

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of)
REPUBLIC WIND, LLC for a Certificate of)
Environmental Compatibility and Public Need)
for a Wind-Powered Electric Generating)
Facility in Seneca and Sandusky Counties,)
Ohio.)

Case No. 17-2295-EL-BGN

REPUBLIC WIND, LLC'S MOTION FOR PROCEDURAL SCHEDULE

Pursuant to Ohio Administrative ("OAC") Rule 4906-2-27(A) and OAC Rule 4906-3-11(A), Republic Wind, LLC ("Seneca") requests that the Ohio Power Siting Board ("Board"), or its administrative law judge ("ALJ") assigned to this case, issue an entry establishing a procedural schedule. The Board previously tolled the procedural schedule in anticipation of Republic's filing of an application to amend its application. Concurrent with the filing of this motion, Republic is filing its application to amend its currently pending, complete application pursuant to OAC Rule 4906-3-11(A). In addition, Republic has complied with the requirements of OAC Rule 4906-3-11(A)(1)–(3). Therefore, Republic respectfully requests that the Board issue an entry establishing a procedural schedule in this case. A memorandum in support of this motion is attached.

Respectfully submitted on behalf of
REPUBLIC WIND, LLC



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MEMORANDUM IN SUPPORT

On February 2, 2018, and as amended on March 27, 2018, Republic Wind, LLC (“Republic”) filed an application with the Ohio Power Siting Board (“Board”) for a certificate of environmental compatibility and public need to construct a wind-powered electric generating facility in Seneca and Sandusky Counties, Ohio (“Original Application”). By letter filed on May 23, 2018, the Board notified Republic’s Original Application was sufficiently complete to permit Staff to commence its review and investigation of the Original Application. On July 19, 2018, the Board issued an entry establishing a procedural schedule.

On August 29, 2018, Republic filed a motion to suspend the procedural schedule. In its motion, Republic stated that it intended to file an application to amend its Application pursuant OAC Rule 4906-3-11(A). On September 4, 2018, the ALJ issued an entry granting Republic’s motion, tolling the procedural schedule and staying discovery. In the September 4, 2018 entry, the ALJ indicated that he or she would “reestablish the dates for the public and adjudicatory hearing by subsequent entry after Republic files its application to amend its pending application”

Pursuant to OAC Rule 4906-3-11(A), and the September 4, 2018 entry, Republic hereby request that the ALJ issue an entry establishing a procedural schedule in this proceeding. Concurrent with the filing of this motion, Republic filed its application to amend (“Amended Application”). OAC Rule 4906-3-11(A)(1)–(3) sets forth the following requirements with respect to applications to amend pending applications:

- (1) Each application for amendment shall specifically identify the portion of the pending accepted, complete application which has been amended.
- (2) The applicant shall serve a copy of the application for amendment upon all persons previously entitled to receive a copy of the application, and shall supply the board with proof of such service.
- (3) The applicant shall place a copy of such application for amendment or notice of its availability in all libraries consistent with rule 4906-3-07 of the Administrative Code, and shall supply the board with proof of such action.

Republic’s Amended Application specifically identifies the portions of the Original Application that have been amended. In addition, Republic served a copy of the Amended Application upon all persons previously entitled to receive a copy of the Original Application, and filed proof of service with the Amended Application. Further, Republic submitted copies of the Amended Application to the main public library of each political subdivision where the project will be located. As such, Republic has complied each of the requirements of OAC Rule 4906-3-11(A)(1) –(3).

Further, although not required under OAC Rule 4906-3-11(A), Republic held a local public information meeting on December 11, 2018. The purpose of this voluntary public

information meeting was to share information about the Amended Application with local residents and gather feedback for the Amended Application.

Because Republic is compliance with the requirements of OAC Rule 4906-3-11(A)(1)–(3), Republic requests that the ALJ issue a procedural schedule establishing the public and adjudicatory hearing. Pursuant to OAC Rule 4906-3-11(A)(4)(b), the “hearings may be postponed on the pending, accepted, complete application and/or application for amendment up to ninety days after receipt of said application for amendment.” Therefore, Republic request that the hearings be scheduled within ninety days from the date of the filing of the Amended Application.

Respectfully submitted on behalf of
REPUBLIC WIND, LLC



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion was served upon the following parties listed below by electronic mail, this 26th day of December 2018.



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Summary: Motion Motion for Procedural Schedule electronically filed by Mr. Devin D. Parram
on behalf of Republic Wind