



July 29, 2020

Chairman Sam Randazzo  
Ohio Power Siting Board  
180 E. Broad Street  
Columbus OH 43215

Re: Icebreaker - OPSB Case No. 16-1871-EL-BGN

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,

Handwritten signature of Sandra R. Williams in blue ink.

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

Handwritten signature of Matt Dolan in black ink.

*Matt Dolan*  
State Senator, District 24

Handwritten signature of Kenny Yuko in blue ink.

*Kenny Yuko*  
Minority Leader  
State Senator, District 25

Handwritten signature of Sean O'Brien in black ink.

*Sean O'Brien*  
Minority Whip  
State Senator, District 32

Handwritten signature of Vernon Sykes in black ink.

*Vernon Sykes*  
State Senator, District 28

Handwritten signature of Nickie J. Antonio in black ink.

*Nickie J. Antonio*  
State Senator, District 23

Handwritten signature of Michele Lepore-Hagan in black ink.

*Michele Lepore-Hagan*  
State Representative, District 58

Handwritten signature of Stephanie Howse in black ink.

*Stephanie Howse*  
State Representative, District 11

Handwritten signature of Casey Weinstein in black ink.

*Casey Weinstein*  
State Representative, District 37



*Rachel Clites*

Rachel Clites  
State Representative, District 75

*Janine Boyd*

Janine Boyd  
State Representative, District 9

*Kent Smith*

Kent Smith  
State Representative, District 8

*Jeffrey Crossman*

Jeffrey Crossman  
State Representative, District 15

*Jamie Callender*

Jamie Callender  
State Representative, District 61

*Darrell Kick*

Darrell Kick  
State Representative, District 16

*Nathan H Manning*

Nathan Manning  
State Senator, District 13

*Emilia Strong Sykes*

Emilia Strong Sykes  
Minority Leader  
State Representative, District 34



*Bride Rose Sweeney*

Bride Rose Sweeney  
State Representative, District 14

*Michael J. O'Brien*

Mike O'Brien  
State Representative, District 64

*John Patterson*

John Patterson  
State Representative, District 99

*Joe Miller*

Joe Miller  
State Representative, District 56

*Juanita Brent*

Juanita Brent  
State Representative, District 12

*Dave Greenspan*

Dave Greenspan  
State Representative, District 16

*Gayle L. Manning*

Gayle Manning  
State Representative, District 55

*Gil Blair*

Gil Blair  
State Representative, District 63

*Steve Hambley*

Steve Hambley  
State Representative, District 69

*John Rogers*

John Rogers  
State Representative, District 60

*Tavia Galonski*

Tavia Galonski  
State Representative, District 35

*Bill Roemer*

Bill Roemer  
State Representative, District 38

*Phillip M. Robinson Jr.*

Phillip Robinson  
State Representative, District 6

*Terrence Upchurch*

Terrence Upchurch  
State Representative, District 10

*Michael J. Skindell*

Michael J. Skindell  
State Representative, District 13