

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of :
Firelands Wind, LLC for a Certificate to :
Environmental Compatibility and Public : Case No. 18-1607-EL-BGN
Need to Construct a Wind-Powered :
Electric Generation Facility in Huron and :
Erie counties, Ohio.

**PREFILED TESTIMONY
OF**

Andrew Conway

**ON BEHALF OF THE STAFF OF THE
PUBLIC UTILITIES COMMISSION OF OHIO,
POWER SITING DEPARTMENT**

STAFF EX. ____

September 21, 2020

1 1. Q. Please state your name and your business address.

2 A. My name is Andrew Conway. My business address is 180 E. Broad Street,
3 Columbus, Ohio 43215.

4

5 2. Q. By whom are you employed?

6 A. I am employed by the Public Utilities Commission of Ohio (Commission).

7

8 3. Q. Please describe your job title and duties?

9 A. I am employed as an Engineering Specialist in the Facility Review and
10 Compliance Division of the Power Siting Department. In this position, I
11 review technical issues associated with energy efficiency applications,
12 renewable energy applications, assigned areas or lead in Applications for a
13 Certificate of Environmental Compatibility and Public Need to construct
14 major utility facilities and economically significant wind farms, and other
15 duties.

16

17 4. Q. Would you briefly state your educational background and work history?

18 A. I have a Bachelor of Science degree in Chemical Engineering and minor in
19 Chemistry from the University of Toledo. I am also a registered
20 professional engineer in the State of Ohio.

21

1 To maintain registration as a professional engineer I have taken continuing
2 education courses relevant to the practice of engineering that include
3 technical, ethical or managerial material. I have taken courses specific to
4 wind farms, geotechnical exploration, renewable energy installation, and
5 safety.

6
7 From 2001 to 2009, I was employed by the Ohio Environmental Protection
8 Agency as an environmental specialist. From 2009 to present, I have been
9 employed in my current position at the Commission.

10
11 I have provided analysis on multiple projects, including wind farms, solar
12 farms, and natural gas combined cycle power plants submitted to the Ohio
13 Power Siting Board (OPSB). I have also inspected and visited numerous
14 wind farms in various stages of design, construction, and operation.

15
16 5. Q. Have you previously testified before the OPSB?

17 A. Yes. I previously testified in cases before the Board.

18
19 6. Q. What is the purpose of your testimony in this proceeding?

20 A. I was the primary analyst for portions of the Staff Report pertaining to the
21 Project Description (on pages 7-9), Setbacks (on pages 45-46), Turbine
22 Foundations (on pages 46-47), Wind Velocity (on pages 52-53), Safety (on

1 pages 53-54), Communications (on pages 54-55), the Air, Water, Solid
2 Waste, and Aviation section (on pages 63-69), and the Water Conservation
3 Practice section (on page 74). I endorse and recommend that at least the
4 following conditions become part of a certificate:

- 5 • General Condition 7:
- 6 • Public Services, Facilities, and Safety Conditions 35, 36, 37, and 38
- 7 • Air, Water, Solid Waste, and Aviation Conditions 40, 41, and 42.

8
9 7. Q. Were you responsible for any other specific conditions in the Staff Report?

10 A. Yes, I was responsible for Condition 39.

11
12 This condition is no longer necessary, because the additional discussions
13 between the Federal Aviation Administration (FAA), Ohio Department of
14 Transportation Office of Aviation (ODOT-OA), and the Applicant are no
15 longer needed.

16
17 Staff has learned from the FAA that once its determinations are final and no
18 valid petitions received, the FAA will do no further work or study on those
19 cases with the exception of supplemental notice actions for FAA to track
20 construction progress.

1 Also, the ODOT-OA has provided its determination/consultation letter
2 dated March 10, 2020 which was filed in this docket. That determination
3 letter from ODOT-OA explains that ODOT-OA's determinations are
4 limited by statute to include only impacts to the clear zone, horizontal,
5 conical, primary, approach and transitional surfaces of airports that have
6 been issued a commercial operating certificate. That determination letter
7 from ODOT-OA further states that states that none of the proposed turbines
8 impact those surfaces.

9
10 8. Q. Why are those particular Staff Report sections (Project Description,
11 Setbacks, Turbine Foundations, Wind Velocity, Safety, Communications,
12 Air, Water, Solid Waste, and Aviation section, and the Water Conservation
13 Practice section) important?

14 A. These sections are generally outlined in R.C. 4906.10, Ohio Adm.Code
15 4906-4-08, or Ohio Adm.Code 4906-4-09 as relevant factors to the proper
16 siting and location review for wind farms.

17
18 Also, R.C. 4906.10 (A)(5) obligates the board to consult with the ODOT-
19 OA.

20
21 9. Q. Did you consult the ODOT-OA regarding the Emerson Creek Wind Farm
22 project?

1 A. Yes. Initially, I sent an email on 3/7/2019 to the ODOT-OA. This email had
2 a link to the Application docket, Aviation related excerpts from the
3 Application, a Google Earth file of the proposed wind farm, and anticipated
4 staff report filing date. During the course of the investigation and since that
5 initial email, I continued to consult with ODOT-OA through email, and
6 phone calls.

7
8 Throughout the course of the investigation, I forwarded to the ODOT-OA
9 aviation related data requests, responses to those requests, and aviation
10 related material, emails from the Department of Defense, and the aviation
11 consultant reports.

12
13 The ODOT-OA responded, in accordance with R.C. 4561.341, by letters
14 dated 2/7/2020, and 3/10/2020. The ODOT-OA letter dated 3/10/2020 is
15 the latest and most comprehensive consultation on the project.

16
17 10. Q. How did you analyze, evaluate, and investigate the impact of the proposed
18 Emerson Creek Wind Farm on aviation issues?

19
20 A. I reviewed and analyzed geographic information system data submitted by
21 the Applicant that was transformed into Google Earth maps of the wind

1 farm. Notably, I overlaid published military aviation training routes over
2 the wind farm map.

3
4 Additionally, I discussed the proposed wind farm project potential impacts
5 with representatives of the Department of Defense.

6
7 Further, I reviewed the FAA Determination of No Hazard letters and
8 analysis from ODOT-OA.

9
10 11. Q. Why is Condition 7 necessary?

11 A. This is a typically recommended condition to assure the Board that the
12 detailed engineering drawings adhere to common engineering practices to
13 protect the public health, safety, and welfare. Electric generation facilities,
14 including wind farms, typically submit detailed engineering drawings of the
15 final project design and foundation design to the Board.

16
17 Staff notes that there is Karst topography in the project area, which requires
18 avoidance and special consideration during foundation design and
19 installation. For these reasons, Staff recommends that the detailed
20 engineering drawings of the final project design and foundation design
21 include the identity of the registered professional engineer(s), structural

1 engineer(s), or engineering firm(s), licensed to practice engineering in the
2 state of Ohio who reviewed and approved the designs.

3
4 12. Q. Does this conclude your testimony?

5 A. Yes, it does. However, I reserve the right to submit supplemental
6 testimony as new information subsequently becomes available or in
7 response to positions taken by other parties.

PROOF OF SERVICE

I hereby certify that a true and correct copy of the Prefiled Testimony of Andrew Conway submitted on behalf of the Staff of the Public Utilities Commission of Ohio, Power Siting Department, was served via electronic mail, upon the following parties of record, this 21st day of September, 2020.

/s/Werner L. Margard

Werner L. Margard
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Summary: Testimony Andrew Conway electronically filed by Mrs. Tonnetta Y Scott on behalf of OPSB