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BEFORE
THE OHIO POWER SITING BOARD

In The Matter Of the Application)
of Guernsey Power Station, LLC)
for a Certificate of Environmental) Case No. 23-0047-EL-BGA
Compatibility and Public Need for)
an Electric Generation Facility in)
Guernsey County, Ohio)

**MOTION TO INTERVENE
AND
RESPONSE TO FOURTH AMENDMENT APPLICATION OF GUERNSEY
POWER STATION LLC**

Now comes the State of Ohio, by and through Lindsey Angler, Guernsey County Prosecuting Attorney, and hereby moves to intervene in the matter. Counsel affirms as to the legal title and authority of Counsel as the statutory counsel of record for Guernsey County, Valley Township, and the Guernsey County Engineer. Counsel further avows that all of the proposed facility and modifications are located in Guernsey County, Ohio and thus within the area of jurisdiction of Counsel.

The Guernsey County Prosecutor is seeking to intervene on behalf of the Guernsey County Board of Commissioners and Valley Township Trustees for the purposes of preserving an objection to the Fourth Amendment Application of Guernsey Power Station LLC.

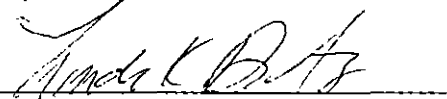
Both the Guernsey County Board of Commissioners and Valley Township Trustees have concerns regarding the flood plain which currently entirely surrounds the "Laydown and Parking Area" referenced in the proposed Amendment. The proposed Amendment would raise portions of this 15 acre property another foot above the existing flood plain. The

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Board of Commissioners and Valley Township Trustees hereby OBJECT to the proposed Amendment unless and until a flood study can be completed to determine what effect, if any, there would be to the surrounding flood plain with the addition of the foot of topsoil and seeding hay mixture.

The Board of Commissioners and Valley Township Trustees have no objection to the additional request in the amendment to maintain the fencing and shipping container structure currently in place, provided they do not add to the flooding impact of the proposed Amendment.

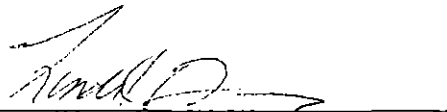
Respectfully submitted,



Lindsey Angler
Supreme Court Reg. No. 0082406
Prosecuting Attorney, Guernsey County
627 Wheeling Avenue
Cambridge, Ohio 43725
Telephone: (740) 432-9389

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a true copy of the foregoing Response to Fourth Amendment Application of Guernsey Power Station LLC upon Petitioner's counsel Dylan F. Borchers, by service by email to his address of record dborchers@brickers.com on February 9, 2023.



Lindsey Angler (0082406)
Prosecuting Attorney