

# THE OHIO POWER SITING BOARD

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  
OREGON, LUCAS COUNTY, OHIO.

CASE NO. 17-530-EL-BGN

## OPINION, ORDER, AND CERTIFICATE

Entered in the Journal on December 7, 2017

### I. SUMMARY

{¶ 1} The Ohio Power Siting Board approves an application filed by Clean Energy Future-Oregon, LLC and directs that a certificate be issued to Clean Energy Future-Oregon, LLC for the construction, operation, and maintenance of an electric generation facility in the city of Oregon, Lucas County, Ohio.

### II. PROCEDURAL BACKGROUND

{¶ 2} 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.

{¶ 3} Pursuant to R.C. 4906.04, no person shall construct a major utility facility without first having obtained a certificate from the Board. In seeking a certificate, applicants must comply with the filing requirements outlined in R.C. 4906.06, as well as Ohio Adm.Code 4906-4-01 and 4906-2-01.

{¶ 4} On February 27, 2017, Clean Energy Future-Oregon (CEF) filed a pre-application notice with the Ohio Power Siting Board (Board) indicating its intent to file an application to construct an electric generation facility. CEF described the proposed generation facility as a 955 megawatt (MW) gas-fired, combined cycle power facility consisting of two natural gas fired, high efficiency combustion turbines, with two heat recovery steam generators and a single steam turbine. The proposed facility would be served by natural gas from one or more pipelines and would be interconnected to adjacent 138 and 345 kilovolt (kV) transmission lines. The proposed generation facility would be located in Lucas County, Ohio.

{¶ 5} Thereafter, CEF filed its formal application on April 19, 2017. On May 3, 2017, the administrative law judge (ALJ) granted CEF's request for a waiver of the extensive site selection study required by Ohio Adm.Code 4906-4-04(A) and (B). Thereafter, by letter filed June 20, 2017, the Board notified CEF its original application was sufficiently complete to permit Staff to commence its review and investigation of the application. The letter directed CEF, pursuant to Ohio Adm.Code 4906-3-06 and 4906-3-07, to serve appropriate government officials and public agencies with copies of the complete, certified application and to file proof of service with the Board. Further, the letter directed CEF, pursuant to R.C. 4906.06(F) and Ohio Adm.Code 4906-3-12, to submit the application fee.

{¶ 6} By Entry issued on June 28, 2017, the ALJ established the effective filing date of the application as June 28, 2017, and put forth a procedural schedule. As part of the procedural schedule, a local public hearing was scheduled for September 20, 2017, and an evidentiary hearing was scheduled for September 28, 2017.

{¶ 7} On July 24, 2017, Oregon Clean Energy LLC (OCE) filed a timely motion to intervene in this proceeding. The ALJ granted the unopposed motion by Entry on September 20, 2017.

{¶ 8} On September 5, 2017, Staff filed its report of investigation.

{¶ 9} The local public hearing was held as scheduled on September 20, 2017.

{¶ 10} An evidentiary hearing was held as scheduled on September 28, 2017. At the hearing, CEF presented the testimony of William Siderewicz and Staff presented the testimony of Grant T. Zeto.

{¶ 11} Post-hearing comments were submitted by OCE on October 6, 2017, and CEF filed a reply on October 10, 2017.

### III. PROJECT DESCRIPTION

{¶ 12} CEF seeks certification to construct, own, and operate a natural gas-fired combined-cycle power plant with a capacity of 955 MW. The facility would be located on a 30-acre parcel of land in Oregon, Lucas County. CEF is proposing to begin construction in January 2018 and begin commercial operation by June 2020.

### IV. CERTIFICATION CRITERIA

{¶ 13} Pursuant to R.C. 4906.10(A), the Board shall not grant a certificate for the construction, operation, and maintenance of a major utility facility, either as proposed or as modified by the Board, unless it finds and determines all of the following:

- (a) The basis of the need for the facility if the facility is an electric transmission line or gas or natural gas transmission line.
- (b) The nature of the probable environmental impact.
- (c) The facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations.
- (d) In the case of an electric transmission line or generating facility, whether such facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility system and that the facility will serve the interests of electric system economy and reliability.
- (e) The facility will comply with R.C. chapters 3704, 3734, and 6111 and all rules and standards adopted under those chapters and under R.C. 1501.33, 1501.34, and 4561.32.

- (f) The facility will serve the public interest, convenience, and necessity.
- (g) The impact of the facility on the viability as agricultural land of any land in an existing agricultural district established under R.C. Chapter 929 that is located within the site and alternate site of the proposed major facility.
- (h) The facility incorporates maximum feasible water conservation practices as determined by the Board, considering available technology and the nature and economics of various alternatives.

## V. SUMMARY OF THE EVIDENCE

{¶ 14} The Board will review the evidence presented with regard to each of the eight criteria by which we are required to evaluate these applications. Any evidence not specifically addressed herein has nevertheless been considered and weighed by the Board in reaching its final determination.

### A. *Local Public Hearing*

{¶ 15} On September 20, 2017, the local public hearing was held. At the hearing, 12 witnesses testified. A majority of the witnesses were in favor of the project and discussed the positive economic impact the project would have on the local community. Witnesses in support of the project included elected officials, the chief of police and the chief of the fire department, as well as representatives from local unions and school districts. Additionally, State Representative Michael Sheehy submitted a letter in support of the project. Three witnesses testified in opposition to the project. One witness expressed concern about the increased noise levels that would be created by the facility. Another witness stated that the gas line servicing the proposed plant is on his property, and he is concerned about the increased pressure on the line. A third witness had questions regarding the effect of the project on ground drainage. (Local Pub. Hearing Tr. at 7-21.)

**B. Staff Report**

{¶ 16} Pursuant to R.C. 4906.07(C), Staff completed an investigation into the application, including recommended findings regarding R.C. 4906.10(A). A summary of Staff's findings are below.

**1. BASIS OF NEED**

{¶ 17} For an electric generation facility, R.C. 4906.10(A)(1) is not applicable, as this statute only applies to an electric transmission line or a gas or natural gas transmission line. Accordingly, Staff recommends the Board find that R.C. 4906.10(A)(1) is not applicable to this electric generating facility (Staff Ex. 2 at 11).

**2. NATURE OF PROBABLE ENVIRONMENTAL IMPACT**

{¶ 18} R.C. 4906.10(A)(2) requires that the Board determine the nature of the probable environmental impact of the proposed facility. As a part of the investigation, Staff reviewed the nature of the probable environmental impact of the proposed project.

{¶ 19} The following is a summary of the findings of the Staff Report regarding the nature of the probable environmental impact of the electric generation facility project:

**a. Socioeconomic Impacts**

{¶ 20} CEF seeks to build the facility on a 30-acre parcel of land located in the city of Oregon in the Cedar Point Development Park. The facility would be surrounded by similar land uses, including an electric transmission corridor and other electric generation facilities. The nearest residential facility is over 1,250 feet from the project's fence line. There are no sensitive institutional land uses, such as schools, churches, or hospitals, in the proximity of the project area. There are 38 parks, wildlife refuges, recreation areas, or golf courses within five miles of the site, including a metro park 0.6 miles away. (Staff Ex. 2 at 12.)

{¶ 21} CEF conducted several archaeological studies and did not identify any sites eligible for the National Register of Historic Places nor potential impacts to any historic structures within a five-mile radius (Staff Ex. 2 at 13).

{¶ 22} Economically, project construction is estimated to cost \$853 million, \$314 million of which would be made in the Lucas County region. During the 2.5 year construction phase, 862 construction jobs would be created in Lucas County and 272 construction-related jobs would be created in Ohio, outside of Lucas County. Annual operations of the facility would add \$30.2 million annually in regional economic activity and the facility would employ 19 to 22 full-time workers. During the construction phase, the project would create an additional \$16.2 million in state and local tax revenues. In total, accounting for the construction phase and 40 years of operations, the project is expected to contribute approximately \$1.88 billion to the Lucas County region. (Staff Ex. 2 at 13-14.)

*b. Ecological Impacts*

{¶ 23} Seasonal high water table, ponding, low soil strength, and shrinking and swelling in the soil are expected constraints to building site development. However, subsurface drainage systems and grading of the building sites can mitigate these limitations such that the geology and soils do not present conditions that would restrict or limit the constructions of the facility. (Staff Ex. 2 at 14.)

{¶ 24} No wetlands were identified in the area. There is one stream and one manmade stormwater pond in the western laydown area. Staff witness Grant Zeto testified that two access roads may cross the stream and require culverts (Staff Ex. 1 at 3). The facility location is primarily agricultural fields. No tree clearing would be needed and the use of herbicides and pesticides would be restricted. (Staff Ex. 2 at 15.)

{¶ 25} No endangered or threatened plant or animal species were identified by CEF as being impacted by this project. Additionally, the Ohio Department of Natural Resources (ODNR) and the United States Fish and Wildlife Service did not identify any concerns regarding impacts to any plant species. (Staff Ex. 2 at 15-18.)

*c. Public Services, Facilities, and Safety*

{¶ 26} During the final 4-6 months of construction, the activities would generate significant noise levels. However, the noises would be limited to daytime hours and occur away from most residential structures. Staff recommends CEF use mitigation measures to

minimize adverse impacts from the noise. Additionally, Staff recommends CEF include procedures in its complaint resolution process for resolving noise complaints. (Staff Ex. 2 at 19-20.)

{¶ 27} A short-term increase in traffic during the construction period would be the main impact on public services. Some traffic management may be necessary. No upgrades to local roads or bridges are expected to be necessary. CEF has submitted a preliminary traffic management plan that would be finalized after calculation of the load and dimensional requirements for equipment transportation are finalized. Staff recommends that CEF be required to submit a finalized traffic management plan that includes a road use agreement. (Staff Ex. 2 at 18-19.)

{¶ 28} In sum, Staff recommends that the Board find that CEF has determined the nature of the probable environmental impact for the proposed facility and found that it complies with the requirements specified in R.C. 4906.10(A)(2) provided that any certificate issued by the Board for the proposed facility include the conditions specified in the Staff Report (Staff Ex. 2 at 20).

### **3. MINIMUM ADVERSE ENVIRONMENTAL IMPACT**

{¶ 29} Pursuant to R.C. 4906.10(A)(3), the proposed facility must represent the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, along with other pertinent considerations.

{¶ 30} The project would have direct and indirect positive impacts on the local economy. Revenue would be generated from construction spending, permanent employment, and taxes. The ecological impact would be minimal because of coordination as the area is already zoned for commercial and industrial use, and is adjacent to another generation facility operated by OCE. The site lacks suitable habitat for federal and state listed species and surface waters would be protected through the Ohio Environmental Protection Agency (Ohio EPA) and U.S. Army Corps of Engineers permitting, as necessary. (Staff Ex. 2 at 21.)

{¶ 31} Accordingly, Staff finds that the facility represents the minimum adverse environmental impact and complies with the requirements in R.C. 4906.10(A)(3), provided that any certificate issued by the Board for the proposed facility include the conditions specified in the Staff Report (Staff Ex. 2 at 22).

#### 4. ELECTRIC POWER GRID

{¶ 32} Pursuant to R.C. 4906.10(A)(4), the Board must determine that the proposed electric facilities are consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems, and that the facilities will serve the interests of electric system economy and reliability.

{¶ 33} The facility will be capable of producing 955 MW and will have two points of interconnection. The facility would interconnect to the Bayshore-Chev 138 kV transmission line through a new 138 kV ring bus. The facility would also interconnect at the existing 5-breaker Lallendorf 345 kV switchyard. The switchyard would expand to a 6-breaker ring bus. CEF submitted a generation interconnection request to PJM Interconnection, LLC (PJM), the regional transmission organization responsible for planning upgrades and administering the generation queue for the transmission system in Ohio. PJM completed a system impact study (SIS) and found 14 overload circuit breaks at the Bayshore substation. CEF would be responsible for replacing those breakers at a cost of \$12 million. PJM also indicated that reliability violations would occur during several contingencies and short circuit events. PJM maintains that multiple network upgrades would be required. (Staff Ex. 2 at 23-25.)

{¶ 34} Accordingly, Staff recommends that the Board find that the proposed facility is consistent with regional plans for expansion of the electric power grid of the electric system serving this state and the interconnected utility systems, and that the facility will serve the interests of the electric system economy and reliability. Therefore, Staff contends that the facility complies with the requirements specified in R.C. 4906.10(A)(4), provided

that any certificate issued by the Board for the proposed facility include the conditions specified in the Staff Report. (Staff Ex. 2 at 25.)

#### 5. AIR, WATER, SOLID WASTE, AND AVIATION

{¶ 35} Pursuant to R.C. 4906.10(A)(5), the facility must comply with Ohio law regarding air and water pollution control, withdrawal of waters of the state, solid and hazardous wastes, and air navigation.

{¶ 36} The project site is within an area classified as “unclassified/attainment” for all National Ambient Air Quality Standards criteria air pollutants. CEF would minimize the impact on air quality through new gas turbine technology and incorporating air pollution controls. The main pollution control devices will be dry-low nitrogen burners in the gas turbines, selective catalytic reduction systems, and oxidation catalysts in the heat recovery steam generators. A continuous emission monitoring system will track all emissions from the facility once it is operating. CEF has filed for a permit-to-install application from the Ohio EPA and will comply with all permit requirements. Construction of the facility is not expected to have any significant adverse impacts on air quality. (Staff Ex. 2 at 26-27.)

{¶ 37} The facility will use, on average, approximately 4.8 million gallons per day of water for operation, which will be supplied by the city of Toledo. CEF would work with the city of Oregon to construct a 1.4-mile potable water lateral from the city of Toledo to the facility. The city of Oregon would license and build the lateral, but it would be reimbursed by CEF for the associated costs. For stormwater discharges, CEF would obtain all necessary permits. A significant amount of water would not be required during the construction of the facility. (Staff Ex. 2 at 27.)

{¶ 38} CEF estimates the construction of the facility could generate 1,200 cubic yards of debris. All waste produced during construction and operation will be trucked off site in accordance with all regulatory requirements. CEF would have procedures to ensure hazardous wastes are separated from normal wastes and that there are plans for spill

prevention, containment, and countermeasures. Staff states that CEF's solid waste disposal plans would comply with the solid waste disposal requirements set forth in R.C. 3734. (Staff Ex. 2 at 28.)

{¶ 39} Two airports and two heliports were identified in the vicinity of the project site. CEF submitted notification to the Federal Aviation Administration and received a Determination of No Hazard for the 185 foot stacks associated with the facility. Staff contacted the Ohio Department of Transportation Office of Aviation to coordinate potential impact of the facility on local airports and no concerns have been identified. (Staff Ex. 2 at 28.)

{¶ 40} Staff, therefore, concludes that the facility will comply with the requirements contained in R.C. 4906.10(A)(5), provided the proposed facility includes the conditions provided in the Staff Report (Staff Ex. 2 at 28).

#### 6. PUBLIC INTEREST, CONVENIENCE, AND NECESSITY

{¶ 41} Pursuant to R.C. 4906.10(A)(6), the Board must determine that the facility will serve the public interest, convenience, and necessity.

{¶ 42} Staff states the construction and operation of the facility will be in compliance with all safety regulation and industry standards. CEF has worked with the community in developing the project, having held informational meetings and meetings with local public officials. CEF plans on continuing to engage with the public before, during, and after construction of the facility. (Staff Ex. 2 at 29-31.)

{¶ 43} The facility would require 146 million cubic feet per day of natural gas from area pipelines. CEF is considering three different supplier options. These various options would be subject to approval at a later date. (Staff Ex. 2 at 29.)

{¶ 44} Public access would be limited to the facility via the installation of a security fence with card-activated gates and operator-controlled access. CEF intends to comply with all relevant gas pipeline safety regulations. Additionally, a complete fire

protection/detection system would be provided for the facility. CEF would maintain liability insurance to cover any potential claims. Regarding the land, CEF has an option to purchase the 30-acre project site. Further, CEF has the option to purchase the 20-acre ring bus site and seeks to secure easement agreements for the electric interconnection transmission lines. (Staff Ex. 2 at 29, 31.)

{¶ 45} Therefore, Staff recommends that the Board find that the proposed facility would serve the public interest, convenience, and necessity, and complies with the requirements set forth in R.C. 4906.10(A)(6), provided the proposed facility includes the conditions set forth in the Staff Report (Staff Ex. 2 at 31).

#### **7. AGRICULTURAL DISTRICTS**

{¶ 46} Pursuant to R.C. 4906.10(A)(7), the Board must determine the facility's impact on the agricultural viability of any land in an existing agricultural district within the project area of the proposed utility facility.

{¶ 47} Staff states that the proposed site is not classified as agricultural district property. Staff, therefore, recommends the Board find that the impact of the proposed project on the viability of existing agricultural land in an agricultural district has been determined, as required under R.C. 4906.10(A)(7), provided the certificate issued by the Board for the proposed facility include the conditions specified in Staff Report. (Staff Ex. 2 at 32.)

#### **8. WATER CONSERVATION PRACTICE**

{¶ 48} Pursuant to R.C. 4906.10(A)(8), the proposed facility must incorporate maximum feasible water conservation practices, considering available technology and the nature and economics of the various alternatives.

{¶ 49} The facility would require the consumption of significant amounts of water, which would be obtained through the city of Toledo. In doing so, however, CEF would use water conservation measures. These measures include maximizing the cycles of

concentration to reduce water intake requirements, a cooling tower drift elimination system, recycling of water throughout the system, and return of recovered boiler blowdown to the cooling tower. Staff states that the construction of the facility would not require significant amounts of water. Therefore, Staff recommends the Board find the facility incorporates maximum feasible water conservation practices and complies with requirements in R.C. 4906.10(A)(8). (Staff Ex. 2 at 33.)

## 9. RECOMMENDATIONS

{¶ 50} In addition to the findings Staff made in its report, Staff also recommends that 23 conditions be imposed if the Board issues a certificate for the proposed facility. The following is a summary of the conditions :

- (1) The facility shall be installed at CEF's proposed site.
- (2) CEF shall conduct a preconstruction conference prior to the start of any construction activities.
- (3) CEF shall submit one set of detailed engineering drawings of the final project design to Staff at least 30 days before the preconstruction conference.
- (4) CEF shall provide any subsequent changes to final engineering drawings to Staff in hard copy and as geographically referenced electronic data.
- (5) Within 60 days after the commencement of commercial operation, CEF shall provide Staff with copy of the as-built specifications for the entire facility.
- (6) CEF shall obtain and comply with all necessary permits and authorizations.

- (7) The certificate shall become invalid if CEF has not commenced a continuous course of construction within five years of the date of journalization of the certificate.
- (8) CEF shall docket the date on which construction begins, the date on which construction is completed, and the date on which the facility begins commercial operation.
- (9) CEF shall not commence construction until it has a signed Interconnection Service Agreement with PJM.
- (10) CEF shall provide Staff a copy of its public information program at least 30 days prior to the preconstruction conference.
- (11) CEF shall provide Staff a copy of the complaint resolution procedure to address potential public grievances resulting from facility operation at least 30 days prior to the facility becoming operational.
- (12) CEF shall prepare a landscape and lighting plan that address the impacts of the facility before commencement of related construction.
- (13) CEF shall avoid or minimize any damage to field tile drainage systems and soils resulting from construction, operation, and maintenance of the facility in the agricultural areas.
- (14) CEF shall comply with fugitive dust rules.
- (15) CEF shall obtain all necessary permits prior to commencement of construction activities that require transportation permits.
- (16) CEF shall repair damage to government-maintained roads and bridges caused by construction or maintenance activities. CEF shall

develop a transportation management plan and enter into a road use agreement with the county engineer prior to construction and subject to Staff review.

- (17) General construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m., or until dusk when sunset occurs after 7:00 p.m.
- (18) CEF should use the mitigation measures included in the mitigated model in order to minimize adverse impacts associated with increased noise levels.
- (19) At least 30 days before the preconstruction conference, CEF shall submit an emergency response plan to Staff for review.
- (20) If blasting is necessary, CEF shall submit a blasting plan to Staff at least 60 days prior to blasting.
- (21) CEF shall obtain all required permits prior to the use of explosives.
- (22) The blasting contractor shall utilize two blasting seismographs that measure ground vibration and air blast for each blast.
- (23) At least 30 days before beginning blasting operations, CEF shall notify all residents or owners of dwelling or other structures within 1,000 feet of the blasting site, in writing.

(Staff Ex. 2 at 35-38.)

### *C. Evidentiary Hearing and Intervenor Arguments*

{¶ 51} At the hearing, William Siderewicz testified on behalf of CEF, of which he is the president. Mr. Siderewicz confirmed that he reviewed the Staff Report and that CEF accepts Staff's recommended conditions. Additionally, Mr. Siderewicz also addressed concerns expressed at the local public hearing. Regarding underground tiles, he

maintained that CEF will not create any new drainage problems and will reinstall any disturbed tiles. As to noise concerns, Mr. Siderewicz averred that the plant will have various noise suppression features and will be required to comply with all noise-related conditions associated with the certificate. Finally, regarding increased pressure on gas lines, according to Mr. Siderewicz, CEF has not made a decision as to which gas supplier it will use and that pipelines are approved through separate proceedings. (CEF Ex. 5 at 2-4.)

{¶ 52} In comments submitted after the hearing, OCE states it does not oppose the project and is not requesting any specific conditions be attached to the certificate. OCE maintains that it operates an electric generating facility on property adjacent to CEF's proposed facility. According to OCE, its main concern is CEF's gas transportation service. OCE notes that, in its application, CEF identified OCE's present supplier, North Coast Gas Transmission LLC (North Coast), as its primary option. OCE's concern is that the capacity available on the North Coast pipeline may be already contractually committed to OCE and that CEF's usage of the pipeline may diminish the pressure such that OCE may need to utilize onsite compressors. Thus, OCE submits that if CEF chooses North Coast, it may negatively affect OCE. OCE states, however, that Mr. Siderewicz testified on cross-examination that North Coast is no longer CEF's primary option (Tr. at 21). OCE requests that if CEF chooses North Coast for its gas transportation service, then OCE should be involved in the discussions. However, because Mr. Siderewicz acknowledged that OCE's agreement would be necessary (Tr. at 29-30), OCE is not seeking any additional conditions attached to the certificate.

## VI. CONCLUSION

{¶ 53} The Board has considered the record in this proceeding and approves CEF's application. In doing so, the Board adopts the recommendations in the Staff Report, summarized above, and finds that all the criteria established in R.C. 4906 are satisfied for the construction, operation, and maintenance of the proposed facility. Accordingly, the Board finds a certificate should be issued to CEF for the construction, operation, and

maintenance of the proposed facility, subject to the 23 conditions delineated in the Staff Report (Staff Ex. 2 at 35-38).

## VII. FINDINGS OF FACT AND CONCLUSIONS OF LAW

{¶ 54} CEF is a person under R.C. 4906.01(A) and is licensed to do business in the state of Ohio.

{¶ 55} The proposed electric generation facility is a major utility facility, as defined in R.C. 4906.01(B).

{¶ 56} On February 27, 2017, CEF filed a pre-application notification letter and requested waivers from the requirements set forth in Ohio Adm.Code 4906-4-04(A) and (B). By Entry on May 3, 2017, the ALJ granted CEF's request for waivers.

{¶ 57} On April 19, 2017, CEF filed its application for Certificate of Environmental Compatibility and Public Need.

{¶ 58} By letter dated June 20, 2017, the Board notified CEF that its application had been found to be sufficiently complete, pursuant to Ohio Adm.Code 4906-1, et seq.

{¶ 59} On June 22, 2017, CEF filed a copy of the Proof of Service of the application on local public officials and libraries along with the list of property owners and adjacent property owners.

{¶ 60} On July 10, 2017, CEF filed a copy of the Proofs of Publication in accordance with Ohio Adm.Code 4906-3-10(A) and (B) for the publication of the description of the application and the hearing dates in the *The Blade*.

{¶ 61} On July 24, 2017, OCE filed a motion to intervene, which the ALJ granted by Entry on September 20, 2017.

{¶ 62} The Staff Report was filed on September 5, 2017.

{¶ 63} A local public hearing was held on September 20, 2017. At the hearing, 12 witnesses gave testimony; nine testified in support of the project and three were opposed.

{¶ 64} The evidentiary hearing convened on September 28, 2017, at the offices of the Board, in Columbus, Ohio.

{¶ 65} Adequate data on the proposed generation facility has been provided to make the applicable determinations required by R.C. 4906.10(A). The record evidence in this matter provides sufficient factual data to enable the Board to make an informed decision.

{¶ 66} The record establishes that the application satisfies the requirements set forth in R.C. 4906.10(A).

{¶ 67} Based on the record, the Board should approve the application and issue a certificate, pursuant to R.C. 4906, for the construction, operation, and maintenance of the generation facility, subject to the conditions set forth in the Staff Report and this Order.

#### **VIII. ORDER**

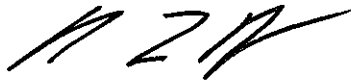
{¶ 68} It is, therefore,

{¶ 69} ORDERED, That a certificate be issued to CEF for the construction, operation, and maintenance of the generation facility at the proposed site. It is, further,

{¶ 70} ORDERED, That the certificate contain the conditions adopted in this Opinion, Order, and Certificate as set forth in the Staff Report. It is, further,

{¶ 71} ORDERED, That a copy of this Opinion, Order, and Certificate be served upon all interested persons of record.

THE OHIO POWER SITING BOARD



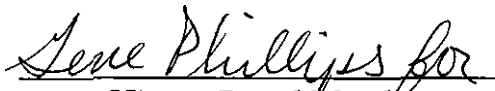
Asim Z. Haque, Chairman  
Public Utilities Commission of Ohio



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



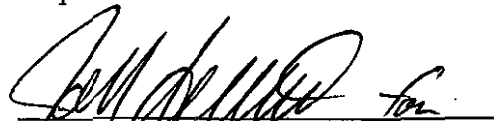
James Zehringer, Board Member  
and Director of the Ohio  
Department of Natural Resources



Lance Himes, 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

NW/vrm

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DEC 07 2017



Barcy F. McNeal  
Secretary