

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
FIRELANDS WIND, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED TO
CONSTRUCT A WIND-POWERED
ELECTRIC GENERATION FACILITY IN
HURON AND ERIE COUNTIES, OHIO.

CASE NO. 18-1607-EL-BGN

ENTRY

Entered in the Journal on December 9, 2020

{¶ 1} Pursuant to Ohio Adm.Code 4906-2-07, extensions of time to file pleadings or other papers may be granted upon motion of any party for good cause.

{¶ 2} In accordance with the briefing schedule established during the hearing in this matter, initial briefs were to be filed on or before November 20, 2020, and reply briefs were to be filed on or before December 4, 2020.

{¶ 3} On December 7, 2020, Local Residents Patricia Didion, Jane Fox, Marvin Hay, Theresa Hay, Patricia Olsen, Sheila Poffenbaugh, Walt Poffenbaugh, Christina Popa, John Popa, Lori Riedy, Charles Rogers, Kenn Rospert, Dennis Schreiner, Sharon Schreiner, Donna Seaman, William Seaman, Deborah Weisenauer, Kenneth Weisenauer, and Gerard Wensink (jointly, "Local Residents") and Black Swamp Bird Observatory (collectively, "Joint Movants"), all intervenors in this proceeding, jointly filed a reply brief in this matter. On December 8, 2020, Joint Movants filed a joint motion for leave to file a post-hearing reply brief. In their motion, Joint Movants explain that their counsel attempted to file the reply brief three times prior to 5:30 p.m. on December 4, 2020, and each time received a message indicating that "[y]our e-filed document cannot be processed currently." Joint Movants further explain that their counsel attempted to contact the Board's Docketing Division prior to 5:30 p.m. on December 4, 2020, but was unsuccessful in reaching anyone for assistance. Joint Movants state that prior to 5:30 p.m. on December 4, 2020, their counsel emailed a copy of the brief to the Administrative Law Judges, counsel for the represented parties, and the unrepresented parties. Additionally, Joint Movants indicate that their counsel was

ultimately able to successfully e-file the reply at 5:36 p.m. on December 4, 2020.

{¶ 4} In support of their motion, Joint Movants represent that counsel for all other parties, with the exception of one who did not respond, have indicated that they do not object to the motion.

{¶ 5} The motion for leave to file the post-hearing reply brief is reasonable and shall be granted. Accordingly, Joint Movants' reply brief is considered as timely filed.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That the motion for leave to file a post-hearing reply brief be granted. It is, further,

{¶ 8} ORDERED, That a copy of this Entry be served upon all parties of record.

THE OHIO POWER SITING BOARD

/s/ Jay S. Agranoff

By: Jay S. Agranoff
Administrative Law Judge

NJW/kck

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/9/2020 1:49:35 PM

in

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

Summary: Administrative Law Judge Entry granting the motion for leave to file a post-hearing reply brief. electronically filed by Kelli C. King on behalf of Jay S. Agranoff, Administrative Law Judge, Public Utilities Commission of Ohio