

## THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF  
ICEBREAKER WINDPOWER, INC. FOR A  
CERTIFICATE TO CONSTRUCT A WIND-  
POWERED ELECTRIC GENERATION  
FACILITY IN CUYAHOGA COUNTY, OHIO.

CASE NO. 16-1871-EL-BGN

### ENTRY

Entered in the Journal on July 23, 2018

{¶ 1} Icebreaker Windpower, Inc. (Icebreaker or Applicant) is a person as defined in R.C. 4906.01.

{¶ 2} R.C. 4906.04 provides that no person shall construct a major utility facility in the state without obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 3} On September 13, 2016, Applicant filed a pre-application notice with the Board regarding its intent to construct the electric generation facility being proposed in this case. On February 1, 2017, as supplemented, Icebreaker filed an application for a certificate to construct its proposed project, which it has described as a 6-turbine demonstration wind-powered electric generation facility located 8-10 miles off the shore of Cleveland, in Cuyahoga County, Ohio. The wind turbines are expected to have a nameplate capacity of 3.45 megawatts (MW) each, with a total generating capacity of 20.7 MW.

{¶ 4} By Entry issued on April 20, 2018, the administrative law judge (ALJ) established the procedural schedule in this case, which scheduled deadlines for the filing of testimony on behalf of Icebreaker, intervenors, and Staff, and scheduled the evidentiary hearing to commence on August 6, 2018.

{¶ 5} On July 20, 2018, Icebreaker filed a motion seeking an extension of the procedural schedule, indicating that the parties believe additional settlement negotiation could result in a stipulation that resolves all pending issues in this matter. Icebreaker

explains that it waited to present the proposal to other parties after the second local public hearing was held on July 19, 2018, in order to consider the comments submitted and revise the proposed stipulation, accordingly. Icebreaker also requests that the Board or ALJ schedule a prehearing conference on July 30, 2018, to discuss a new procedural schedule that will allow time for the parties to review the proposed stipulation and engage in further settlement discussions. Finally, Icebreaker states it has consulted with counsel for Staff, as well as the intervening parties to this case, and they do not oppose the motion. Thus, Icebreaker requests that its motion be granted on an expedited basis, in accordance with Ohio Adm.Code 4906-2-27(C).

{¶ 6} Upon review of its motion and memorandum in support, and in light of the fact that no party opposes the request, the ALJ finds that Icebreaker has shown good cause for an extension of the procedural schedule in this matter and, thus, the motion should be granted on an expedited basis. Accordingly, a prehearing conference shall be scheduled for July 30, 2018, at 10:00 a.m., 11th Floor, Hearing Room 11-D, at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215. Parties should be prepared to discuss potential dates for the adjudicatory hearing, as well as the filing deadlines for testimony.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That Icebreaker's motion for an extension of the procedural schedule be granted. It is, further,

{¶ 9} ORDERED, That a prehearing conference be scheduled in accordance with Paragraph 6. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE OHIO POWER SITING BOARD

/s/ Megan J. Addison

By: Megan J. Addison  
Administrative Law Judge

JRJ/mef

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**Case No(s). 16-1871-EL-BGN**

Summary: Administrative Law Judge Entry granting the motion for an extension of the procedural schedule and setting a prehearing conference for 7/30/18 at 10:00am. electronically filed by Ms. Mary E Fischer on behalf of Megan J. Addison, Administrative Law Judge, Ohio Power Siting Board