



# ***Public Service Commission of West Virginia***

---

*201 Brooks Street - P.O. Box 812 - Charleston, WV 25323 - [www.psc.state.wv.us](http://www.psc.state.wv.us)*

**Contact: Bob Teets, 304/340-0365, [bteets@psc.state.wv.us](mailto:bteets@psc.state.wv.us) or  
Sarah Robertson, 304/340-0351, [srobertson@psc.state.wv.us](mailto:srobertson@psc.state.wv.us)**

**April 4, 2003**

## **PSC Approves 2 Phases of NedPower Wind Project**

(Charleston--) The West Virginia Public Service Commission has approved a \$300 million wind power project that will increase Grant County's annual tax revenue by at least \$500,000 per year.

The Commission granted a certificate of convenience and necessity to NedPower Mount Storm, LLC, to construct a wholesale wind power generating facility and related transmission facilities along the Allegheny Front in Grant County. NedPower's original application was for a three-phase project. However, the Commission has only approved the Central and Northern phases of the project, rejecting the Southern phase, citing that this phase is too close in proximity to the Dolly Sods Wilderness Area.

Rejection of the Southern phase was not unanimous among the three-member Commission. PSC Chairman James D. Williams submitted a dissenting opinion regarding the Southern phase. For the following reasons, Williams states that he would have granted the certificate to NedPower for all Phases of its project, subject to the conditions included in the majority's opinion. First, Williams submits that concerns regarding viewshed, noise, lighting and other impacts were not limited to the Dolly Sods Wilderness Area, but rather by residents and home owners all along the Allegheny Front. "It is discriminatory to find that impacts to one location are more or less acceptable than impacts to another area along the front," Williams expressed in his dissent.

Secondly, Williams reacts to the majority's concern that the proximity to Dolly Sods would result in a view that is offensive to the general public. Williams states that an individual's reaction to any view is personal, instinctive and subjective. "In my view, the record supports a conclusion that the project will not negatively alter the sanctity, beauty or unique qualities of the geologic wonder that is the Dolly Sods Wilderness Area," Chairman Williams said.

Further, Williams believes that the majority's decision unacceptably threatens the economic viability of the proposed project. In rejecting the Southern phase, the majority states that it has no objection to NedPower's relocation of the turbines that would have been located in the Southern Phase. "This Commission does not know whether such relocation is feasible from an engineering or financial standpoint. The entire project could be jeopardized and its loss would negate the significant economic boon in jobs, tax revenues and school partnerships that the surrounding area would otherwise enjoy.

Finally, Williams submits that the majority's decision fails to take into consideration whether the relocation of the Southern Phase turbines into the Central Phase will threaten the ability of NedPower to maintain the promised buffer zones around the WV Northern Flying Squirrel habitat, or to minimize threats to bats or avian migrants.

For the certificate to be granted, NedPower has agreed to certain conditions, including, but not limited to:

- NedPower shall file an historical/archeological significance study with mitigation plans by the WV Division of Culture and History prior to beginning construction.
- NedPower shall comply with the Endangered Species Act, the Migratory Bird Treaty Act and the National Environmental Policy Act of 1969 in both the construction and operation of the project.
- NedPower shall conduct a bat biological assessment to assess the potential impact on bats and address concerns raised by the U.S. Fish and Wildlife regarding bats.
- Prior to or after beginning construction, NedPower shall conduct both a Spring 2003 and a Fall 2003, migration study during all local climatic conditions.
- For a three-year period, NedPower will conduct six-month post-construction studies for each phase of the project assessing the mortality of both birds and bats.
- For a one-year period, NedPower will conduct six-month post-construction lighting studies at each phase after each phase begins operations.

Representatives of NedPower have conducted viewshed analyses and ensure that the project will not be visible from any visitor areas or places of significant public interest with tourist traffic, such as Canaan Valley, Blackwater Canyon and Lodge and readily accessible areas of the Dolly Sods Wilderness Area. NedPower also asserts that the project should not have a negative noise impact on residences or businesses.

The project will be located two miles east of the Mount Storm Power Plant and Mount Storm Lake and will consist of up to 200 turbines with a generating capacity of up to 300 MW. NedPower has developed similar projects in Germany, Ireland, Greece and India on a smaller scale; however, this 200 turbine plant in West Virginia will be the largest windfarm in eastern North America.

No public monies will be used to finance the project. It will be financed through a combination of equity contributions and private debt financing through third party lenders.

Not only will the project increase Grant County's tax revenues by at least \$500,000 per year, but local landowners will receive \$600,000 annually in lease payments. NedPower contractors will also employ local workers during construction and operation. Additionally, organizers of the project will purchase certain local goods and services which will also support the local economy.

In an effort to continue contributing to the community, NedPower has created public-private partnerships with Maysville Elementary School and Union Educational Complex to provide them with annual funds to support scholastic and extracurricular activities.

###