

FILED

MAR 27 2013

CLERK OF COURT  
SUPREME COURT OF OHIO

# The Supreme Court of Ohio

In the Matter of the Application of Black  
Fork Wind Energy, L.L.C. for a Certificate  
to Site a Wind-Powered Electric  
Generating Facility in Crawford and  
Richland Counties, Ohio

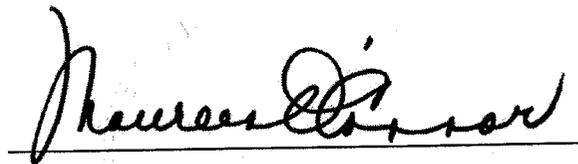
Case No. 2012-0900

ENTRY

This cause is pending before the court as an appeal from the Power Siting Board.

Upon consideration of intervening-appellee's motion to dismiss the appeal of appellants, it is ordered by the court that the motion is granted in part and denied in part. The motion is granted with respect to appellants' first and second propositions of law and they are dismissed. With respect to appellants' third proposition of law, the motion to dismiss is denied as to the first and second due process arguments, but granted as to the third due process argument regarding appellants' alleged deprivation of the opportunity to cross-examine the engineer. The case shall proceed for consideration on the remaining due process arguments.

(Power Siting Board; No. 10-2865-EL-BGN)



Maureen O'Connor  
Chief Justice