

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Icebreaker)	
Windpower Inc., for a Certification to)	
Construct a Wind-Powered Electric)	Case No. 16-1871-EL-BGN
Generation Facility in Cuyahoga County,)	
Ohio)	

DIRECT TESTIMONY OF ROBERT M. MALONEY

Q. Please state your name for the record?

A. Robert M. Maloney.

Q. Have you been granted intervention by the Ohio Power Siting Board in this case?

A. Yes I have.

Q. What is your general understanding of the proposed Icebreaker Project?

A. I understand that Icebreaker has proposed an offshore 6-turbine wind-powered electric generating facility located in Lake Erie, 8-10 miles off the shore of Cleveland in Cuyahoga County. It purports to be the first proposed freshwater offshore wind turbine facility in North America and the Great Lakes. I also understand that the Project is not intended to be a commercially feasible, stand-alone electric generating facility. It believe it is to be subsidized with a \$40 million federal grant. The Project itself will only produce approximately 20.7 MW of generation at full capacity. I oppose the Project because I am opposed to putting any sort of industrial fixture, like a wind turbine, in Lake Erie. Fresh water is scarce, and it should be protected. Also, I think the siting wind turbines in Lake Erie would ruin the pure beauty of the Lake. I'm also concerned about the effect the Project may have on birds and bats. Henry Streby, the bird expert assisting our opposition to this project, has provided expert analysis regarding potential problems the Project may cause for birds.

Q. What is the purpose of your testimony?

A. To state my concerns and objections to proposed wind turbines being built in Lake Erie. These concerns and objections arise in my position as a resident and homeowner in Bratenahl, on the shore of Lake Erie, as a taxpayer of Cuyahoga County, and as a recreational user of Lake Erie and its shore.

Q. Do you reside in Cuyahoga County?

A. Yes.

- Q. How long have you been a resident of Cuyahoga County?
- A. Since 1983.
- Q. What is your residential address?
- A. Two Bratenahl Place, Suite 11A, Bratenahl, Ohio 44108.
- Q. How long have you lived at this address?
- A. Since 2000.
- Q. Are you a homeowner and property owner of Cuyahoga County?
- A. Yes. I own three condominium units in the Two Bratenahl Place tower.
- Q. Do you pay property taxes in Cuyahoga County?
- A. Yes.
- Q. Do you also pay state, county and federal taxes?
- A. Yes.
- Q. What is the distance from your residence to the shores of Lake Erie?
- A. Less than 100 yards. From the west end of our 11th floor unit, I see Lake Erie and downtown Cleveland. From the east end, I see Lake Erie and the City of Euclid. I can see at least 15 to 20 miles out over Lake Erie.
- Q. Are you personally a recreational user of Lake Erie?
- A. Yes.
- Q. Please explain.
- A. Yes. I have a boat dock on the Lake. I've owned boats over the years, and have used them for fishing and general pleasure boating on the Lake. I often view the Lake from our 11th floor condominium, watching birds, the weather, or activity on the Lake.
- Q. Have you had occasion to review the Expert Report prepared by Richard E. Brown, Ph.D., P.E. of ExPonent, Inc. filed in this case?
- A. Yes, I have from a layperson's perspective, not as an expert.
- Q. Do you support and endorse the findings and conclusions of Mr. Brown's Expert Report?

- A. Yes I do, again from a layperson's perspective.
- Q. Have you had occasion to review the Expert Report prepared by Henry M. Strieby, Ph.D., Assistant Professor of Ecology, University of Toledo Department of Environmental Services also filed in this case?
- A. Yes I have, again from a layperson's perspective, not as an expert.
- Q. Do you support and endorse the findings and conclusions of Mr. Strieby's Expert Report?
- A. Yes I do, again from a layperson's perspective.
- Q. Please summarize your concerns and objections with the proposed Icebreaker Project and the application for siting certification.
- A. I don't want any industrial fixture, such as a wind turbine, to be sited in Lake Erie. It is a beautiful, pristine freshwater lake. Freshwater is scarce. It is the source of our drinking water. I believe it should be a national park.
- Q. Do you have any other concerns or objections?
- A. Yes. I am very concerned that the Applicant has failed to publically produce the capital and intangible costs, operation and maintenance expenses associated with this Project. I urge the Board to require the Applicant to fully disclose this important information. I am also concerned that the Project does not adequately fund the liability risks with the Project and the costs of decommissioning and clean-up of the Project. Also, I don't want to have to look at the wind turbines when I'm viewing the Lake. They will be visible from my 11th floor condominium, especially with blinking lights at night. Finally, I'm concerned that the proposed turbines would kill birds and bats.
- Q. What action are you asking the Ohio Power Siting Board to take in this case?
- A. I am urging the Board to fully investigate and scrutinize the proposed application, to consider my objections and concerns with the application and the findings and conclusions of the expert reports of Henry Streby and Richard Brown, and to deny, or substantially modify, the required siting certification as appropriate and justified. I urge the Board to fully consider the consequences to Lake Erie and the surrounding communities that arise from this application to site power generation facilities in Lake Erie and to open the door to future commercial development in this great resource. This project, heavily subsidized by tax dollars, cannot be justified in economic grounds, and the balance of interests should be weighed in favor of protecting the environment, wildlife, habitats and the recreational resources of Lake Erie.
- Q. Does this conclude your direct testimony?
- A. Yes it does.

CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a courtesy copy of this document was served upon all counsel of record via electronic mail at the following addresses this 14th day of September, 2018:

cpirik@dickinsonwright.com
todonnell@dickinsonwright.com
wvorys@dickinsonwright.com
john.jones@ohioattorneygeneral.gov
thomas.lindgren@ohioattorneygeneral.gov
mleppla@theoec.org
tdougherty@theoec.org
mjsettineri@vorys.com
glpetrucci@vorys.com
paul@ptblaw.com
cravenor@theoec.org
cameron.simmons@ohioattorneygeneral.gov

megan.addison@puco.ohio.gov
Nicholas.walstr@puco.ohio.gov

/s/ John F. Stock

John F. Stock

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/14/2018 2:04:42 PM

in

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

Summary: Testimony Direct Testimony of Robert M. Maloney electronically filed by John F Stock on behalf of W. Susan Dempsey and Robert M. Maloney