Dear Chairman Randazzo,

As members of the Ohio General Assembly from Northeast Ohio, we write to object to the Ohio Power Siting Board’s recent Order in the Icebreaker case. Unfortunately, the Order includes a last-minute “poison pill” provision that upended the agreement reached among LEEDCo and the technical staffs of the Board and the Ohio Department of Natural Resources over a period of many months—and renders the project commercially infeasible. As such, we ask that the Board immediately grant LEEDCo’s request for “reconsideration” and remove the poison pill.

Specifically, the Order requires Icebreaker’s turbines to be indefinitely “feathered,” (i.e., prohibited from rotating and producing any electricity) all night long for eight months of the year. This Shutdown Order and its resulting lost productivity deprives Icebreaker of the critical revenue stream required to repay a construction loan and is therefore a project-killer.

We have reviewed the facts in the case, and we remain puzzled the Board would re-insert the evening Shutdown Order that its own technical staff had determined was not necessary to meet the statutory standard of “minimum adverse impact.” We further believe the highly unusual Shutdown Order is unlawful for the following reasons.

- It contradicts the evidence on the record that led the technical staffs at both the Siting Board and the Department of Natural Resources to approve the project without the Shutdown Order in light of the extensive wildlife protections included.

- The Order offers no compelling evidence to override the technical staffs at OPSB and ODNR’s favorable recommendation. It also contradicts the formal finding by the federal US Fish and Wildlife Service that the project is low risk.

- The Order essentially requires zero impact every night for 8 months, but the statutory standard is merely “minimum” impact, considering economics and technology.
• The Order unlawfully requires two separate approvals – one for construction and a separate subsequent approval to run at nighttime. But by law, the OPSB certificate is for both constructions and operations. The Board does not have authority to bifurcate the certificate.

Our region of the state has patiently awaited approval of Icebreaker for over a decade. We believe the time is now for the Board to approve this innovative demonstration project without onerous, over-reaching regulatory conditions and allow us to reap the economic and environmental benefits.

Icebreaker is projected to deliver $250 million to our local economy and create over 500 well-paying jobs in the burgeoning offshore wind industry. It would also serve the region’s environmental interests, delivering 20 megawatts of clean power. In the spirit of an all-of-the-above energy policy encouraging in-state generation, we urge the Board to adopt the agreement reached among LEEDCo and the technical wildlife experts and allow Ohio to realize these benefits.

Thank you.

Sincerely,

Sandra R. Williams
Assistant Minority Whip
State Senator, District 21

Matt Dolan
State Senator, District 24

Kenny Yuko
Minority Leader
State Senator, District 25

Sean O’Brien
Minority Whip
State Senator, District 32

Vernon Sykes
State Senator, District 28

Nickie J. Antonio
State Senator, District 23

Michele Lepore-Hagan
State Representative, District 58

Stephanie Howse
State Representative, District 11

Casey Weinstein
State Representative, District 37