

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
SENECA WIND, LLC FOR A CERTIFICATE
TO SITE WIND-POWERED ELECTRIC
GENERATION FACILITIES IN SENECA
COUNTY, OHIO.

CASE NO. 18-488-EL-BGN

ENTRY

Entered in the Journal on August 12, 2019

{¶ 1} Seneca Wind, LLC (Seneca Wind 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 first obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 3} On July 16, 2018, as amended and supplemented on July 20, 2018, September 14, 2018, December 3, 2018, December 10, 2018, January 2, 2019, February 12, 2019, and June 6, 2019, Seneca Wind filed an application with the Board for a certificate of environmental compatibility and public need to construct, own, and operate a wind-powered generation facility (project). As proposed, the project will have a total nameplate capacity of 212 megawatts and consist of up to 77 wind turbine generators, access roads, electrical collector cables, laydown yards, an operations and maintenance facility, meteorological towers, a substation, and a 138-kilovolt (kV) electric generation transmission line to connect to AEP Ohio Transmission Company Inc.'s existing Melmore Substation.¹ The project site includes approximately 56,900 acres of leased land in Seneca County, consisting primarily of existing farmland.

¹ The substation and 138-kV transmission line will be the subject of a separate filing with the Board.

{¶ 4} By letter filed on October 15, 2018, the Board notified Seneca Wind that its application was sufficiently complete to permit Staff to commence its review and investigation of the application.

{¶ 5} R.C. 4906.07(A) provides that, upon receipt of an application complying with R.C. 4906.06, the Board must promptly fix a date for a public hearing not less than 60 nor more than 90 days after such receipt, and shall conclude the proceeding as expeditiously as practicable.

{¶ 6} By Entry issued December 7, 2018, the effective date of the filing of the Seneca Wind application was established as December 10, 2018, and the administrative law judge (ALJ) established a procedural schedule.

{¶ 7} Following two extensions of the procedural schedule, Staff filed the Staff Report on July 3, 2019.

{¶ 8} By Entry issued July 8, 2019, the procedural schedule was, for the third time, reestablished, including a local public hearing to be held on July 23, 2019, in Tiffin, Ohio, Seneca Wind's testimony in support of its application to be filed by August 6, 2019, Staff and intervenors testimony to be filed by August 13, 2019, and an evidentiary hearing to be held in Columbus, Ohio, to commence on August 26, 2019.

{¶ 9} Consistent with the procedural schedule, Seneca Wind filed testimony in support of its application on August 6, 2019.

{¶ 10} Also on August 6, 2019, Seneca Wind filed its fifth motion to continue the procedural schedule and a request for expedited ruling. In this motion, Seneca Wind requested that the adjudicatory hearing be continued and the accompanying procedural schedule be suspended. By Entry issued August 9, 2019, Seneca Wind's motion for continuance was denied.

{¶ 11} Subsequently, on August 9, 2019, Seneca Wind filed notice that it was withdrawing its application pending before the Board, without prejudice.

{¶ 12} The ALJ finds that in light of Seneca Wind's notice that it is withdrawing its application, the procedural schedule is suspended until the Board acts on the notice and specifically orders otherwise.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the procedural schedule be suspended until the Board specifically orders otherwise. It is, further,

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

THE OHIO POWER SITING BOARD

/s/ Greta See

By: Greta See
Administrative Law Judge

JRJ/hac

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in

Case No(s). 18-0488-EL-BGN

Summary: Administrative Law Judge Entry suspending procedural schedule electronically filed by Heather A Chilcote on behalf of Greta See, Administrative Law Judge, Power Siting Board