

**BEFORE  
THE OHIO POWER SITING BOARD**

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

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**ICEBREAKER WINDPOWER INC.'S  
MOTION FOR AN EXTENSION OF TIME TO FILE BRIEFS  
AND REQUEST FOR EXPEDITED RULING**

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Pursuant to Ohio Administrative Code (“O.A.C.”) Rules 4906-2-07 and 4906-2-27, Icebreaker Windpower Inc. (“Applicant” or “Icebreaker”) respectfully moves the Ohio Power Siting Board (“OPSB”) or its Administrative Law Judge (“ALJ”) for an extension of time to file briefs in this case. Currently, the initial briefs are due to be filed on November 30, 2018, and the reply briefs are due on January 8, 2019.

The Applicant has consulted with counsel for the OPSB Staff, as well as all of the parties to this case, and no party opposes this motion.

Therefore, the Applicant submits that, for the reasons more fully set forth in the following memorandum in support, good cause exists to grant this motion on an expedited basis, in accordance with O.A.C. Rule 4906-2-27(C).

Respectfully submitted,

/s/ Christine M.T. Pirik

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## MEMORANDUM IN SUPPORT

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On February 1, 2017, as supplemented, Icebreaker filed an application for a certificate of environmental compatibility and public need for the Icebreaker Project to be located in Lake Erie eight miles off the shore of Cleveland, Ohio in Cuyahoga County.

On September 4, 2018, Icebreaker, Business Network for Offshore Wind, Inc., the Sierra Club, Indiana/Kentucky/Ohio Regional Council of Carpenters, and the Ohio Environmental Council filed a Joint Stipulation and Recommendation for adoption by the OPSB. The evidentiary hearing in this matter commenced on September 24, 2018. At the conclusion of the hearing, the ALJs determined that the initial briefs should be filed by November 30, 2018, and the reply briefs should be filed by January 8, 2019.

Recently, Icebreaker requested a meeting with all parties in this proceeding in order to present a revised stipulation for their consideration. Icebreaker believes that the revised stipulation addresses issues raised by the OPSB Staff and other parties during the evidentiary hearing. The parties met on November 19, 2018, and OPSB Staff and the other parties are currently reviewing Icebreaker's proposal.

After these further settlement deliberations, if the parties come to an agreement on a revised stipulation, Icebreaker understands that the OPSB would review and may revise the procedural schedule in this matter. Therefore, at this time, the Applicant requests that the Board or the ALJ suspend the briefing schedule to allow the parties additional time to discuss the proposed revised stipulation.

In the event a revised settlement is reached with the parties, the Applicant proposes that the OPSB require the parties to file the revised stipulation by December 7, 2018. However, if a revised settlement is not reached, the Applicant proposes that the OPSB require the Applicant to work with the parties and file a proposed revised briefing schedule by December 7, 2018.

Given the short time frame before the briefs are due, Icebreaker requests that this motion be granted on an expedited basis for good cause shown.

Respectfully submitted,

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## 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 in the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons listed below via electronic mail this 21st day of November, 2018.

/s/ Christine M.T. Pirik

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Summary: Motion for an Extension of Time to File Briefs and Request for Expedited Ruling electronically filed by Christine M.T. Pirik on behalf of Icebreaker Windpower Inc.