

BEFORE
THE OHIO POWER SITING BOARD

In the Matter of the Application of Firelands)
Wind, LLC, for a Certificate to Site Wind)
Powered Electric Generating Facilities in) Case No. 18-1607-EL-BGN
Seneca and Sandusky Counties, Ohio)

**MOTION OF THE LOCAL RESIDENTS AND BLACK SWAMP BIRD
OBSERVATORY FOR LEAVE TO FILE POST-HEARING REPLY BRIEF**

The Local Residents and Black Swamp Bird Observatory (collectively, “Intervenors”) hereby move the Board for leave to file their Post-Hearing Reply Brief, for which the deadline was Friday, December 4, 2020 at 5:30 pm. Counsel for Intervenors attempted to file the brief three times prior to 5:30 pm that day and each time received a message stating that “[y]our e-filed document can not be processed currently.” The third of these messages, which has a time of 5:30 pm recorded on it (see lower right corner) is attached (counsel did not save the first two messages). Intervenors’ counsel called the PUCO Docketing Division for assistance prior to 5:30 pm and left a message on its voicemail, but did not receive a return call. Counsel emailed a copy of the brief to the Administrative Law Judges, counsel for the represented parties, and the unrepresented parties at 5:29 pm.

My law firm recently converted its computers to a new Windows operating system, and I used its newest pdf converter to create the pdf for the brief from Word. After 5:30 pm, I recreated the pdf using an older version, and it was accepted by the docketing system when filed at 5:36:51 pm on December 4, 2020.

Intervenors’ counsel has circulated this motion to all other parties with a request that they indicate whether they object to the motion. The counsel for all other parties have indicated that

they do not object to this motion, except for one who did not respond.¹ The unrepresented parties have not objected or responded. Intervenor move for leave to file this brief.

Respectfully submitted,

/s/ Jack A. Van Kley
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CERTIFICATE OF SERVICE

On December 8, 2020, the docketing division's e-filing system will electronically serve notice of the filing of this document on the persons listed below. On December 8, 2020, I also served a copy of this filing by electronic mail on the following persons:

Hillary Aidun at hwa2108@columbia.edu
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¹ Counsel for the townships did not respond to the message.

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Step 6

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in

Case No(s). 18-1607-EL-BGN

Summary: Motion For Leave to File Brief electronically filed by Mr. Jack A Van Kley on behalf of Erie, Huron & Seneca County Residents and Black Swamp Bird Observatory