

BEFORE THE OHIO POWER SITING BOARD

- - -

In the Matter of the :
Application of Clean Energy :
Future-Oregon, LLC for a : Case No.
Certificate of Environmental : 17-530-EL-BGN
Compatibility and Public Need :
for an Electric Generating :
Facility in the City of :
Oregon, Lucas County, :
Ohio. :

- - -

PROCEEDINGS

Before Administrative Law Judge Nick Walstra,
held at the Oregon City Council Chambers, 5330
Seaman Road, Oregon, Ohio, on Wednesday,
September 20, 2017, at 6:00 P.M.

- - -

Armstrong & Okey, Inc.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215
(614) 224-9481 - (800) 223-9481

- - -

1 APPEARANCES:

2 Bricker & Eckler LLP
3 By Ms. Sally W. Bloomfield
4 and
5 Mr. Dylan F. Borchers
6 100 South Third Street
7 Columbus, Ohio 43215

8 On behalf of Clean Energy
9 Future-Oregon, LLC.
10

11 - - -
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX TO WITNESSES

- - -

	Page
Timothy Pedro	7
Paul Mullen	8
Shawn Enright	9
Michael Navarre	10
Norm Nickelson	11
Mike Beazley	13
Andy McClure	14
Hal Gregory	15
James Sherman	16
Joe McNamara	17
Deborah Johlin-Bach	19
Michael Seferian	20

- - -

1 Wednesday Evening Session,
2 September 20, 2017.

3 - - -

4 ALJ WALSTRA: We will go on the
5 record. The Ohio Power Siting Board has
6 assigned for public hearing case No.
7 17-530-EL-BGN being captioned In the Matter of
8 the Application of Clean Energy Future-Oregon,
9 LLC for a Certificate of Environmental
10 Compatibility and Public Need for an Electric
11 Generating Facility in Oregon, Lucas County,
12 Ohio.

13 My name is Nick Walstra, I am
14 the Administrative Law Judge assigned by the
15 Power Siting Board to hear this case.

16 With me today are staff members from
17 the Board, Matt Butler and Grant Zeto, who you
18 hopefully met coming in.

19 At this point we will take
20 appearances from the parties in the proceeding.
21 On behalf of Clean Energy Future.

22 MR. BORCHERS: Thank you, your
23 Honor. On behalf of the Company, Dylan Borchers
24 and Sally Bloomfield, of the law firm of Bricker
25 & Eckler, 100 South Third Street, Columbus, Ohio

1 43215.

2 ALJ WALSTRA: Thank you. Oregon
3 Clean Energy was also granted intervention in
4 this case. Are there any representatives from
5 them here today? No?

6 Okay. The subject of today's
7 hearing is limited to the application filed by
8 Clean Energy Future on April 19, 2017. The
9 company is seeking to construct a 955 megawatt
10 natural gas fired combined cycle power plant.
11 Clean Energy Future proposes to commence
12 construction in January, 2018 and commence
13 commercial operation by June, 2020.

14 The Power Siting Board staff filled
15 a report in this case on September 5, 2017.
16 After conducting an investigation and a review
17 the Staff gave a recommendation to allow the
18 project to go forward, subject to several
19 conditions.

20 The Staff report serves as a
21 recommendation to the Board, but the Board still
22 has the final decision. I believe Staff members
23 had a copy of that out front. Hopefully you got
24 a copy, if not those should be available.

25 An evidentiary hearing is scheduled

1 for September 28, 2017 at 10:00 A.M. at the
2 Board's office in Columbus.

3 Clean Energy Future's application
4 and the Staff recommendation are all available
5 on the Power Siting website under this case
6 number, which was 17-530.

7 The purpose of this hearing is to
8 receive comments from you regarding this
9 application. This is not a question and answer
10 session, rather your opportunity to let
11 the Power Siting Board know what you think about
12 the proposal.

13 There is a court reporter here.
14 Everything said today will be transcribed
15 and filed in the docket for this case. And
16 the Board will review the comments before making
17 a final decision.

18 Those wishing to speak hopefully put
19 their names down on a sign-up sheet. If you
20 haven't you can still go out and put your name
21 down.

22 We will go on a first come-first
23 serve basis. As I call you forward just step up
24 to the podium, I will swear you in.

25 Please state your name, your

1 address, and we will take your testimony.

2 That being said, we will get
3 started. I have a sign-up sheet here. Timothy
4 Pedro.

5 (WITNESS SWORN)

6 - - -

7 TIMOTHY PEDRO

8 called as a witness, being first duly sworn,
9 testified as follows:

10 ALJ WALSTRA: Please go ahead.

11 MR. PEDRO: Good evening. First of
12 all my name is Tim Pedro. And my address is
13 1915 North 12th, Toledo, Ohio.

14 And before I begin my comments,
15 first of all I want to thank the Ohio Siting
16 Board for conducting this public session today.
17 I believe it gives us an opportunity to learn a
18 little more about the process, and for our
19 community to learn how this takes place.

20 I believe strongly in this program.
21 I believe in the project, not only in the jobs
22 and also the benefits for the community, but
23 the fact that the developers have taken time to
24 plan and organization this event. And I am
25 fully supportive along with others in this

1 community. Thank you.

2 ALJ WALSTRA: Thank you very much.
3 Mike Pfeiffer.

4 MR. BEAZLEY: Mike had to leave.

5 ALJ WALSTRA: Does he still want to
6 testify?

7 MR. BEAZLEY: He had to step out.

8 ALJ WALSTRA: Okay. Paul Mullen.

9 (WITNESS SWORN)

10 - - -

11 PAUL MULLEN

12 called as a witness, being first duly sworn,
13 testified as follows:

14 ALJ WALSTRA: Please state your name
15 and address for the reporter.

16 MR. MULLEN: Paul Mullen, 4460 Brown
17 Road, Oregon, Ohio. I would like to just give
18 testimony that we would be in favor of the
19 second power plant; that during the construction
20 of the first one we had very little calls for
21 service.

22 They have been good neighbors.
23 Since we have been operating we have had no
24 other calls for service, and I think they would
25 be a good neighbor for us.

1 ALJ WALSTRA: Okay. I appreciate
2 it.

3 MR. BORCHERS: Your Honor, could the
4 gentleman identify himself and his position for
5 the record?

6 ALJ WALSTRA: No problem.

7 MR. MULLEN: Chief of the Oregon
8 fire department.

9 ALJ WALSTRA: Thank you. Shawn
10 Enright.

11 (WITNESS SWORN)

12 - - -

13 SHAWN ENRIGHT
14 called as a witness, being first duly sworn,
15 testified as follows:

16 ALJ WALSTRA: State your name and
17 address.

18 MR. ENRIGHT: Shawn Enright, 909
19 Front Street, Toledo, Ohio. I am up here on
20 behalf of 22 different building trades unions
21 and 15,000 members that work within
22 the construction industry within northwest Ohio.

23 We are here to speak on behalf of in
24 favor of this project, not only the good paying
25 construction jobs that this brings, but also the

1 future economic development this will bring to
2 the region with affordable power.

3 So, on behalf of 15,000 plus men and
4 woman we are strongly encouraging people to be
5 supportive of this project. Thank you.

6 ALJ WALSTRA: Thank you. Michael
7 Navarre.

8 (WITNESS SWORN)

9 - - -

10 MICHAEL NAVARRE
11 called as a witness, being first duly sworn,
12 testified as follows:

13 ALJ WALSTRA: Go ahead.

14 MR. NAVARRE: My name is Michael
15 Navarre, I am the chief of police for the City
16 of Oregon. I have been the chief for
17 approximately six years.

18 I was the chief when the first
19 project started. From an economic standpoint I
20 think it goes without saying it would be very
21 beneficial and positive for the City of Oregon.

22 But my job here is to speak to the
23 public safety issue. We have encountered no
24 problems whatsoever during the construction or
25 during the operation of the first plant. We

1 have worked -- Lieutenant Hank Everett worked
2 very closely with the construction phase. We
3 had officers out there assisting, a lot of
4 traffic.

5 He told me they were a great, great
6 company to work with. And probably the best
7 that he has worked with. And since they have
8 opened we have encountered no problems in terms
9 of the plant itself on the operation or in terms
10 of traffic.

11 So I support the project
12 wholeheartedly. My address, my home address, is
13 5336 Karlin Port Drive, Toledo, Ohio. My work
14 address is 5330 Seaman Road, Oregon, Ohio.
15 Thank you.

16 ALJ WALSTRA: Thank you. I believe
17 Norm Nickleson.

18 (WITNESS SWORN)

19 - - -

20 NORM NICKELSON

21 called as a witness, being first duly sworn,
22 testified as follows:

23 ALJ WALSTRA: State your name and
24 address for the record, and go ahead.

25 MR. NICKELSON: Norm Nickelson, 535

1 North Wynn Road, Oregon, Ohio.

2 I live almost directly across from
3 the power plant that is there now. They told us
4 it wasn't going to be very noisy, but trust me,
5 it is. In between our house and the plant there
6 is woods. And I don't know where they are going
7 to put the next plant because the plan I have
8 here doesn't say anything about where it's going
9 to go.

10 But when they have them I am going
11 to call them coolant towers running you can hear
12 it pretty good. And I only live probably half a
13 mile away from it.

14 And I don't know where they are
15 going to put the other plant at because nobody
16 can seem to tell where it's going to go. So, I
17 was kind of off this diagram that they sent me I
18 just wondered where it was going to go at.

19 ALJ WALSTRA: Okay.

20 MR. NICKELSON: Okay.

21 ALJ WALSTRA: Thank you.

22 MR. NICKELSON: Thank you.

23 ALJ WALSTRA: Mike Beazley.

24 (WITNESS SWORN)

25 - - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MIKE BEAZLEY

called as a witness, being first duly sworn,
testified as follows:

ALJ WALSTRA: Go ahead.

MR. BEAZLEY: I am Mike Beazley,
City Administrator for the City of Oregon, 5330
Seaman Road.

As a city we have to balance
questions like Norm's and jobs for the community
and low priced power for the community, and
development for the community.

We are excited about this plant.
We know that we think it creates jobs, brings
low cost power and new development to the
region. We think it will work well on this
site. The area is already zoned for industry,
as is all the land just to the south of it and
immediately adjacent to it.

We are just in response to any
concerns, the plant would go up just right
adjacent between that wood lot and the railroad
tracks and the plant out there. We have had a
couple of calls about the noise at the first
plant over there.

We think it's a good neighbor.

1 Occasionally noise coming out of it. We have
2 offered to schedule a meeting with neighbors and
3 deal with that so that we can deal with those
4 concerns.

5 Most of the time it's a fairly quiet
6 neighborhood, not always, but it is an
7 industrially zoned area. The other industries
8 in the area also make noises from time-to-time.
9 Our refineries and other industries.

10 I think it's a good location. It
11 will work well for the community and will work
12 well for Future. That is it.

13 ALJ WALSTRA: Thank you. Andy
14 McClure.

15 (WITNESS SWORN)

16 - - -

17 ANDY MCCLURE

18 Called as a witness, being first duly sworn,
19 testified as follows:

20 ALJ WALSTRA: Thank you.

21 MR. MCCLURE: My name is Andy
22 McClure, administrator for the City of Toledo
23 water treatment plant. Our work address is 3040
24 York Street, Toledo, Ohio.

25 I just want to say I support the

1 plant. It's an opportunity for the City of
2 Toledo. We will be providing water for
3 the cooling water to the plant. And the
4 construction is also a good opportunity for
5 the cities of Toledo and Oregon as an
6 interconnect as a backup water supply for both
7 communities.

8 So we are in support of it. It's a
9 great opportunity to be part of it.

10 ALJ WALSTRA: Thank you.

11 MR. MCCLURE: Thank you.

12 ALJ WALSTRA: That is all I had on
13 my list. I don't know if there is an updated
14 list. Is there anyone else who wished to
15 testify? We will start in the front row.

16 (WITNESS SWORN)

17 - - -

18 HAL GREGORY
19 called as a witness, being first duly sworn,
20 testified as follows:

21 ALJ WALSTRA: Please state your
22 name and address for the record.

23 MR. GREGORY: My name is Hal
24 Gregory, Superintendent for Oregon City Schools.
25 Work address 5721 Seaman Road.

1 I am here on behalf of the Oregon
2 School Board of Education and administration.
3 I fully support this second project. The cost
4 to taxpayers for school levies continues to be a
5 burden on taxpayers. And one of the biggest
6 benefits that these plants do for us is help
7 ease that burden for our taxpayers.

8 And any way, any time we can do that
9 type of thing -- the money to operate a school
10 system comes from someplace other than the
11 individual homeowners is very crucial.

12 They have been excellent partners
13 throughout the first process. So we are
14 extremely supportive of this project and looking
15 forward to it. Thank you.

16 ALJ WALSTRA: Thank you. James
17 Sherman.

18 (JAMES SHERMAN)

19 - - -

20 JAMES SHERMAN

21 Called as a witness, being first duly sworn,
22 testified as follows:

23 ALJ WALSTRA: Thank you.

24 MR. SHERMAN: I am James Sherman, I
25 am a property owner in Perrysburg Township. I

1 have the Oregon North Coast gas line going
2 through my property right now. And I am
3 strongly opposed to another plant being built in
4 Oregon because of the blast zone factor, and
5 what the added pressure is going to be to my
6 line.

7 Right now it's going through there
8 at 675 pounds of pressure. And there is a 570
9 foot blast area if it ever caught on fire or
10 ruptured.

11 And right now I can't sell my
12 property because of the new pipeline that just
13 went in last year. Thank you very much.

14 ALJ WALSTRA: Thank you. Joe
15 McNamara.

16 (WITNESS SWORN)

17 - - -

18 JOE MCNAMARA

19 Called as a witness, being first duly sworn,
20 testified as follows:

21 MR. MCNAMARA: My name is Joe
22 McNamara, I am a Senior Attorney with the City
23 of Toledo. My work address is 1 Government
24 Center, Suite 2250, Toledo, Ohio.

25 On behalf of Mayor Paula

Hicks-Hudson, the City Council, I am here to say we wholeheartedly support this project for three reasons.

One, it's good for the environment and energy diversity.

Two, it's good for jobs, and three, it's a great project overall for northwest Ohio.

The amount of emissions that are being produced at a plant like this are significantly different from other sources of power. And having this type of energy diversity is very important as Ohio and northwest Ohio moves forward going into the future.

Second of all, we are very good at building things with our hands in northwest Ohio. We have very skill workforce. This plant is going to be built well and it's going to create jobs. Not only construction, but long-term for both the cities of Oregon and Toledo and northwest Ohio.

And third, as Mr. McClure mentioned, the project is partially a result of a water deal between the cities of Oregon and Toledo. Toledo has much excess capacity to be able to produce water. This project is going to need a

1 lot of it, and the collaboration between the
2 cities of Toledo and Oregon show that northwest
3 Ohio is open for business. And if you are a
4 company that has a large water need we will work
5 together to meet your needs, and you should
6 seriously consider coming to northwest Ohio
7 because we will help you make it work.

8 I just want to thank Mayor Seferian
9 and Oregon City Council for the work in reaching
10 a water agreement that helped make this project
11 possible. Thank you.

12 ALJ WALSTRA: Thank you. Deborah
13 Johlin-Bach.

14 (WITNESS SWORN)

15 - - -

16 DEBORAH JOHLIN-BACH

17 Called as a witness, being first duly sworn,
18 testified as follows:

19 ALJ WALSTRA: Thank you. Go ahead.

20 MS. JOHLIN-BACH: I just have a
21 question. My grandfather was the former owner
22 of this ground, and was the original person that
23 had the tile, drainage tile, put in.

24 And was curious, the tile main that
25 drains this entire parcel will go right through

1 where the power plant is proposed. How are they
2 going to ensure the continuation of drainage for
3 the ground that will sit south of that, because
4 it does drain north.

5 ALJ WALSTRA: Okay. Thank you. I
6 can't answer your question, but perhaps the
7 representatives from the power plant can address
8 you.

9 That is the last name I have on
10 the list. Does anyone else wish to testify? Go
11 ahead.

12 (WITNESS SWORN)

13 - - -

14 MICHAEL SEFERIAN
15 called as a witness, being first duly sworn,
16 testified as follows:

17 ALJ WALSTRA: Go ahead. State your
18 name and address for the record.

19 MAYOR SEFERIAN: My name is Michael
20 Seferian. I live at 5110 Eagles Landing. And I
21 happen to be the Mayor of the City of Oregon.

22 Mike Beazley stated it well. The
23 City of Oregon fully supports this project. We
24 have very good experience with the last power
25 plant, and we expect the same for this one.

1 So, just state for the record the
2 City of Oregon is very much on board with the
3 project.

4 ALJ WALSTRA: Okay. Thank you.

5 MAYOR SEFERIAN: Thank you.

6 ALJ WALSTRA: Is there anyone else
7 who wishes to testify?

8 I will say that if you decided
9 against testifying you can submit written
10 testimony online under this case number, 17-530.
11 That will be included as part of the docket and
12 it will be read by the Power Siting Board.

13 Without any other witnesses coming
14 forward, thank everyone for coming in. The
15 evidentiary hearing is September 28th.
16 Otherwise, we are adjourned. Thank you.

17 (At 6:20 P.M. the hearing was
18 concluded)

19 - - -

CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter on
September 20, 2017, and carefully compared with
my original stenographic notes.

Michael O. Spencer,
Registered Professional
Reporter.

- - -

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/22/2017 9:53:42 AM

in

Case No(s). 17-0530-EL-BGN

Summary: Transcript In the Matter of the Application of Clean Energy Future-Oregon, LLC for a Certificate of Environmental Compatibility and Public Need for an Electric Generating Facility in the City of Oregon, Lucas County, Ohio, hearing held on September 20, 2017. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.