

ORIGINAL

IN THE SUPREME COURT OF OHIO

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| <p>In the Matter of the Application of Champaign Wind, LLC, for a Certificate to Construct a Wind-Powered Electric Generating Facility in Champaign County, Ohio</p> | <p>: : : : : : : : :</p> | <p>Case No. 2013-1874 Ohio Power Siting Board Case No. 12-0160-EL-BGN</p> |
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MOTION OF CHAMPAIGN WIND LLC
FOR LEAVE TO INTERVENE IN SUPPORT OF THE APPELLEE

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IN THE SUPREME COURT OF OHIO

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| In the Matter of the Application of | : | |
| Champaign Wind, LLC, for a Certificate | : | Case No. 2013-1874 |
| to Construct a Wind-Powered Electric | : | |
| Generating Facility in Champaign County, | : | Ohio Power Siting Board |
| Ohio | : | Case No. 12-0160-EL-BGN |
| | : | |

**MOTION OF CHAMPAIGN WIND LLC
FOR LEAVE TO INTERVENE IN SUPPORT OF THE APPELLEE**

Champaign Wind LLC (“Champaign Wind”) hereby respectfully moves this Court for leave to intervene in this proceeding in support of the Appellee as a full party of record and as an intervening appellee. As discussed below, Champaign Wind has a real and substantial interest in the matters that are the subject of this appeal; the disposition of this appeal may impair or impede Champaign Wind’s ability to protect that interest; and Champaign Wind’s interests are not adequately represented by existing parties.

Champaign Wind proposed to build a wind generation facility consisting of 56 wind turbines, along with access roads, underground and overhead electric collection cables, a facility substation, up to three laydown yards for construction staging, an operations and maintenance facility, and up to four meteorological towers in the townships of Goshen, Rush, Salem, Union, Urbana, and Wayne in Champaign County, Ohio. Because Champaign Wind’s proposed wind facility was designed for or capable of operation at a capacity of 50 MW or more, the Ohio Power Siting Board has jurisdiction pursuant to Section 4906.01(B)(1), Revised Code. Therefore, Champaign Wind applied to the Ohio Power Siting Board for a Certificate of Environmental Compatibility and Public Need for the wind generation facility. The application was the subject of an Ohio Power Siting Board Staff investigation and a full evidentiary hearing

was held on whether a certificate should be issued for the construction of the proposed wind facility. The Ohio Power Siting Board issued a 106 page Opinion, Order and Certificate on May 28, 2013 in Case No. 12-0160-EL-BGN and ordered that a certificate be issued to Champaign Wind for the construction, operation, maintenance and decommissioning of the proposed wind-powered electric generation facility, as modified pursuant to the Board's Opinion, Order and Certificate.

Intervenors Union Neighbors United, Inc., Robert McConnell, Diane McConnell and Julia F. Johnson filed an Application for Rehearing on June 27, 2013, as did intervenors Goshen Township Board of Trustees, Champaign County Board of Commissioners, Union Township Board of Trustees, and Urbana Township Board of Trustees. On September 30, 2013, the Board issued an Entry on Rehearing denying in part and granting in part the Applications for Rehearing to the extent set forth in Findings (17) and (43). *In re Champaign Wind LLC*, Case No. 12-0160-EL-BGN, Entry (Sept. 30, 2013).

On November 26, 2013, the Appellants, Champaign County and Goshen, Union and Urbana Townships, filed a Notice of Appeal from the Board's May 28, 2013, Opinion, Order and Certificate and from the September 30, 2013 Entry on Rehearing. Likewise, on November 27, 2013, a Notice of Appeal of Appellants Union Neighbors United (UNU), Robert McConnell, Diane McConnell and Julia F. Johnson was filed from the Board's May 28, 2013, Opinion, Order and Certificate and from the September 30, 2013 Entry on Rehearing.

In their respective appeals, the Appellants contend that the Ohio Power Siting Board erred in issuing its May 28, 2013 Opinion, Order and Certificate and its September 30, 2013 Entry on Rehearing. If the Appellants were to prevail in this case, Champaign Wind's authorization for the construction, operation, maintenance and decommissioning of the proposed wind-powered electric generation facility, as modified by the Board's May 28, 2013 Opinion,

Order and Certificate will be dramatically altered. Thus, Champaign Wind has a real and substantial interest in this proceeding that is not adequately represented by any other party and, therefore, requests that its Motion to Intervene in support of the Appellee be granted.

WHEREFORE, Champaign Wind LLC respectfully moves this Court for leave to intervene in this proceeding in support of the Appellee, the Ohio Power Siting Board, as a full party of record and an intervening appellee.

Respectfully submitted,



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CERTIFICATE OF SERVICE

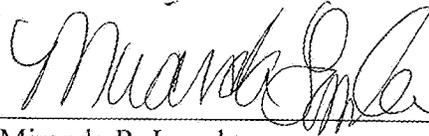
I hereby certify that a copy of the foregoing document was served upon the following parties of record via U.S. mail on this 22nd day of January 2014.

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