

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Seneca	)	
Wind, LLC for a Certificate of Environmental	)	Case No. 18-0488-EL-BGN
Compatibility and Public Need for a Wind-	)	
Powered Electric Generating Facility in Seneca	)	
and Sandusky Counties, Ohio	)	
	)	

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**Petition for Leave to Intervene of the Board of Education of  
Seneca East Local School District**

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Now comes the Board of Education of the Seneca East Local School District, Seneca County, Ohio, (the “District”) by and through its counsel, Albin Bauer, II, and Peters, Kalail & Markakis Co., L.P.A., and hereby gives notice of its intent to intervene in the proceedings and states:

1. The Board of Education is the duly elected body authorized to act for the District and during the Board’s regular public meeting on November 13, 2018, unanimously passed a resolution to intervene in the Ohio Power Siting Board’s proceedings in this case.

2. The proposed facility will be located, in part, within the District’s territory in Seneca County, Ohio.

3. The Board of Education intends to intervene in the proceedings on the grounds that it has extensive interest in protecting the health, safety and welfare of the District’s students and staff, and an interest in the project’s potential impact on property development and valuation within the District which directly affects a primary source of the District’s funding. The District’s interest is not and cannot be represented by another party, existing or otherwise, and presentation of the District’s position to the Board is essential to a just and expeditious resolution

of the issues involved in the proceedings and will not unduly delay the proceedings or unjustly prejudice an existing party.

Respectfully submitted,

/s/ Albin Bauer, II

Albin Bauer, II (#0061245)

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Seneca East Local School District*

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**Memorandum in Support of Petition for Leave to Intervene of  
the Board of Education of Seneca East Local School District**

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The Board of Education meets all requirements for intervention in this proceeding as set forth in R.C. 4903.08 and O.A.C. 4906-2-12(B)(1). The Power Siting Board may consider the following when determining petitions to intervene:

- The nature and extent of the person's interest;
- The extent to which the person's interest is represented by existing parties;
- The person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding; and
- Whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice an existing party.

O.A.C. 4906-2-12(B)(1).

1. **The School District has a real and substantial interest in this matter that is not adequately represented by existing parties.**

Seneca East School District comprises a significant portion of the area in which part of the 85-turbine wind powered electric generation facility is to be constructed. Approximately 49 of the planned turbines will be located in the District, and 16 of the planned turbines will be

installed within 2 miles of the District's school facility. The District has a real and substantial interest in protecting its students and staff from potentially adverse impacts on their health, safety and welfare while they at school or participating in school services and programs. In addition, because the District relies on property taxes as its primary source of funding, the potential impacts on residential, commercial and industrial development and property values within the District are of great interest and importance to the District. The District's interests cannot be represented by another party existing or otherwise because of the District's geographical territory and its unique public function within the affected community.

2. **The School District's involvement will contribute to a just and expeditious resolution of the issues and will not unduly delay the proceedings.**

Residents and businesses in the District, as well as the District's parents, students and staff, want assurances that health, safety and environmental considerations, such as setbacks, noise standards, shadow flicker, and other factors, are properly and responsibly addressed in these proceedings. These constituencies also want to make sure the proposed facility enhances local commerce, economic development, property development and values. The District is well-situated to analyze and provide input to the OPSB regarding these issues in a just and expeditious manner, and its participation will not delay the proceedings.

**CONCLUSION**

For the reasons set forth above, the Board of Education of the Seneca East Local School District requests that its petition for leave to intervene be granted and that it be made a full party of record.

Respectfully submitted,

/s/ Albin Bauer, II

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served on this 15<sup>th</sup> day of November 2018 by regular U.S. Mail, postage prepaid, or by electronic mail, upon the persons listed below.

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*/s/ Albin Bauer, II*

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Albin Bauer, II (#0061245)

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Summary: Petition Petition for Leave to Intervene of Seneca East Local School District, and Memorandum in Support electronically filed by Mr. Albin Bauer on behalf of Seneca East Local School District