

RESOLUTION NO. 2020-55 BY: J

KEPPLE

A Resolution to object to the Order of Ohio Power Siting Board in the Icebreaker case, OPSB Case No. 16-1871-El-BGN to prohibit Icebreaker's turbines from rotating and producing electricity all night for 8 months out of the year and strongly urging the Ohio Power Siting Board to grant Icebreaker's appeal in the case.

WHEREAS, Lake Erie Energy Development Corporation manages Project Icebreaker, the first fresh water windfarm in North America and the first step in creating a new offshore wind industry in Lake Erie that will create thousands of jobs and unlock Ohio's vast clean energy resource; and

WHEREAS, the Icebreaker project has gone through a years-long and extensive permitting process and had reached an agreement with the technical staffs of the Ohio Power Siting Board ("OPSB") and the Ohio Department of Natural Resources ("ODNR") over many months to bring the project to fruition; and

WHEREAS, on May 21, 2020, in OPSB Case No. 16-1871-El-BGN, the OPSB ordered that Icebreaker's turbines must shut down every night for eight months of the year; and

WHEREAS, this eleventh-hour Shutdown Order effectively kills the Icebreaker project in that its resulting lost productivity would deprive Icebreaker of the critical revenue stream required to repay a construction loan; and

WHEREAS, the OPSB Shutdown mandate contradicts all evidence on the record that led the OPSB Staff and the ODNR to approve the project; and

WHEREAS, the Order violates state law in that it fails to set forth evidence to support the shutdown mandate; and

WHEREAS, the OPSB exceeded its authority by requiring zero impact every night for 8 months: the state law standard is for minimum impact considering economics and technology; and

WHEREAS, the OPSB Order unlawfully requires two separate approvals – one for construction and future approval for full operations, in violation of state law; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government, and the power to enact laws that are for health, safety, and welfare; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

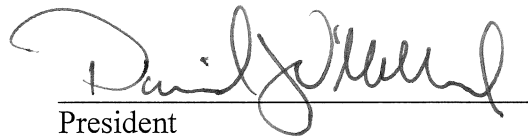
Section 1. That this Council hereby objects to the Order of Ohio Power Siting Board in the Icebreaker case, OPSB Case No. 16-1871-El-BGN to prohibit Icebreaker's turbines from

rotating and producing electricity all night for 8 months out of the year and strongly urges the Ohio Power Siting Board to grant Icebreaker's appeal in the case.

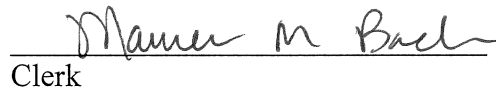
Section 2. It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. The Clerk of Council is hereby authorized and directed to transmit copies of this resolution to Governor Mike DeWine, all members of the Ohio General Assembly, and Sam Randazzo, Chair, Ohio Power Siting Board and all its members and a copy of this Resolution shall be spread upon the minutes of this meeting.

Adopted: 9/8/2020

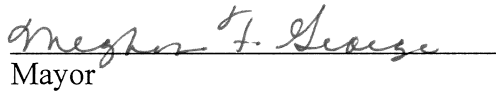


President



Clerk

Approved: 9/11/2020



Mayor

This foregoing document was electronically filed with the Public Utilities

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in

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

Summary: Public Comment Public comment of Lakewood City Council, via website
electronically filed by Docketing Staff on behalf of Docketing