certificate issued in 09-980.

(Joint Ex. 1 at 6).

IV. Board's Conclusion and Certificate Conditions

Initially, the Board notes that, in our Orders for *Timber Road I* (09-980) and *Timber Road III* (10-369 as amended by 10-3128), we determined that the stipulations entered into between the stipulating parties in those cases satisfied the criteria set forth in R.C. Chapter 4906, promotes the public interest and necessity, and does not violate any important regulatory principle or practice. Therefore, the Board approved the stipulation and granted a certificate in *Timber Road I* subject to 54 conditions and approved the stipulation and granted a certificate in *Timber Road III* subject to 60 conditions as amended by 10-3128.

In the instant applications, as noted above, Applicants are proposing eight modifications to the certificates which authorize *Timber Road I* and *Timber Road III*. These eight proposed modifications consist of: (1) changes to access roads; (2) changes to collection lines; (3) establishing a new transmission line interconnection point; (4) adding the Gamesa G114 turbine model to the list of approved turbine models for the two projects; (5) the removal of four specific previously approved *Timber Road I* turbine locations and one specific previously approved *Timber Road III* turbine location; (6) notice that four turbine sites previously approved for both projects will be dropped by one but exclusively retained by the other of the two projects; (7) a proposed relocation of the collector substation serving both projects; and (8) increasing the combined facility output by 0.8 MW. The Board finds that Applicants properly filed this case for our review and consideration in accordance with R.C. 4906.06(E) thereby providing for the necessary notice and due process afforded to applications regarding certificates issued by the Board.

In reviewing an application for an amendment of a certificate, the Board must evaluate whether to hold a hearing on the certificate pursuant to R.C. 4906.07(B) based on whether the proposed change in the facility would result in any material increase in any environmental impact of the facility or whether the proposed change in the facility results in a substantial change in the location of all or a portion of such facility other than as provided in the alternatives set forth in the application. Regarding the addition of the

Gamesa G114 turbine model to the list of approved turbine models for these two projects, the Board finds that, as attested to in the application before us, and verified in the Staff Report, there is no material increase in any environmental impact of the facility and no substantial change in any turbine location from the certificate that was originally approved by the Board which authorizes *Timber Road I*, issued in 09-980, as well as the certificate which authorizes *Timber Road III*, first issued in 10-369 and later amended in 10-3128. Therefore, the Board finds that a hearing is not necessary regarding the addition of the Gamesa G114 turbine model to the list of approved turbine models for these two projects.

Moreover, the addition of the Gamesa G114 does not affect our conclusion from the *Timber Road I* and *Timber Road III* proceedings that the projects satisfy the criteria set forth in R.C. Chapter 4906, promotes the public interest, and does not violate any important regulatory principle or practice. Rather, these applications merely permit Applicants to upgrade the list of possible turbine models in order to take advantage of the latest technological advancements in this field of study. All conditions heretofore established addressing issues such as shadow flicker, noise, ecological impacts, and setback for the *Timber Road I* and *Timber Road III* certificates continue to apply as those issues were thoroughly reviewed and addressed in our previous orders. Further, as verified in the Staff Report and the Stipulation, none of the requirements established in the certificates will be changed or violated with the technological advancements proposed in these applications. Therefore, after review of the conditions delineated in the *Timber Road I* and *Timber Road III* cases, we conclude that such conditions adequately address the addition of the Gamesa G114 to the list of approved turbine models for these projects.

As part of the Board's examination when a new turbine model is proposed, the Board considers the facts in each case to determine whether the proposal affects the turbines such that the enhanced setback provisions in R.C. 4906.201 are triggered. Upon deliberation of the specific requests proposed by Applicants, as well as the recommendations set forth in the Staff Report and Stipulation, the Board finds that, based on the facts of these cases, including the fact that these applications do not substantially relocate any turbine or provide any new or additional environmental impacts beyond the previously approved turbine models, these applications do not constitute an amendment under R.C. 4906.201(B)(2) and thus do not trigger the enhanced setbacks under this statute. Therefore, the Board concludes that the conditions required by our Orders in *Timber Road I* and *Timber Road III*, including the setback requirements that adhere to the provisions in R.C. 4906.20(B)(2) that were applied to the turbines prior to September 29, 2013, continue to apply to the turbines for this project.

Regarding the non-turbine portions of the pending applications, the ALJ did find and the Board concurs that the proposed modification of access roads, the proposed

modification of collection lines, the proposed relocation of the collector substation, and the proposed new transmission line interconnection point resulted in a substantial change in the location of all or a portion of the facility and thus a hearing was duly scheduled and held pursuant to R.C. 4906.07(B). However, an amendment to the non-turbine components of a wind farm project does not implicate the enhanced setback requirements of R.C. 4906.20 and 4906.201. Rather, the Board reviews the amendments proposed under these applications pursuant to the authority outlined in R.C. 4906.06(E).

At the hearing in this matter, the parties introduced a Stipulation signed by all parties to this case. The Board notes that Ohio Adm.Code 4906-7-09 authorizes parties to Board proceedings to enter into stipulations concerning issues of fact. Although not binding on the Board, pursuant to Ohio Adm.Code 4906-7-09(C), the terms of such an agreement are accorded substantial weight. The standard of review for considering the reasonableness of a stipulation has been discussed in a number of prior Board proceedings. *See, e.g., In re Northwest Ohio Wind Energy, LLC*, Case No. 13-197-EL-BGN, Opinion, Order, and Certificate (Dec. 16, 2013); *In re American Transm. Systems Inc.*, Case No. 12-1727-EL-BSB, Opinion, Order, and Certificate (Mar. 11, 2013); *In re Rolling Hills Generating, LLC*, Case No. 12-1669-EL-BGA, Order on Certificate Amendment (May 1, 2013); *In re AEP Transm. Co., Inc.*, Case No. 12-1361-EL-BSB, Opinion, Order, and Certificate (Sept. 30, 2013); *In re Hardin Wind LLC*, Case No. 13-1177-EL-BGN, et al., Opinion, Order, and Certificates (Mar. 17, 2014). The ultimate issue for the Board's consideration is whether a stipulation, which embodies considerable time and effort by the signatory parties, is reasonable and should be adopted. In considering the reasonableness of a stipulation, the Board has used the following criteria:

- (1) Is the settlement a product of serious bargaining among capable, knowledgeable parties?
- (2) Does the settlement, as a package, benefit ratepayers and the public interest?
- (3) Does the settlement package violate any important regulatory principle or practice?

At the evidentiary hearing, Applicants' witness Bowser testified that all the parties to this proceeding along with Staff engaged in settlement negotiations through an open process and that some of the revisions to certain Staff recommended conditions were incorporated into the Stipulation (Applicants' Ex. 5 at 8.)

The Board finds that the Stipulation appears to be the product of serious bargaining among capable, knowledgeable parties. We further recognize that the counsel for each of the parties to this case has participated in several other Board proceedings and is, therefore, familiar with Board proceedings and certificate

requirements. Consequently, the Board finds that, based upon the record, the first criterion is satisfied.

At the evidentiary hearing, Applicants' witness Bowser also claims that the Stipulation, as a package, benefits the public interest. Ms. Bowser testified that, when completed, the Timber Road I and the Timber Road III wind farms have a generation capacity of nearly 200 megawatts and an annual estimated output of 320,000 megawatts of clean energy each year. She further noted that the project will benefit the local economy through the addition of new jobs, payroll, and tax revenue. (Applicants' Ex. 5 at 8.)

Upon review, the Board finds that, as a package, the Stipulation benefits the public interest by resolving the issues raised in this matter without resulting in lengthy litigation. The Board recognizes that the Stipulation essentially includes Staff's recommendations, as set forth in the Staff Report. We find that, based on the evidence of record, the Timber Road I and Timber Road III projects will contribute safe and reliable electric service in the northwestern Ohio area. Additionally, the project will produce tax revenue for the local community and public services in those areas.

At the evidentiary hearing, Applicants' witness Bowser states that the Stipulation does not violate any important regulatory principle or practice (Applicants' Ex. 5 at 8). The Board finds that the Stipulation does not violate any important regulatory principle or practice. Moreover, the conditions contained within the Stipulation in conjunction with the conditions adopted with the certificates issued for *Timber Road I* in 09-980 and *Timber Road III* in 10-369 as amended in 10-3128 adequately address all statutory requirements and will help ensure that increased demands for electricity are met in the future and that existing reliability of service is strengthened and enhanced throughout the area.

The Signatory Parties have recommended that the Board should issue an Order approving both applications, in 15-2030 and in 15-2031, subject to the certificate conditions set forth in the Stipulation. The Board finds, based on the record as a whole, that all of the criteria for doing so, established in R.C. Chapter 4906, are satisfied with regard to the eight proposed modifications to the certificates which authorize *Timber Road I* and *Timber Road III*. Therefore, based upon the record in this proceeding, the Board concludes that, pursuant to R.C. Chapter 4906, the certificate amendment applications in 15-2030 and 15-2031, as supplemented and amended, should be approved, subject to the conditions set forth in the Stipulation as well as continued adherence to all conditions of the Orders in 09-980, 10-369, and 10-3128. Accordingly, the certificate which authorizes *Timber Road I*, issued in 09-980, as well as the certificate which authorizes *Timber Road III*, first issued in 10-369 and later amended in 10-3128, should be amended, subject to the conditions set forth in the Stipulation, in the manner

proposed in these two cases, namely, so as to allow for the proposed additional turbine model and each of the proposed modifications to the non-turbine associated facilities, as well as the proposed change to the decommissioning condition -- condition 47 - of the certificate issued in 09-980.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

- (1) Paulding Wind Farm LLC and Paulding Wind Farm III LLC are persons under R.C. 4906.01(A).
- (2) The Timber Road I and Timber Road III Wind Farms are electric generation facilities and are major utility facilities as defined in R.C. 4906.01(B)(1).
- (3) On December 9, 2015, as revised and supplemented on February 17, 2016, Paulding Wind Farm LLC and Paulding Wind Farm III LLC filed applications seeking to amend their certificates authorizing the operation of Timber Road I and Timber Road III wind farm projects. Applicants also filed notice of proof of service of the applications on December 9, 2015.
- (4) As revised, the proposed applications together would: modify access roads; modify collection lines; establish a new transmission line interconnection point; add the Gamesa G114 turbine model to the list of approved turbine models for the two projects; remove four specific previously approved *Timber Road I* turbine locations and one specific previously approved *Timber Road III* turbine location; provide that four turbine sites previously approved for both projects will be dropped by one but exclusively retained by the other of the two projects; propose relocation of the collector substation serving both projects; and increase the combined facility output by 0.8 MW.
- (5) On January 8, 2016, Applicants filed an affidavit and a newspaper tear sheet indicating that "Notice of Amendments to Major Utility Facilities" was published on December 30, 2015 in *The Paulding Progress*, a newspaper of general circulation in Paulding County, Ohio.
- (6) On January 19, 2016, Applicants filed a letter rescinding their request for tree clearing.
- (7) On March 23, 2016, the Staff Report of Investigation was filed.

- (8) The proposed changes to the certificated facility do not result in any material increase in any social or environmental impact; however, the change in location of certain facilities and the addition of new facilities do result in a substantial change in the location of the facility. Therefore, pursuant to R.C. 4906.07, an evidentiary hearing is necessary only to the extent there is a substantial change in the location of all or a portion of the certified facility.
- (9) By Entry issued April 6, 2016, the ALJ granted the motion to intervene of OFBF and denied the motion to intervene of CAARE, scheduled a April 22, 2016 deadline for the filing of all direct testimony, and scheduled an evidentiary hearing, pursuant to R.C. 4906.07, to commence on April 28, 2016.
- (10) An evidentiary hearing was held on April 28, 2016, in Columbus, Ohio.
- (11) Based on the record, and in accordance with R.C. Chapter 4906, the applications seeking amendment of the certificates of environmental compatibility and public need for the Timber Road I and Timber Road III electric generation facilities, filed by Paulding Wind Farm LLC and Paulding Wind Farm III LLC, respectively, on December 9, 2015, and revised and supplemented on February 17, 2016, should be approved, subject to the conditions set forth in the Orders in *09-980* and *10-369* and later amended in *10-3128* and this Order.

ORDER:

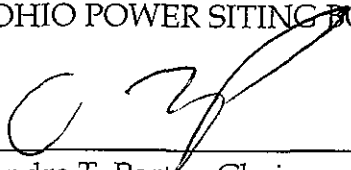
It is, therefore,

ORDERED, That the Stipulation be approved and adopted. It is, further,

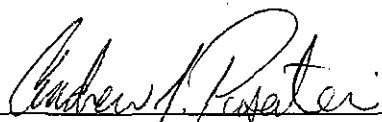
ORDERED, That pursuant to R.C. Chapter 4906, the certificate amendment applications in *15-2030* and *15-2031*, as supplemented and revised, be approved, subject to the conditions set forth in the Stipulation and subject to the conditions set forth in the Orders in *09-980* and *10-369* and later amended in *10-3128*.

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

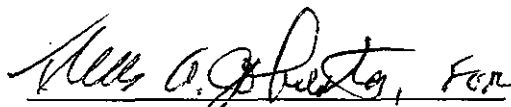
THE OHIO POWER SITING BOARD



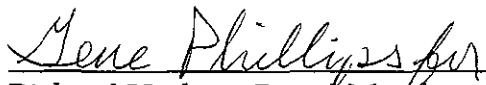
Andre T. Porter, Chairman
Public Utilities Commission of Ohio



David Goodman, Board Member
and Director of the Ohio
Development Services Agency



James Zehringer, Board Member
and Director of the Ohio
Department of Natural Resources



Richard Hodges, Board Member
and Director of the Ohio
Department of Health



Craig Butler, Board Member
and Director of the Ohio
Environmental Protection Agency



David Daniels, Board Member
and Director of the Ohio
Department of Agriculture

Jeffrey J. Lechak, Board Member
and Public Member

DEF/dah/sc

Entered in the Journal

MAY 19 2016



Barcy F. McNeal
Secretary