

**BEFORE  
THE OHIO POWER SITING BOARD**

<b>In the Matter of the Letter of</b>	)	
<b>Notification of Ohio River Partners</b>	)	<b>Case No. 17-1091-EL-BLN</b>
<b>Shareholder LLC for a Certificate to</b>	)	
<b>Construct an Electric Generation</b>	)	
<b>Facility in Monroe County, Ohio</b>	)	

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**JOINT APPLICATION TO ASSIGN SUBMITTED BY OHIO RIVER PARTNERS  
SHAREHOLDER LLC AND OHIO POWERCO LLC**

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Pursuant to Ohio Revised Code chapter 4906.04, Ohio River Partners Shareholder LLC (“Ohio River”) and Ohio Powerco LLC (“Ohio Powerco”), collectively the “Joint Applicants”, seek approval to assign the Construction Certificate issued in Case No. 17-1091-EL-BLN for the Hannibal Port Power Project (the “Project”) from Ohio River to Ohio Powerco. In keeping with the policy of the State of Ohio, the Project will continue to be subject to the jurisdiction of the Ohio Power Siting Board (“the OPSB”) and the terms and conditions that are applicable to the Construction Certificate.

The proposed assignment of the Construction Certificate between Ohio River and Ohio Powerco (both subsidiaries of Fortress Transportation and Infrastructure Investors LLC) is common in the power-generation industry. For example, it is common, for financing and construction purposes, to assign a facility to different affiliates with a common parent at different points in the development, construction, and operation of a facility. Specifically as to this project, a decision has been made to transfer the Construction Certificate to Ohio Powerco to facilitate the continued redevelopment of the former Ormet Aluminum Corp. site.

As noted above, in keeping with the policy of the State of Ohio, the Project will be subject to the jurisdiction of the OPSB and remain subject to all of the terms and conditions applicable to the Construction Certificate. Furthermore, as required pursuant to R.C. 4906.04, Ohio Powerco agrees to abide by all the terms and conditions that are applicable to the Construction Certificate.

In support of this Joint Application, the Joint Applicants are submitting correspondence attached as Exhibit A confirming Ohio Powerco's commitment to abide by the terms and conditions applicable to the Construction Certificate as required by the Staff's Report and Recommendation in this proceeding. Ohio River has also sent via overnight mail a letter to the Monroe County Commissioners and Ohio Township Trustees notifying them of the transfer request (attached as Exhibit B).

Wherefore, the Joint Applicants respectfully request that, pursuant to R.C. 4906.04, the OPSB approve the assignment of the Construction Certificate to Ohio Powerco LLC. Because financing of the project is ongoing, the Joint Applicants request that the application be expedited and considered at the next Board meeting.

Respectfully submitted,

/s/ Michael J. Settineri

Michael J. Settineri (0073369), Counsel of Record  
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*Attorneys for Ohio River Partners Shareholder LLC  
and Ohio Powerco LLC*



1345 Avenue of the Americas  
45th floor  
New York, NY 10105

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November 2, 2018

The Ohio Power Siting Board  
180 E. Broad Street  
Columbus, OH 43215

**RE: Certificate Transfer, Case No. 17-1091-EL-BLN**

On July 28, 2017, Ohio River Partners Shareholder LLC's application for a Construction Certificate was approved pursuant to Chapter 4906 of the Revised Code for the construction, operation and maintenance of a natural gas-fired electric generation facility known as the Hannibal Port Power Project.

Ohio River Partners Shareholder LLC and Ohio Powerco LLC are requesting that the Ohio Power Siting Board (the "OPSB") approve the assignment of the Construction Certificate from the original applicant, Ohio River Partners Shareholder LLC, to Ohio Powerco LLC. The original applicant and Ohio Powerco LLC are both Delaware limited liability companies and are both subsidiaries of Fortress Transportation and Infrastructure Investors LLC. It is the intent of Ohio Powerco LLC to adhere to all terms and conditions related to the Construction Certificate.

Thank you for your consideration in this matter. If you have any questions or need additional information to promptly process this request, please contact counsel for Ohio Powerco LLC.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Nicholson', written over a horizontal line.

Kenneth J. Nicholson  
Fortress Investment Group, Managing Director  
Authorized Officer for Ohio Powerco LLC



Vorys, Sater, Seymour and Pease LLP  
Legal Counsel

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November 2, 2018

**VIA OVERNIGHT COURIER**

Trustees Eggeslton, Dennis, and Riggenbach  
Ohio Township Trustees  
c/o Michele Williams, Fiscal Officer  
40757 State Route 7  
Hannibal, OH 43915

Dear Ohio Township Trustees:

The purpose of this letter is to notify you that an application has been filed with the Ohio Power Siting Board ("OPSB") seeking assignment of the Construction Certificate issued on July 28, 2017 to Ohio River Partners Shareholder LLC in Case No. 17-1091-EL-BLN for the Hannibal Port Power Project to Ohio Powerco LLC. Ohio River Partners Shareholder LLC and Ohio Powerco LLC are both subsidiaries of Fortress Transportation and Infrastructure Investors LLC.

Ohio Powerco LLC will adhere to all terms and conditions related to the Construction Certificate granted to Ohio River Partners Shareholder LLC.

If you have any questions, please do not hesitate to contact me at 614-464-5462 with any questions about the application (a copy of which is enclosed).

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Settineri", written over a horizontal line.

Michael J. Settineri



Vorys, Sater, Seymour and Pease LLP  
Legal Counsel

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Email [mjsettineri@vorys.com](mailto:mjsettineri@vorys.com)

November 2, 2018

**VIA OVERNIGHT CARRIER**

Commissioners Tim Price, Carl Davis, and Mick Schumacher  
Monroe County Commissioners  
101 North Main St., Room 34  
Woodsfield, Ohio 43793

Dear Monroe County Board of County Commissioners:

The purpose of this letter is to notify you that an application has been filed with the Ohio Power Siting Board ("OPSB") seeking assignment of the Construction Certificate issued on July 28, 2017 to Ohio River Partners Shareholder LLC in Case No. 17-1091-EL-BLN for the Hannibal Port Power Project to Ohio Powerco LLC. Ohio River Partners Shareholder LLC and Ohio Powerco LLC are both subsidiaries of Fortress Transportation and Infrastructure Investors LLC.

Ohio Powerco LLC will adhere to all terms and conditions related to the Construction Certificate granted to Ohio River Partners Shareholder LLC.

If you have any questions, please do not hesitate to contact me at 614-464-5462 with any questions about the application (a copy of which is enclosed).

Sincerely,

Michael J. Settineri

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**11/2/2018 10:12:17 AM**

**in**

**Case No(s). 17-1091-EL-BLN**

Summary: Text - Joint Application To Assign Construction Certificate electronically filed by Mr. Michael J. Settineri on behalf of Ohio River Partners Shareholder LLC