

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
ICEBREAKER WINDPOWER, INC. FOR A
CERTIFICATE TO CONSTRUCT A WIND-
POWERED ELECTRIC GENERATION
FACILITY IN CUYAHOGA COUNTY, OHIO.

CASE NO. 16-1871-EL-BGN

ENTRY

Entered in the Journal on February 19, 2019

{¶ 1} Icebreaker Windpower, Inc. (Icebreaker or Applicant) is a person as defined in R.C. 4906.01.

{¶ 2} R.C. 4906.04 provides that no person shall construct a major utility facility in the state without obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 3} On September 13, 2016, Applicant filed a pre-application notice with the Board regarding its intent to construct the electric generation facility being proposed in this case. On February 1, 2017, as supplemented, Icebreaker filed an application for a certificate to construct its proposed project, which it has described as a 6-turbine demonstration wind-powered electric generation facility located 8-10 miles off the shore of Cleveland, in Cuyahoga County, Ohio. The wind turbines are expected to have a nameplate capacity of 3.45 megawatts (MW) each, with a total generating capacity of 20.7 MW.

{¶ 4} The adjudicatory hearing in this case commenced on September 24, 2018, as scheduled, and concluded on October 2, 2018. At the conclusion of the hearing, the administrative law judge (ALJ) instructed that initial briefs and reply briefs would be due by November 30, 2018, and January 8, 2019, respectively.

{¶ 5} On November 21, 2018, Icebreaker filed a motion seeking an extension of time to file the corresponding briefs, indicating that the parties were attempting to engage in further settlement discussions that could result in a revised stipulation that resolves some,

or all, pending issues in this matter. That motion was granted that same day, and the ALJ directed that a revised stipulation or, in the alternative, a proposed revised briefing schedule, be filed by December 7, 2018. Since that time, the ALJ granted two additional requests for extensions and the current deadline is February 19, 2019.

{¶ 6} On February 19, 2019, Icebreaker filed an additional, unopposed request for an extension of time to file a revised stipulation. Icebreaker again asserts negotiations with Staff are ongoing and the parties are currently reviewing and discussing the latest settlement proposal.

{¶ 7} Upon review, the ALJ finds that the request is reasonable and should be approved on an expedited basis, in accordance with Ohio Adm.Code 4906-2-27(C). Accordingly, the parties are directed to submit a revised stipulation or, in the alternative, a proposed briefing schedule, by March 8, 2019.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Icebreaker's motion for an extension of the procedural schedule be granted, in accordance with Paragraph 7. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE OHIO POWER SITING BOARD

/s/ Nicholas J. Walstra

By: Nicholas J. Walstra
Administrative Law Judge

JRJ/hac

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

Summary: Administrative Law Judge Entry granting motion for extension of procedural schedule electronically filed by Heather A Chilcote on behalf of Nicholas Walstra, Administrative Law Judge, Ohio Power Siting Board