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ZONING BOARD OF APPEALS

ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

MUSKETEER WIND ENERGY, LLC

TRANSCRIPT OF PROCEEDINGS

August 11, 2025

9:00 a.m.

ZONING BOARD OF APPEALS MEMBERS PRESENT:

Steve Fourez, Chairman
Jana Messmore
Jeff Wise
Adrian Greenwell
Harold Puzey
Chris Crawford

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APPEARANCES:

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HEARING FACILITATOR:

Scott Kains, Springfield, IL

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1 MR. FOUREZ: Call this meeting to order.
2 We'll start with roll call.

3 Chris.

4 MR. CRAWFORD: Here.

5 MR. FOUREZ: Harold.

6 MR. PUZEY: Here.

7 MR. FOUREZ: Adrian.

8 MR. GREENWELL: Here.

9 MR. FOUREZ: Jeff.

10 MR. WISE: Here.

11 MR. FOUREZ: Jana.

12 MS. MESSMORE: Here.

13 MR. FOUREZ: And we have a forum.

14 Next item of approval of the agenda is you
15 guys should all have a copy of the agenda in front of
16 you. Need a motion to approve.

17 MR. PUZEY: So moved.

18 MR. GREENWELL: Second.

19 MR. FOUREZ: Harold moves. Adrian
20 seconds. All those in favor say aye.

21 MS. MESSMORE: Aye.

22 MR. WISE: Aye.

23 MR. GREENWELL: Aye.

24 MR. PUZEY: Aye.

1 MR. CRAWFORD: Aye.

2 MR. FOUREZ: So moved. We have an
3 agenda. One more item of committee housekeeping,
4 there should be a copy of the minutes of the March
5 17th meeting. Need a motion to approve those minutes
6 and place them on file.

7 MR. GREENWELL: I'll make the motion.

8 MR. FOUREZ: Adrian.

9 MR. PUZEY: Second.

10 MR. FOUREZ: Harold seconds. Any
11 discussion?

12 (No response.)

13 MR. FOUREZ: Seeing none. All those in
14 favor.

15 MS. MESSMORE: Aye.

16 MR. WISE: Aye.

17 MR. GREENWELL: Aye.

18 MR. PUZEY: Aye.

19 MR. CRAWFORD: Aye.

20 MR. FOUREZ: Five ayes. Opposed.

21 (No response.)

22 MR. FOUREZ: Minutes are to be placed on
23 record.

24 The agenda has been placed under for public

1 comment, but it's comments not pertaining to the
2 subject matter at hand. So if anybody has any general
3 comments, now is the time.

4 MR. KEYT: Can I clarify one thing,
5 Chairman. So people can make public comment. Keep in
6 mind, that during -- we do have a public hearing
7 today. So if you're wanting to present evidence or
8 testimony during the public hearing as to the wind
9 farm, in favor or against or neutral, you would want
10 to do that during the timeframe that the hearing takes
11 place. There will be a very specific process as to
12 how to do that. But if you have public comment beyond
13 that, you can make public comment at this time, if you
14 so wish.

15 (No response.)

16 MR. FOUREZ: Seeing none. We'll move
17 on.

18 Public hearing and consideration, discussion,
19 findings and recommendations on application of
20 Musketeer Wind Energy to construct and operate a
21 commercial wind energy facility 300 megawatts and up
22 to 81 wind turbines, supporting facilities located on
23 agricultural land in Butler, Grant, Middlefork
24 Townships in Vermilion County, Illinois.

1 And we open that part of the meeting, I will
2 turn things over to our facilitator, Scott Kains.

3 MR. KAINS: All right. Thank you,
4 Mr. Chairman. I don't think my microphone is working,
5 but -- oh, is it? Well, that's a relief. I didn't
6 hear the thump thump when I pounded it a second ago.

7 Thank you, Mr. Chairman. Good morning,
8 folks. As the Chairman said, my name is Scott Kains.
9 I have been appointed by Vermilion County to be the
10 hearing facilitator for this public hearing. My job
11 is to call balls and strikes, if you will. Make sure
12 that the Applicant has the opportunity to present its
13 witnesses and that you, members of the public, also
14 members of the Wind and Solar Committee, have the
15 opportunity to ask them questions as it pertains to
16 this project, and as it may pertain to your property,
17 your home, whatever you're concerned about. So it's
18 going to be a full-blown public hearing. Everybody is
19 going to have the chance. I just have to make sure we
20 go in order, okay.

21 How it goes is, first, they will have the
22 opportunity to present their witnesses, and then we
23 can ask questions of them. Then after their case is
24 done, we'll hear from people who are in favor of the

1 project and they will be asked questions. We have
2 people who are neutral, will be able to give their
3 position and explain why they're here, and then they
4 will have questions asked of them. Specifically, we
5 have a listing of rules for the public hearing, but I
6 just want to let everyone know that the whole goal of
7 this is to be fair, to let everyone who wants to be
8 heard to be heard and have the opportunity to have
9 their questions answered.

10 First, we will have -- well, we've called --
11 the Chairman has called the meeting of order -- to
12 order. We've had the roll call, and now we need to
13 identify the application and have a project overview.
14 Counsel for Vermilion County who is representing the
15 county's interest in this particular hearing, the
16 county is represented by the gentleman directly in
17 front of me, Mr. Andrew Keyt, and his associate,
18 Ms. Alex Rives.

19 And so, Mr. Keyt, Ms. Rives, can you present
20 the identification of the application and project
21 overview.

22 MR. KEYT: We can. The project is a
23 citing permit application filed by the Musketeer Wind
24 Energy, LLC, for a citing permit of approximately 300

1 megawatts of commercial wind energy facilities,
2 consisting of up to 81 wind towers and supporting
3 facilities, including transformers, electrical
4 underground and aboveground cabling and lines,
5 junction boxes, a substation, transmission lines,
6 access roads, temporary construction laydown yard, and
7 operations and maintenance building, meteorological
8 towers, battery energy storage system, radar towers,
9 storm water management facilities and other supporting
10 facilities and structures.

11 Notice has been published pursuant to the
12 requirements under the Open Meetings Act and the
13 requirements for notice of this particular hearing and
14 is ready for hearing.

15 MR. KAINS: All right. Very good.
16 Thank you, Mr. Keyt. I will go through the remainder
17 of the order of the public hearing and the rules
18 before we present any other information.

19 There will be an opening statement by the
20 attorney for the Applicant, Mr. James Griffin is
21 seated at this table. Where it says press, that's not
22 press. These are folks who are here on behalf of the
23 Applicant. We'll hear from Mr. Griffin in his opening
24 statements in a few minutes.

1 There will be evidence from the Applicant,
2 and, as I said, evidence from persons in favor of, in
3 opposition to and who are neutral on the application.

4 There can be rebuttal evidence presented from
5 the Applicant as well.

6 Then we will have public comment related to
7 this project.

8 Now, there's going to be a difference, folks,
9 and I want you to understand this. The difference
10 between giving testimony and giving public comment.
11 Testimony can be -- it's under oath. I will swear in
12 witnesses. It's under oath and it will be subject to
13 cross-examination by the attorneys in the room and by
14 persons who are on the opposite side of the issue.
15 Public comment is just that. You can make a comment,
16 how you feel about the project, and -- Mr. Chairman,
17 is there a -- in Vermilion County does this Committee
18 and does the County Board have time limits with
19 respect to public comment?

20 MR. FOUREZ: Traditionally public
21 comment is three minutes.

22 MR. KAINS: All right. So that will be
23 the difference as far as timing goes is you'll have
24 three minutes to say what you want to say about it, if

1 you choose public comment. But if you choose to
2 testify, you can talk about the project and how it
3 relates to you for a lot longer than three minutes.
4 I've found, though, that folks rarely talk longer than
5 five or seven minutes. Although, I did have a lady in
6 Dewitt County talk for over two hours about birds and
7 bats. So if you want to do that, we might have to
8 talk. But testimony is unlimited, but it is subject
9 to cross-examination. Public comment is three minutes
10 and not subject to cross-examination. And another
11 distinction between the two, folks, testimony can be
12 considered by the Wind and Solar Committee and then
13 ultimately can be considered by the County Board.
14 Public comment is that, it's your comment. It's not
15 subject to cross-examination and would not be
16 considered as evidence in this hearing.

17 All right. Then we will receive written
18 comments regarding the application. Then Vermilion
19 County's attorney, Mr. Keyt and Ms. Rives will have
20 the opportunity, if they so choose, to present
21 evidence on behalf of the county. Then we will have
22 closing statements by counsel. And then there will be
23 deliberations and a vote on the application. And I
24 will say this, it is highly unlikely there will be a

1 final vote of a recommendation by this Committee
2 today. We'll probably have to come back. If we
3 finish all the evidence today, that would be great.
4 But we still will have another day scheduled for a
5 vote. I don't think we can get through all the
6 evidence this morning and then be able to be ready for
7 this Committee to have a vote.

8 Then the last thing on the agenda is
9 adjournment. So we will -- there's many changes of
10 rules when you have a lot of lawyers. When you have a
11 lot of lawyers involved there's going to be some
12 rules, but it's for the protection of the public, for
13 the protection of the Applicant, and for the use of
14 this Committee.

15 Mr. Keyt, have all necessary fees been paid
16 by the Applicant and notice of the public hearing been
17 published and mailed in accordance with law?

18 MR. KEYT: Yes.

19 MR. KAINS: Very good. Thank you. All
20 right. All witnesses will be sworn in to -- will be
21 sworn and -- to testify under oath.

22 How we will proceed with questioning, once a
23 witness testifies -- and you'll see how this works
24 after the first witness. After the witness testifies,

1 then there will be the opportunity for questions. I
2 first will call on Members of the Wind and Solar
3 Committee, the four gentlemen and lady in this first
4 row. They are the -- and the Chairman, of course.
5 They are Members of the Wind and Solar Committee of
6 Vermilion County and they will have the right to ask
7 questions first. Then we will hear from members of
8 units of local government, including members of the
9 Vermilion County Board who are present, also members
10 of school districts. Any members of units of local
11 government. Then we will hear from interested parties
12 represented by licensed attorneys. Besides Mr. Keyt
13 and Ms. Rives, Mr. Miller, who's the Board Chairman,
14 Mr. Griffin and -- help me out.

15 MR. GRIFFIN: Mr. Hill.

16 MR. KAINS: Mr. Hill?

17 MR. GRIFFIN: Yes.

18 MR. KAINS: Hill. Are there any other
19 licensed attorneys in the room?

20 (No response.)

21 MR. KAINS: That's already six too many,
22 but that's just that's me.

23 So there are no licensed attorneys
24 representing any person or persons who may be in favor

1 of or opposed to. All right. That simplifies it for
2 me. So we can skip calling on interested parties
3 represented by licensed attorneys.

4 So after the Members of the County Board,
5 school districts and local officials, then we'll have
6 questions from interested parties. That's you, folks
7 in the public. I'll ask you to step forward, you'll
8 need to state your name and then you'll be allowed to
9 ask each of the witnesses that the Applicant calls,
10 you'll be able to ask them questions.

11 We'll then have questions from the attorneys
12 for Vermilion County, cross-examination. When
13 necessary, from Mr. Griffin and Mr. Hill. Then once
14 the Applicant calls its witnesses, then persons in
15 favor will testify. Then persons opposed, and, as I
16 said, persons who are neutral.

17 We will have, like I said, public comment,
18 written comments, and closing statements. And I will
19 call on folks to do that. We don't want any folks
20 just talking out of turn. And there's a reason for
21 that. This lady right down here in the -- is that
22 orange you got on, Jamie?

23 COURT REPORTER: Yes.

24 MR. KAINS: Okay. Mrs. Atkinson is the

1 court stenographer, the court reporter. She is taking
2 down everything that is said, even my poor joke about
3 too many lawyers in the room. That's in the record
4 now. She takes down everything. And for her to do
5 that, her job and do it well, we only talk one at a
6 time. We don't have a bunch of people yelling and
7 hollering. And so I will call on people. So we try
8 to keep this as orderly as possible.

9 All right. The vote of the Wind and Solar
10 Committee is not a final decision. It is a
11 recommendation to the full Vermilion County Board.
12 The Wind and Solar Committee will transmit its
13 findings and recommendation to the County Board.
14 There will be a transcript that Mrs. Atkinson takes
15 down. She will type up a transcript, and that
16 information can be read by the public and by Members
17 of the County Board prior to their vote.

18 All right. We have just a few procedures to
19 go through. We will take evidence in two forms.
20 There's oral testimony, which also may include
21 documents. If you are considered an expert witness,
22 and I make the decision who the expert witness is,
23 there's no time limit. If you are not an expert
24 witness, if you do not have expertise in one of the

1 many areas that will testified to, you will have --
2 and you're a Vermilion County resident, you will have
3 30 minutes. And if you are not in Vermilion County,
4 if you don't reside in Vermilion County you will have
5 15 minutes. But, as I recall, there are some
6 townships just outside the county, who we are going
7 to -- we've agreed to consider county residents. I'm
8 trying to find the email on that. Here we go. If you
9 live in Kerr Township in Champaign County, you will be
10 considered a resident for purposes of this hearing and
11 you'll have 30 minutes to testify. Similarly, if you
12 are in Button Township in Ford County and Fountain
13 Creek Township in Iroquois County you will have 30
14 minutes to testify. Otherwise, if you're not from
15 Vermilion County or from one of those 3 counties I
16 read off you will have 15 minutes to testify.

17 Now, these time limits do not include the
18 time to answer questions from the Committee or from
19 the public. The other way that the Committee will
20 receive evidence will be written comments submitted
21 either prior to the public hearing or during the
22 course of this public hearing. And because this
23 public hearing may take longer than today, there will
24 be an opportunity for you to submit written comments

1 to Vermilion County.

2 All right. I said there's time limits.
3 Speakers cannot grant time to other speakers. By the
4 way, testimony is limited to one time per person
5 unless that witness is recalled by counsel or at the
6 request of the Wind and Solar Committee.

7 We ask that audience members be seated, be
8 quiet. Any person who is unruly, disrupts, or
9 attempts to disrupt the hearing or otherwise engages
10 in inappropriate behavior will be removed. Excessive
11 applause, cheering or other commotion shall be
12 considered disruptive. This isn't one of those game
13 shows where everybody gets excited when a judge rules
14 something or a jury rules in some way. We don't just
15 jump up and down and applaud. This is a public
16 hearing. We want to hear from you, but we don't need
17 excessive applause.

18 I believe those are the primary rules. One
19 other final note, public hearings may be held by less
20 than a quorum of the Wind and Solar Committee.

21 All right. As we go to the order of the
22 public hearing, the next item for consideration or
23 presentation is an opening statement by the Applicant.
24 Mr. Griffin.

1 MR. GRIFFIN: Good morning, everyone.
2 My name is Jim Griffin. I'm with the law firm of
3 Schain and Banks. I'm here on behalf of Musketeer
4 Wind Energy, LLC. I want to thank Members of the Wind
5 and Solar Committee for being here this morning,
6 taking time out and reviewing the application. I also
7 want to thank Mr. Kains, Mr. Keyt and Ms. Rives for
8 their assistance in making sure this hearing proceeds
9 smoothly.

10 We appreciate the opportunity to present this
11 application to the Committee. This is a project
12 that's been under development and has been carefully
13 considered for a number of years.

14 There's going to be three themes to our
15 presentation here to you today. One is that this
16 project has been designed in accordance with the
17 County's Wind Energy Ordinance.

18 Two is that this project area is suitable and
19 appropriate for a wind energy project and for this
20 development.

21 And, three, this project has significant
22 public support from landowners, local government, and
23 other community members.

24 Now, I know all the Members of the Committee

1 have a copy of our application. The application was
2 prepared following the various requirements and
3 necessary items as identified in the County's Wind
4 Ordinance.

5 The application, as you've read, contains
6 numerous studies and reports prepared by highly
7 qualified professionals that demonstrate compliance
8 with the County's Ordinance.

9 During our presentation, we will provide a
10 summary of this project and we'll highlight the
11 various aspects of it.

12 Several project team members that made
13 important contributions to the preparation of this
14 application will testify before the Committee. We
15 will also have other team members who contributed
16 available to answer any particular questions that
17 pertain to their particular area of expertise.

18 We will also have some testimony during our
19 presentation from some of our important community
20 supporters.

21 Our presentation will start with an overview
22 by Greg Vasilion who's from Invenergy. He's the lead
23 developer for the project. And following Greg, we'll
24 have additional presentations and testimony on other

1 important aspects of the project, such as the
2 community support we have, the economic impact of the
3 project and the engineering and design of the project.

4 So with that, that will conclude my opening
5 statement.

6 And, Mr. Kains, we would like to call
7 Mr. Vasilion.

8 MR. KAINS: All right. Very good.

9 THE WITNESS: Good morning, everybody.

10 MR. KAINS: Good morning, sir. Could
11 you please raise your right hand to be sworn.

12 THE WITNESS: Yes.

13 G R E G V A S I L I O N,

14 was called as a witness on behalf of the Applicant
15 and, having been first duly sworn, testified as
16 follows:

17 MR. KAINS: Very good. Thank you. All
18 right. Mr. Griffin, your witness.

19 MR. GRIFFIN: Thank you. Mr. Kains, I'm
20 going to have some initial questions for him and then
21 at some point I would ask to turn it over and he can
22 run through his presentation. Just so you're aware of
23 that.

24 MR. KAINS: Very good.

1 **DIRECT EXAMINATION,**

2 **QUESTIONS BY MR. JAMES R. GRIFFIN:**

3 Q. All right. Mr. Vasilion, please state
4 your name and spell your last name for the record.

5 A. Sure. My name is Greg Vasilion. Last
6 name is Vasilion, V, as in Victor, S-I-L-I-O-N, as in
7 Nancy.

8 Q. And what is your current place of
9 employment?

10 A. I work for Invenergy.

11 Q. And what is your occupation as
12 Invenergy?

13 A. I'm a senior manager on our development
14 team. So I work on projects in Illinois in
15 development energy.

16 Q. And could you please summarize your
17 educational background?

18 A. Sure thing. I have a degree in business
19 from Kalamazoo College. So that's all.

20 Q. Okay. And what did you do, in general,
21 concerning this Musketeer Wind Energy Project
22 application?

23 A. Sure. So as the developer my job is
24 primarily as a project manager. I am responsible for

1 overseeing the completeness of the application, I put
2 everything together. I coordinate with our internal
3 and external experts to make sure that the report is
4 complete, it makes sense, and then I also work on the
5 local engagement pieces also, working with our
6 landowners, community stakeholders, etc.

7 Q. And so you're the person ultimately
8 responsible for the preparation of the application
9 that was submitted to the county, correct?

10 A. That's correct, yes.

11 Q. And are you also responsible for
12 coordinating with the general public and the
13 landowners that are participating in this project?

14 A. Yes, I am.

15 Q. And so your expertise is to coordinate
16 with all of these landowners, units of local
17 government, consultants and the in-house employees of
18 Invenergy to ultimately prepare this application for
19 submission?

20 A. That is a good summary, yes.

21 Q. And have you testified before other
22 public bodies in the same manner you are today as the
23 lead project developer for an energy project?

24 A. Yes, I have.

1 MR. GRIFFIN: Mr. Kains, I would ask
2 that Mr. Vasilion be recognized as an expert in the
3 area of energy project development.

4 MR. KAINS: I just have a few questions
5 for him.

6 Mr. Vasilion, how many times have you
7 testified as a project manager?

8 THE WITNESS: This would be my second --
9 second time.

10 MR. KAINS: How long have you been
11 employed with Invenergy?

12 THE WITNESS: It will be four years in
13 September.

14 MR. KAINS: Mr. Keyt, do you have any
15 additional questions?

16 MR. KEYT: What's your educational
17 background, Mr. Vasilion?

18 THE WITNESS: I have a master's degree
19 in business.

20 MR. KEYT: Have you worked anywhere
21 other than Invenergy?

22 THE WITNESS: I have, yes. I've worked
23 for -- before I was doing utility-scale development, I
24 was working on residential solar.

1 MR. KEYT: Have you testified in any
2 other wind projects previously?

3 THE WITNESS: I have not.

4 MR. KEYT: The prior project that you
5 testified in, what was the nature of that project?

6 THE WITNESS: It was a utility-scale
7 solar project.

8 MR. KEYT: That's all the questions I
9 have.

10 MR. KAINS: Thank you, Mr. Keyt. Based
11 on those questions, Mr. Griffin, do you have any other
12 questions for your witness with respect -- with
13 respect to his qualifications?

14 MR. GRIFFIN: Sure.

15 **QUESTIONS BY MR. GRIFFIN:**

16 Q. How many other projects are you
17 currently working on as far as utility-scale energy
18 development?

19 A. So as a senior manager on our
20 development team, I'm responsible for overseeing a
21 pipeline of about 3.8 gigawatts. So quite a few.

22 Q. So 3.8 gigawatts, how many megawatts is
23 that?

24 A. That's 3,800.

1 Q. And this is a 300-megawatt wind project,
2 correct?

3 A. Correct.

4 Q. Okay. So this represents approximately
5 one-tenth of the projects that you are responsible for
6 developing and getting citing approvals from the local
7 units of government; is that accurate?

8 A. That's a correct statement, yes.

9 MR. GRIFFIN: That's all the questions I
10 have.

11 MR. KAINS: All right. Thank you,
12 Mr. Griffin.

13 The reason we have these questions is to
14 determine how much time this gentleman gets to talk.
15 If he's an expert witness, he has unlimited time to
16 testify. If he's not, then he gets 15 minutes.

17 Because I'm assuming, Mr. Vasilion, you're
18 not a resident of Vermilion County or the three
19 townships in the project area and other counties?

20 THE WITNESS: I am not.

21 MR. KAINS: Okay. Very good. When I
22 was young, I didn't know a whole lot. Now that I've
23 been practicing law for almost 34 years, I'm not sure
24 that I know much more than I did when I started. When

1 you're young it doesn't mean necessarily that you
2 don't know your job. So the question is whether this
3 gentleman can serve as an expert witness or not. I
4 think young people just starting out, he's been with
5 the company for four years, he's done some work on
6 projects, just because he's only testified in one
7 previous hearing, does not necessarily make him not
8 qualified.

9 So I am going to find Mr. Vasilion is
10 qualified to serve as an expert witness, and,
11 therefore, I will grant time in excess of the 15
12 minutes he ordinarily would get. And I'm guessing
13 your testimony will probably only take a half hour or
14 thereabouts. Regardless, it will be darn close.

15 All right. He's qualified as an expert
16 witness and he will be treated as such and have
17 unlimited time to testify.

18 Mr. Griffin, go right ahead.

19 MR. GRIFFIN: Thank you, Mr. Kains.
20 Mr. Vasilion does have a PowerPoint presentation, and
21 rather than go through further Q & A, I'm just going
22 to ask him to go through his presentation, and I may
23 ask questions along the way. We're also going to have
24 a few exhibits to introduce, but I'll do that as his

1 testimony proceeds. Thank you.

2 MR. KAINS: Very good. Thank you,
3 Mr. Griffin.

4 THE WITNESS: All right. I get the mic
5 to myself. Thank you, very much, Jim, I appreciate
6 it. I apologize, my voice is a little bit hoarse. I
7 do have a one-year-old that's at home who's sick. So
8 hopefully you guys can hear me okay.

9 Like Jim mentioned, my name's Greg Vasilion.
10 I'm the lead developer on this project. I'm really
11 excited to present this to you. I hope this
12 presentation is a helpful supplement to our
13 application, and I also hope that it's informative for
14 all the folks in the room here today. I'm really
15 proud of this project that's come together in a really
16 beautiful way. I'm excited to share it with you. So,
17 Colleen, if you can go to the next slide, please.

18 So, as Jim mentioned, I work for Invenergy
19 Musketeer Energy Project. Developed by Invenergy.
20 Invenergy is the largest privately held clean energy
21 company in America. I'm very proud of the more than
22 25,000 megawatts of projects that we have in
23 operation, including over 100 wind projects worldwide
24 and 12 in my home state of Illinois. So we know what

1 we're doing when it comes to wind. But we do a lot
2 more than just wind. Invenergy -- oh, Colleen, next
3 slide, please. I'm sorry. I forgot that I'm not
4 controlling this part.

5 We do a lot more than just wind. As you can
6 see on the screen, we do gas projects, we do
7 transmission projects, we do solar projects. We
8 really are all-the-above energy development company,
9 and we're very proud of the variety of energy
10 production that we contribute to.

11 I've also put two additional notes at the
12 bottom of the screen, one is our Illuminate USA
13 Facility. One thing that Invenergy has done is bring
14 a significant amount of solar panel manufacturer
15 stateside through our facility in Ohio. And then the
16 other thing I wanted to highlight was our Invenergy
17 Services. A big part of our business is that it's not
18 only the development of these projects but the
19 operation of these projects. It's something that sets
20 Invenergy apart. There aren't developers that can
21 span a whole scope of a project like we can, and we
22 are a very qualified operator of projects as well.
23 Which I'll talk a little about in the next slide,
24 please, Colleen.

1 Just to kind of highlighting, again, the full
2 service capability of Invenergy. We do the
3 development of the project. The stage we're in right
4 now, putting the project together, getting the
5 permits, etc., but we also have the expertise to
6 project manage the engineering of the project, the
7 design of the project, the construction of the
8 project, and like I just mentioned, we also operate
9 projects. So Invenergy really can do it all. We
10 cover a variety of developing and also the full scale
11 of the project life, which, again, unique for a
12 developer. So I'm very excited to bring our expertise
13 to Vermilion County. Let's go to the next slide,
14 Colleen.

15 What I'm most proud of is our energy impact.
16 The numbers that I want to highlight up on the screen
17 here is that \$501 million. That is half a billion
18 dollars in 2024 that Invenergy invested into its
19 project communities. I just really hope that lands.
20 That's a significant investment. Half a billion
21 dollars in 2024 that our project contributed to their
22 host community. And I'm especially proud of the fact
23 75 million of that was in my home state, Invenergy's
24 home state of Illinois. So we are a significant

1 economic force in the state and across the country,
2 and we really, again, are excited to bring that sort
3 of economic impact, which I'll get into a little bit
4 later, to Vermilion County. Next slide, please,
5 Colleen.

6 So that's about Invenergy. Let's get into
7 talking about Musketeer and what we're proposing for
8 northern Vermilion County here. This project consists
9 of over 36,000 acres of land participating via
10 voluntary easement. What I think is important to note
11 here, is that I'm highlighting that number to
12 highlight our staggering amount of participation of
13 folks who wanted to be a part of this project. But
14 the project itself will consist of up to 81 turbines,
15 and those turbines will each utilize less than an
16 acre, is the general expectation, that includes the
17 access roads. So it's not a large project footprint,
18 in that sense, but it is -- we have quite a bit of
19 participation that has been alluded to already. But
20 this project will also include the access roads of
21 those turbines. They'll all be connected underground
22 to our collection substation. There will be a battery
23 energy storage system, adjacent BESS substation.
24 There would be an operations building as well. And

1 there will be an overhead transmission line from our
2 collection substation to our points of interconnection
3 onto the grid, which is the substation west of
4 Hoopeston, which I'm sure many of you are familiar
5 with. Additionally, there will be meteorological
6 towers and an aircraft detection lighting system
7 tower, ADLS, if you're familiar with that acronym.
8 I'll talk about that later, but that's what manages
9 the blinking red lights, and an ADLS tower will
10 significantly reduce the amount of lights needed for
11 the project. Go to the next slide, please, Colleen.

12 I want to just show some pictures, I'll go
13 through briefly. But to show some pictures of these
14 project facilities so that we're all thinking of the
15 same thing when we're talking about these various
16 facilities. The first one, of course, is a wind
17 turbine and access road. Let's go to the next one,
18 Colleen.

19 On the left you can see what our collection
20 substation looks like. This is where the energy is
21 gathered for our project, the underground cabling, and
22 that's where it will be transmitted to our overhead
23 line that goes to the point of interconnection. I'll
24 show that in a second. Go back one more, Colleen.

1 Thank you.

2 The battery storage system that you see on
3 the right, they generate like a storage container and
4 that will be directly adjacent to the collection
5 substation. Okay. Go to the next slide.

6 The operations building, I -- I like to pay
7 special attention to this, I think the buildings are
8 put together very nicely. They're designed to fit
9 into the landscape, they're cited with it. So it will
10 look something like that, the color, the metal roof
11 may be different, but these are beautiful buildings
12 that our operations team will work out of. And then
13 what you see on the right there is an example of an
14 overhead transmission line. That will be going from
15 our project substation to our points of
16 interconnection. Those are all the pictures I have.
17 So, Colleen, let's look at the map here.

18 This is an overview of our project site plan.
19 I guess I can't go and walk over to the screen because
20 I'll lose my microphone here. But the project is
21 primarily between Hoopeston and Rankin. Hoopeston is
22 all the way to the top right up there. Rankin is on
23 the left-hand side of the map. The project primarily
24 between those two locations and then sprawls down

1 south about half way to Armstrong. The project is
2 primarily in Butler Township. What I would do --
3 actually, I'm going to walk over there and I'm going
4 to walk back here. I think this is important. Where
5 I'm going to walk over to is I want to highlight where
6 the project hub is, so to speak, where our aboveground
7 facilities are going to collect. I think it's
8 important, I'll zoom in on the next slide, but I am
9 going to walk over here just so you can all see it.

10 MR. KAINS: And, Mr. Vasilion, if you
11 need to talk from over here, just holler.

12 THE WITNESS: I can yell.

13 MR. KAINS: Yes.

14 THE WITNESS: Okay. I'm not going to
15 yell, but I will talk as loudly as I can. Can you
16 guys hear me still over here? Thank you.

17 Right here, this is the intersection of 880
18 East and 3900 North Road in Butler Township. I have
19 another slide coming where I'll zoom in and show what
20 that looks like. But this is where our operation
21 facility, our collection substation, our battery
22 facility, this is where all of that is going to be.
23 It's been thoughtfully cited and I'll show you exactly
24 where it is. But that is something that we get a lot

1 of questions about. So I wanted to just highlight on
2 this large map so you have the context. And I guess
3 while I'm here, this red line is our overhead
4 transmission line that's going to connect to the
5 substation west of Hoopeston.

6 MR. KAINS: What was the last thing you
7 said?

8 THE WITNESS: The red line is our
9 transmission line which is going to connect to the
10 substation west of Hoopeston.

11 MR. KAINS: Thank you.

12 THE WITNESS: Let's go to the next
13 slide, please, Colleen.

14 As promised, this is zoomed into that project
15 hub, so to speak, at the intersection of North 880
16 East Road and East 3900 North Road. That's generally
17 what we expect the layout of the facilities to look
18 like. Just northeast of that intersection, this is a
19 fairly rural part of Vermilion County, and it's
20 northern Vermilion County and there are no residences
21 within two-thirds of a mile of this location. So we
22 want to be thoughtful about where this facility was
23 cited, and we've done that. Let's go to the next one,
24 please.

1 I'm going to pause here for Jim to enter a
2 few things into the record. So I will say what these
3 are. The first thing Jim's given me to enter into the
4 record is a Resolution of Support that we received
5 from the Hoopeston School District.

6 MR. GRIFFIN: Mr. Kains, I'd like to
7 enter this into the record as Applicant's Exhibit
8 Number 1. It is a resolution from the Hoopeston Area
9 School District in support of this project.

10 **QUESTIONS BY MR. GRIFFIN:**

11 Q. Mr. Vasilion the project received this
12 resolution from the school district, correct?

13 A. That's correct.

14 MR. KAINS: What's the date on that?

15 THE WITNESS: This was December 19th,
16 2023.

17 MR. KAINS: Mr. Keyt, Ms. Rives, any
18 objection to this coming in?

19 MR. KEYT: I have not seen it, but I
20 don't think we'll have an objection to it.

21 MR. KAINS: All right. Mr. Griffin,
22 could you provide Mr. Keyt the resolution?

23 MR. KEYT: No objection to the exhibit.

24 MR. KAINS: All right. Exhibit 1, the

1 resolution from the school district is in evidence.
2 It will be made part of the record.

3 Mr. Griffin, for the record, is handing these
4 out to Members of the Wind and Solar Committee. Don't
5 forget Chairman Fourez up here. It will be part of
6 the record of this public hearing and it will also be
7 transmitted to all Members of the Vermilion County
8 Board for its consideration, whether this project gets
9 the thumbs up from this Committee or the thumbs down,
10 it will go to the County Board for its consideration
11 and this will be Exhibit 1 in that packet.

12 All right. Very good. Go right ahead, sir.

13 THE WITNESS: Thank you. So the next
14 thing that we want to enter is letters of support from
15 several of our landowners and community leaders.

16 MR. GRIFFIN: Mr. Kains, I've got a
17 compiled letters of support, and rather than reading
18 those, we would just prefer to introduce them as an
19 exhibit into the record. Some of the folks that did
20 provide these letters will also, I expect, either
21 provide public comment or testimony, but we've
22 compiled these as Applicant's Exhibit Number 2.

23 MR. KAINS: All right. Group Exhibit 2,
24 Mr. Keyt, I know you haven't seen these yet, and --

1 I'll wait to ask the question until you've seen them.

2 **QUESTIONS BY MR. GRIFFIN:**

3 Q. Mr. Vasilion, the letters --

4 MR. KAINS: Hang on, Mr. Griffin. I've
5 got to rule on Exhibit 2.

6 MR. KEYT: Without having read them, I
7 would suspect we won't have an objection to them. But
8 I don't -- there's about 20 of them. So I don't think
9 we'll be able to read them all before the hearing's
10 over.

11 MR. KAINS: All right. Here's what I'm
12 going to do, I'm going to reserve ruling and we'll
13 take up Exhibit 2 after -- after our morning break.

14 MR. GRIFFIN: Should I distribute them
15 to the Committee pending the ruling?

16 MR. KAINS: Let's just wait on that.

17 THE WITNESS: Thank you, very much. All
18 right. So I want to talk about community support.
19 Here it's at the core of this project and has been the
20 whole time. We have over 100 families participating,
21 again, through voluntary easement in Butler, Grant,
22 and Middlefork Townships. This project actually
23 started out as a call from a landowner who thought
24 this would be a good place for a wind project. This

1 person told us they had neighbors who would sign up,
2 and so when they talked to us about that, we started
3 reviewing the project area and agreed that this is a
4 good place for a wind project. So we started working
5 on the ground to get folks signed up, and I've been
6 blown away with just how community-driven this effort
7 has been. Landlords working with their tenants,
8 tenants calling their landlords, getting them to sign
9 up, neighbors talking to neighbors. I've been
10 really -- really impressed with how this project's
11 moved forward. So we've gotten quite a bit of support
12 from the community, quite a bit of acres signed up.
13 And then as the project got more and more advanced, we
14 started talking to various public entities and bodies,
15 we -- we heard support from them as well. We just
16 talked about the resolution of support that we
17 received from the Hoopeston School District. We also
18 do have project siting agreements with Hoopeston and
19 Rankin, and, as we mentioned, several letters of
20 support from our community leaders. It's really been
21 just a -- talk about it for myself for a second, it
22 really has been a privilege to work on this project
23 and to meet so many of the people that are going to be
24 benefiting from the project. I spent a lot of time

1 down here. I brought my wife down and got her in a
2 combine, which was a lot of fun. So I don't want to
3 make it too much about me here, because it's not about
4 that. But I really have been enjoying working on this
5 project and the community support has been very
6 strong. Okay. Colleen, let's go to the next one.

7 Of course, we cannot stand here and talk
8 about this project without talking about the economic
9 impact, it is extreme. And there's two methods that I
10 want to talk about for our economic impact here. One
11 is the tax dollars that the project is going to pay.
12 Over the first 30 years of the project's life, this
13 project is going to pay over \$100 million in property
14 taxes. \$100 million in the first 30 years. Of that
15 \$100 million, I think this is the most important
16 thing, if you walk away with one thing today, I really
17 hope it's this, of that \$100 million, over \$45 million
18 will be going to the Hoopeston School District. I've
19 highlighted it. It's the only thing in the
20 presentation that's highlighted in Cornjerker Blue,
21 because it's right there. I would really hope you
22 walk away with that. This is a significant,
23 significant opportunity for the Hoopeston School
24 District.

1 There are, of course, other taxing bodies; 15
2 million to Vermilion County, 7 million to DACC, and
3 then a variety of townships, road districts,
4 libraries, fire departments, and other schools. There
5 is, again, very significant tax impacts for this
6 project.

7 But, additionally, the other way that the
8 project is going to have a significant impact is with
9 local economic activity in the form of jobs. I'll put
10 them into two categories here. There's going to be
11 hundreds of jobs during construction of this project.
12 Those are folks who need places to stay, they need
13 places to eat, they want to get coffee, they go to the
14 gym, they buy books. These are folks that are
15 spending money locally and they become a real economic
16 injection during the construction period.

17 Of course, there's also long-term employment
18 benefits. The project will have about 10 to 15 folks
19 on its operations and maintenance team. Those are
20 great paying jobs. Those are folks who are going to
21 live and work locally, and we're really excited to
22 offer that opportunity as well.

23 Okay. I want to talk now -- Colleen, go to
24 the next slide, please. I want to talk now about some

1 of the more technical ordinance compliance pieces.
2 Let's get right into it here. The first and foremost
3 thing is talking about the setbacks. I won't hit
4 every single one of these, it's not especially
5 interesting, but we are compliant with every setback
6 laid out in the ordinance.

7 For the next slide here, we're going to talk
8 about the last one, the avoidance from no abandoned
9 mines. Let's go to the next slide, please.

10 On the screen here you can see the blue at
11 the top is where our project is. The red area down
12 below is the nearest abandoned mine. We're over ten
13 miles away. So no impact there. Well over the one
14 mile. But I just wanted to highlight that. Let's go
15 to the next slide, please.

16 Now, it's pretty well known that wind towers
17 are equipped with a variety of safety mechanisms,
18 including braking controls, etc. There are two things
19 that I want to highlight here that I think are really
20 important that folks don't always think about. But
21 first is that the project is going to be monitored not
22 only by our on-site operation's team, but also 24/7,
23 365 by a remote control center every day, no holidays,
24 no breaks. It's always going to be monitored.

1 Additionally, the lighting is going to be in
2 accordance with FAA regulation. And, if approved, it
3 will be outfitted with ADLS units, again, those
4 aircraft detection lighting systems. And what that
5 does for the project is, those blinking red lights
6 that you've all seen as you've driving past a project
7 at night, it reduces those to only activate when
8 there's an aircraft in the vicinity, which is a
9 significant change, and I visibly want to highlight
10 and it's something that a lot of people don't know
11 about the project. But we will be installing those,
12 again, if we get approvals immediately. And this is
13 all, of course, in addition to the various safety
14 mechanisms that we put in place by our on-site
15 operation's team. Let's go to the next one, please.

16 Talking about agency consultation. There are
17 two that we get asked about the most. So I want to
18 just talk first about our consultations with the
19 Illinois Department of Natural Resources. Musketeer
20 has made significant efforts to identify plans or
21 avoid and minimize potential impacts to natural
22 resources. When we're talking about coordination with
23 the Illinois Department of Natural Resources, I kind
24 of bucket it into two pieces; one is the informal

1 consultations with them where we will review our
2 citing strategy, our survey methodology, and our plans
3 for the project area. It's important that we
4 understand as we're coordinating with agencies like
5 this what are we submitting to them and what is our
6 project going to look like, and are we minimizing the
7 impacts that we have and that we should.

8 So we started coordination in 2021 with IDNR
9 to review those methods, and we have -- now have the
10 formal consultation of the EcoCAT. The EcoCAT is the
11 IDNR Ecological Compliance Assessment Tool. And
12 essentially we give them information about our
13 project, and the EcoCAT gives us information about a
14 recommendation to avoid adverse impacts and also
15 listing protected species and natural areas in our
16 project footprint. So that -- a copy of that is in
17 our application. It was also sent to Vermilion County
18 in February of this year. And on the part of IDNR, if
19 we follow their recommendations, their perspective is
20 that impacts to potential resources is unlikely, and
21 for their part the consultation is closed. Let's go
22 to the next one, please.

23 The other agency coordination that we get a
24 lot of questions about is with the Department of

1 Agriculture, IDOA. The method there is called the
2 Agricultural Impact Mitigation Agreement. I won't
3 spend a crazy amount of time on this. But there are
4 two components to the AIMA that I want to highlight.
5 One is the landowner protection. It supplements our
6 agreements. It's actually part of our agreements that
7 we have to be good stewards of the land, including
8 cable depths, topsoil management, drainage, etc. So
9 that's one piece of it. The purposes of the county's
10 consideration is also outlined in the decommissioning
11 standards. It includes an obligation for the project
12 to deconstruct, and it also includes an obligation for
13 us to restore the ground and provide financial
14 assurance to the county in the event that the project
15 isn't able to -- won't deconstruct the project, which
16 is an unlikely scenario. Let's keep going.

17 I want to talk now about some of the reports
18 provided by our external experts here. The first is a
19 property value impact study. Mr. MaRous prepared this
20 report from MaRous & Company, and this report is an
21 analysis of market data from Illinois and similar
22 states of property near wind projects, and evaluates
23 the impact of those projects on the property value.
24 And that report has demonstrated that there will not

1 be a negative impact of this project on local property
2 values. Let's go to the next one, please.

3 We've also conducted a shadow flicker study.
4 Shadow flicker, as a turbine's blade spins, it creates
5 a slow moving shadow, and that shadow per the
6 ordinance cannot cast onto a non-participating
7 property for more than 30 hours per year. This is
8 something that is -- I don't want to say easy, but it
9 is fairly simple to model in that the rotation of the
10 sun -- or, sorry, the movement of the sun is fairly
11 easy to model and it's fairly predictable. So we have
12 a good sense of how much shadow will be cast from this
13 project, and, accordingly, we've gotten the study from
14 Stantec to agree that we will not have any residences
15 with more than 30 hours of shadow flicker per year,
16 and non-participating residences.

17 Going to the sound model study, the next one,
18 please. Similar, the sound model study, the project
19 has moving components, it does create what's been
20 referred to as a whooshing sound. Per the ordinance,
21 the project may not emit sound levels on -- that is
22 greater than the Illinois Pollution Control Board
23 standards. This is something that, again, we provide
24 our turbine models, we provide our layout, we provide

1 our receptor locations to Hankard Environmental and
2 we -- they model that for us, and Hankard
3 Environmental modeled that the project will not be
4 exceeding any of the Illinois Pollution Control Board
5 standards. So we have -- we are in compliance with
6 the ordinance on that piece as well. Let's go to the
7 next one, please.

8 When we're talking about communication
9 studies, there are, again, two buckets that I want to
10 talk about here. One is weather radar. It's
11 something that we get asked about a lot. This project
12 is not located in the vicinities of any radar operated
13 by the National Weather Service. We've had that
14 confirmed by a study from Westslope who is an airspace
15 consultant expert in the field. We also, I'll call
16 the -- kind of the commercial transmissions,
17 microwave, emergency services, radio, TV. Similar
18 finding here that there will not be any impact on any
19 of those transmissions either. And that was a report
20 that we had done by Comsearch. So, accordingly, we're
21 not expecting any impact on any of these communication
22 facilities. Next one, please.

23 I said I was going to come back to
24 decommissioning. Here we are talking about

1 decommissioning. So, as I mentioned, the project has
2 an obligation to decommission the project, but we also
3 have an obligation to provide financial assurance for
4 the decommissioning of the project. We've gotten a
5 report done by TRC, and the full decommissioning of
6 this project will cost \$10.9 million after the salvage
7 value is applied. That number will be adjusted as we
8 enter operations. That number is going to continue to
9 be adjusted for changing prices in the future to
10 ensure that it remains accurate. I will also say
11 here, that this is our decommissioning plan we've
12 included in our application, but after we receive our
13 siting permit and before we receive our building
14 permit, we will coordinate with the county to enter
15 into a decommissioning agreement, which will set those
16 values in stone and set forth the next steps for the
17 decommissioning. So I just wanted to highlight that
18 that's included in our application. Let's go to the
19 next one, please.

20 I want to touch on -- those were some -- some
21 more technical pieces of the ordinance that our
22 project complies with. Now I want to talk about some
23 pieces of the project development. This is my last
24 section of the presentation, so thank you all for your

1 patience and time so far.

2 I want to emphasize our responsibilities as
3 good neighbors, good stewards of the land and just
4 talk a little about how this project is going to
5 continue to come together. Let's go to the next
6 slide, please.

7 Starting with our operation maintenance team.
8 I mentioned our O&M building a few times here. This
9 project will be primarily taken care of by our
10 operation's team, who will be working out of that
11 operation's building. I mentioned the control center
12 earlier, but really the project, the face of the
13 project is going to be the local folks who are out
14 there operating the project on a day-to-day basis, and
15 they'll be folks that you get to know, they'll be a
16 part of the community. They will also be submitting
17 an annual summary of their operation management
18 reports to the county to make sure that communication
19 is kept up. So we will have both on the ground
20 people, you get a face with the project, and I think
21 that's an important piece of having a project, it fits
22 into communities having folks working there locally.
23 Let's go to the next one, please.

24 Drainage systems. We are coordinating with

1 our landowners primarily on the drainage impacts
2 making sure that we're avoiding drainage impacts when
3 we're bringing this project together, especially as we
4 advance our design. We will make sure that we're
5 continuing to coordinate with the landowners in
6 understanding where their facilities are. There's a
7 lot of regulations that we have to follow from the
8 AIMA and otherwise on how we handle drainage to avoid
9 impact, but we'll continue to work with the
10 landowners. We've also worked with the drainage
11 districts in the project. We've outreached to them,
12 and as our design advances, it will become more and
13 more important for us to meet with those drainage
14 districts and make sure that we're minimizing our
15 impacts to those publically managed facilities. So
16 we're excited to do that, and, again, as our design
17 advances, we will continue to work with those bodies.
18 Let's go to the next one, Colleen, please.

19 Fairly similar here, we've commenced
20 engagement with the road districts that will be
21 impacted by the project. We're going to enter into a
22 formal road use agreement with all of these bodies.
23 So that will be Vermilion County, Butler Township,
24 Middlefork Township, Grant Township. We've met with

1 those road commissioners multiple times. We've shared
2 the layout, we've even started talking about some
3 potential haul routes. So we started outreaching and
4 we're going to continue working with them to establish
5 a good road use agreement, and then as we're
6 constructing and operating the project, making sure
7 that we're treating the roads with respect and that
8 we're keeping them at the standard they need to be.

9 MR. KAINS: Keeping them what?

10 THE WITNESS: At the standard they need
11 to be.

12 MR. KAINS: Okay. Thank you. Your
13 voice kind of trails off at the end of a sentence.

14 THE WITNESS: Sorry. I'm kind of -- I'm
15 looking at the phone -- I'm looking at my presentation
16 and moving the mic.

17 MR. KAINS: All right. Thank you, sir.

18 THE WITNESS: Sorry about that. Let's
19 go to the next slide, please.

20 Again, it's a similar story here. We're
21 coordinating with the local fire departments. It's
22 important as we're going through the development of
23 this project that we let the fire departments know
24 where the project's going to be, where the facilities

1 are going to be, and we've already commenced
2 engagement with the Rankin Fire Protection District
3 and the Hoopeston Fire Department. We'll continue to
4 do so and we'll continue to make sure that we're on
5 the same page as far as putting together an emergency
6 response plan. We're going to make sure that we're
7 compliant with all of the applicable laws and
8 regulations. And then we'll also work closely with
9 the Vermilion County EMA to make sure that everybody's
10 on the same page as far as emergency response. So,
11 again, same story here, we've met with these groups
12 before and we're going to continue to meet with them,
13 and as our project advances, we look forward to
14 maintaining those relationships. Let's go to the next
15 slide, please.

16 All the towers are within Vermilion County.
17 The closest municipalities of the project are Rankin
18 and Hoopeston. We got into project siting agreements
19 with both of those municipalities and a lot of
20 conversations with folks in those communities, so
21 we're excited to have those. Let's go to the next
22 one.

23 This one I really just want to highlight the
24 neighbor communication piece. We want to emphasize

1 this is something that we've really gone above and
2 beyond to work towards. We work to contact owners and
3 residences near those facilities. And the way we went
4 about doing that is we comb first, you know, public
5 data online what we could find, and we called as many
6 folks as we could. We got ahold of some folks, which
7 is great, and some folks that we didn't get ahold of,
8 and for the folks that we didn't get ahold of I went
9 out there with several of my colleagues to go and
10 knock on the doors of folks who were going to be near
11 the project. If they were home we would introduce
12 ourselves and have a conversation. If they weren't,
13 we would leave this door hanger here, which has the
14 project email, it also has my cell phone number. So
15 we really went above and beyond to make sure that we
16 were trying to notify folks in the project area and we
17 were successful in doing so. So very excited about
18 the level of neighbor communication that we were able
19 to achieve. And then in addition to that, written
20 notice was sent to folks near the project for this
21 hearing here. So there are folks in this room who
22 received that communication. And I will just take
23 this time here to say that that's still my cell phone
24 number. So it's right there. Greg Vasilion, (312)

1 550-7678. After this hearing, I'm still around, and I
2 look forward to continuing to talk to folks in the
3 community. If you want to talk about this project,
4 you give me a call, we'll find some time to talk. I'm
5 down here very frequently. Happy to come to your
6 house, whatever you want to do. I just want to make
7 sure that I'm continuing to make myself available for
8 members of the public to ask questions and talk about
9 the project.

10 During the operation of the project,
11 Musketeer is going to implement a Complaint Resolution
12 Plan as well. So there will be a formal process -- in
13 addition to just knowing the folks on the site, there
14 will be a formal process so that folks can continue to
15 communicate with the project. Colleen, let's go to
16 the next slide, please.

17 This is -- you can go to next one. This is
18 my last slide. Again, thank you for your patience.
19 But to conclude, this project has met the required
20 siting factors. Musketeer is going to bring
21 significant investment to Vermilion County to the tune
22 of over \$100 million in property taxes over the first
23 30 years of the project life. This project has been
24 driven by the community and will continue to actively

1 be engaged with.

2 So on behalf of Musketeer Wind Energy, LLC
3 and the over 100 families that I represent here today,
4 I'd like to respectfully request a recommendation from
5 this Committee to the County Board which will enable
6 us to continue a strong foundation of energy
7 investment in Vermilion County.

8 Thank you everybody for your time.

9 MR. KAINS: Thank you, Mr. Vasilion.
10 Any additional questions of your witness, Mr. Griffin?

11 MR. GRIFFIN: I do not have any
12 questions. I would like to point out, Mr. Vasilion
13 mentioned the agreements with Hoopeston and Rankin,
14 those are in Exhibit 13 of the application. But no
15 questions. Thank you.

16 MR. KAINS: All right. Very good.
17 Thank you.

18 All right. Questions for the witness, first
19 come from Members of the Wind and Solar Committee.
20 Mr. Chairman, ladies and gentlemen of the Committee,
21 do you have any questions about Mr. Vasilion's
22 testimony that you can direct to him?

23 MR. WISE: Yes. Can you go into more
24 detail about the decommissioning plan and what would

1 potentially happen if it were sold to another company
2 or the company were to go bankrupt?

3 THE WITNESS: Sure. Yeah, I appreciate
4 that. Thanks for the question. Essentially all of
5 the applications that we're making for this project,
6 including the decommissioning plan and the
7 decommissioning agreement that we're going to get into
8 with the county, those will have to be maintained by
9 whoever the owner of the project is. The
10 decommissioning plan itself outlines the cost to
11 remove facilities as of today's dollars and then is
12 updated as time goes on so that the value continues to
13 scale.

14 So if the company didn't exist for whatever
15 reason, then those funds would be available to the
16 county to decommission the project.

17 MR. WISE: Thank you.

18 MR. KAINS: Any other questions from
19 Members of the Committee? Yes, Mr. Chairman.

20 MR. FOUREZ: Invenergy operates
21 California Ridge Facilities in Vermilion County for a
22 long time. How will these new towers compare to the
23 ones already up in that part of the county?

24 THE WITNESS: Sure. So Invenergy

1 developed the California Ridge Project, but Invenergy
2 doesn't currently operate that project. The towers
3 that we're contemplating for this project, there will
4 be fewer of them. They're generally taller towers and
5 they're fewer of them. So they're a similar profile,
6 there's not much to note about them, other than there
7 will be fewer of them because they're taller.

8 MR. KAINS: Mr. Vasilion, do you know
9 how many towers there were in California Ridge, and
10 how many are you proposing here?

11 THE WITNESS: What we're proposing here
12 is up to 81 turbines. I guess it's worth mentioning
13 here, that it's possible that we install less 81
14 turbines to meet our design capacity. I am not -- I
15 did not work on the California Ridge Project, but I do
16 believe that there's over 100 towers in that project.

17 MR. KAINS: Okay. Thank you. Any other
18 questions from Members of the Committee? Yeah,
19 Mr. Chairman.

20 MR. FOUREZ: Another part of the whole
21 system is connectivity between the towers and getting
22 to the grid. Are those connecting lines or pathways
23 going to affect any non-participating landowners? And
24 how is that dealt with?

1 THE WITNESS: Thank you. No, they
2 won't. Every inch of the project is site
3 non-participating.

4 MR. KAINS: Any other questions from
5 Members of the Committee? Mr. Puzey.

6 MR. PUZEY: Are we going to get
7 additional details on the footprint of the facility,
8 the control center and so forth, as far as how large
9 that's going to be?

10 THE WITNESS: If I could, we could go
11 backward. Colleen, could you go backwards to the
12 slide that zooms in on those facilities. So I don't
13 have in this presentation -- one more. Thank you. I
14 don't have more details than what's in this
15 presentation. Happy to provide something. But I can
16 give you a sense of scale here. If that's what you're
17 after. The collection substation, that pink box is
18 expected to be about 3 acres. The operations building
19 is usually -- it takes up with a lot about 2 and a
20 half acres. And then that battery energy facility, it
21 can be about 8 acres.

22 MR. PUZEY: Okay. Thank you. How many
23 battery -- looks like they're containers to me.

24 THE WITNESS: Yeah.

1 MR. PUZEY: Will there be -- is that in
2 the site?

3 THE WITNESS: So it's going to be a
4 300-megawatt -- approximately 300-megawatt system.
5 So, again, the direct number that you would need to
6 get there, I will defer to our battery experts on the
7 exact number of units, but it's -- yeah, I'll let them
8 talk about the exact number. I don't know off the top
9 of my head.

10 MR. PUZEY: That comes later?

11 THE WITNESS: Yes.

12 MR. PUZEY: Thank you.

13 MR. KAINS: All right. Any other
14 questions from Members of the Committee?

15 MR. GREENWELL: Do all wind farms have
16 battery systems like this?

17 THE WITNESS: No, they don't. It's
18 becoming more and more common that we're seeing in the
19 industry. It's something that they want to see.

20 MR. GREENWELL: So what's the purpose of
21 the batteries if they don't all need them?

22 THE WITNESS: The battery is really just
23 a way to maintain the grid, a good way to make sure
24 that there's energy available when it's most needed.

1 So a wind project is a good way to generate energy.
2 Put a battery in your storage system. And, again,
3 I'll let the battery experts testify to this, but it's
4 a good way to ensure there's energy available when
5 it's needed most.

6 MR. KAINS: Any other questions from
7 Members of the Committee?

8 By the way, Committee will also get questions
9 later, last bite of the apple always belongs to the
10 decision maker.

11 Mr. Puzey.

12 MR. PUZEY: One more question. You
13 mentioned that there may be a 10, 15 full-time
14 employees?

15 THE WITNESS: Yes.

16 MR. PUZEY: What are their
17 responsibilities?

18 THE WITNESS: Yeah. Their
19 responsibilities are just to maintain a good-working
20 order of the facilities. So if there's a turbine that
21 needs maintenance for whatever reason, if they were
22 to -- you'll see going up in the crane, or go up into
23 the nacelle, they will work on the mechanical
24 components of the project. They're responsible for

1 just the general welfare of the project. Keeping it
2 clean, keeping it orderly, keeping it functioning.

3 MR. PUZEY: So they're basically a
4 mechanic?

5 THE WITNESS: Yeah. I think that's a
6 fair way to talk about it.

7 MR. PUZEY: Do you have a full-time
8 crane on site for that purpose?

9 THE WITNESS: That's a good question. I
10 think that they bring cranes on site as needed. I'm
11 not 100 percent sure what they store. Our operations
12 building doesn't, by my knowledge, have room for a
13 permanent crane, but I think they can get one out
14 there as needed. I'm not 100 percent sure.

15 MR. PUZEY: Thank you.

16 MR. KAINS: Mr. Chairman.

17 MR. FOUREZ: Since the question was
18 raised about the employees, are you familiar with and
19 would you use as sourcing, I believe the local area
20 community college has training for wind and energy
21 technicians. Are you looking to use local people that
22 have come through that program to fill those
23 positions?

24 THE WITNESS: Thank you for that. Yeah,

1 we've talked to DACC a number of times about their
2 wind turbine tech program, which is fantastic. So the
3 short answer is, yes, we'd like to hire all of these
4 people locally. It's a matter of if we can find 10 to
5 15 people who are able to operate the facility the way
6 that it needs to be operated. But, yes, the
7 expectation is that we would a hire locally first and
8 foremost. And even if not, those folks have to be
9 working here. So those folks would likely become
10 local.

11 MR. KAINS: Yes, Ms. Messmore.

12 MS. MESSMORE: Has it been determined if
13 there's a battery fire if the local fire departments
14 are able to handle that?

15 THE WITNESS: So I'll let our battery
16 experts talk about this a little bit more. But we did
17 reach out to both fire departments, Rankin and
18 Hoopeston to discuss the battery, to discuss the wind
19 towers, and some of th best practices associated with
20 that. Again, I'll let our battery experts speak to
21 specifics of the fire safety a little bit more. But
22 generally as the expectation is they'll be well
23 equipped to be able to manage any sort of things like
24 that.

1 MR. KAINS: Very good. Any other
2 questions from Members of the Committee?

3 (No response.)

4 MR. KAINS: All right. Questions now
5 from members of units of local government, the
6 Vermilion County Board, school districts, township
7 officials, any questions from members of units of
8 local government?

9 Yes, sir. Could you please state your name
10 for the court reporter.

11 MR. HENDERSON: Sure. I'm Lon
12 Henderson, County Board Member.

13 MR. KAINS: Thank you, Mr. Henderson.

14 MR. HENDERSON: A comment and a
15 question. Comment is thank you for taking it very
16 serious in respect to the notification of property
17 owners and making -- I like the little door hanger
18 thing.

19 The question is, is do you have a
20 comprehensive list of the individuals that you have
21 contacted? Name, address, etc., and the public
22 hearings that you've conducted, do you have an
23 attendance sheet for those?

24 THE WITNESS: Sure. Yeah. We -- we do

1 have -- we do have a record, it's not formatted in a
2 pretty way, but we do have a record of the times and
3 dates that we've reached out to certain folks, as well
4 as the times and dates we've knocked on doors and some
5 photos to make sure that we are covering our basis.
6 So, yes, that record does exist, and, yes, we have a
7 record -- yeah, of all that.

8 MR. HENDERSON: And -- may I follow up?

9 MR. KAINS: Oh, yes, sir.

10 MR. HENDERSON: And may those -- may
11 that information be included in your application?

12 Mr. Keyt, I don't know if that's appropriate.
13 But one of the issues that I have as a County Board
14 Member is when we -- when we -- when the project comes
15 to the County Board, we have individuals that have --
16 previously have come and have said, we've never been
17 notified. This is the first we've ever heard of it.
18 And one of my concerns that I addressed and reached
19 out a couple years ago was, I don't want that to
20 happen. I would like to have validation that the
21 company has done their due diligence and notified
22 adjacent property owners and the community.

23 So that is a request that I would have is
24 that information be included in the application, if

1 possible.

2 MR. KEYT: I think what you're
3 requesting, Mr. Henderson, is in relation to their
4 outreach beyond what is required by the statutory or
5 ordinance.

6 MR. HENDERSON: Correct.

7 MR. KEYT: Notice requirements, correct?

8 MR. HENDERSON: Correct.

9 MR. KEYT: Okay. We'll ask that that be
10 provided at some point before we close out.

11 MR. KAINS: Mr. Griffin, can you --

12 MR. GRIFFIN: Yeah, we can provide that
13 information. I think we would like to review our
14 notes first. There may be, you know, remarks made by
15 the private citizens that are in the notes, but, you
16 know, those people probably weren't expecting that to
17 be publicized as part of an application, but it would
18 certainly have all the records that you indicated.

19 MR. HENDERSON: I think -- I think my
20 interest is just names.

21 MR. GRIFFIN: Right.

22 MR. HENDERSON: And addresses. I -- you
23 know, the comments are not -- I just want to make sure
24 people have been notified.

1 MR. GRIFFIN: Yes.

2 MR. HENDERSON: So that if someone comes
3 and speaks to us, we can refer back, and actually you
4 were or were not notified.

5 MR. GRIFFIN: We can provide that
6 information, and we'll include that within the
7 documents that we submit into the record.

8 MR. HENDERSON: Thank you.

9 MR. KAINS: Okay. And we will expect
10 that as an exhibit to be tendered prior to the
11 conclusion of this hearing.

12 MR. GRIFFIN: Yes.

13 MR. KAINS: Another day.

14 MR. KEYT: And just for clarity, there
15 is -- we're talking about two separate things. There
16 is public outreach, it sounds like the developer's
17 done, where they've had meetings or outreach where
18 they've contacted people from the community. That is
19 separate and distinct from the notice that goes out
20 for this public hearing. There's a publication
21 notice, then there's also notices that go out to
22 adjacent and nearby landowners in relation to this
23 specific public hearing. Those are two separate
24 things. One's required by statute, and then the other

1 is just outreach that the developer has apparently
2 performed. I just want to make sure everybody
3 understands that those are two entirely separate
4 aspects to this.

5 MR. HENDERSON: Right.

6 MR. KEYT: But go ahead.

7 MR. KAINS: All right. Thank you for
8 your questions, Mr. Henderson.

9 MR. HENDERSON: Thank you.

10 MR. KAINS: Any other questions from
11 Members of the County Board, members of units of local
12 government?

13 Yes, Mr. Chairman.

14 MR. MILLER: What is the height of the
15 turbines?

16 THE WITNESS: Good question. So our
17 primary turbine model we're proposing has a tip
18 height. So from the ground to the top of the blade of
19 589 feet. And we proposed 2 alternates that are
20 slightly taller, I believe it's 622 feet for one of
21 the alternates, and the other one is slightly taller
22 than that. Our engineering team will confirm. We
23 have a slide coming up with our engineers that has the
24 full height of the turbines.

1 MR. MILLER: Thank you.

2 MR. KAINS: All right. Anything else
3 from Members of the County Board or any other members
4 of units of local government?

5 (No response.)

6 MR. KAINS: All right. Questions from
7 the public. How we like to do this is if you are
8 opposed to the application or neutral on the
9 application we want to hear from you. If you are in
10 favor of the application it would be considered
11 friendly cross-examination, and we're not allowing
12 friendly cross-examination in this public hearing.

13 So, for instance, if you are landowner who is
14 participating in the project and are in favor of the
15 project, you don't have the opportunity to question
16 this witness. He's on your side. You can ask him
17 whatever you want whenever you want. And the same
18 will hold true when somebody is testifying in
19 opposition, members of the opposition are not going to
20 be able to ask questions.

21 So, with that said, the folks who can ask
22 questions in the public of this witness are folks
23 either opposed to the project or neutral on the
24 project.

1 What I'd like to do now is just have a show
2 of hands, who would like to ask questions if you're
3 opposed or neutral, ask questions for Mr. Vasilion?

4 Okay. I see a gentleman here in a plaid
5 shirt, and a lady with her hand up in green.

6 Is there anybody else?

7 (No response.)

8 MR. KAINS: Okay. We'll go ladies
9 first. Ma'am, if you would come forward. I think
10 probably the best thing to do, there is a -- rather
11 than sharing the microphone, there's a microphone
12 right here. If you want to tilt it up, or if you want
13 to -- I'm trying to think.

14 (Brief pause.)

15 MS. WALLACE: Good morning.

16 MR. KAINS: Good morning. Could you
17 please state your name for the record.

18 MS. WALLACE: Sure. My name's Breanne
19 Wallace.

20 MR. KAINS: Could you spell your first
21 and last names for the court reporter?

22 MS. WALLACE: Sure. First name is
23 Breanne, B-R-E-A-N-N-E. Last name is Wallace,
24 W-A-L-L-A-C-E.

1 MR. KAINS: And what is your address,
2 ma'am?

3 MS. WALLACE: My address is 11490 State
4 Route 9, Hoopeston.

5 MR. KAINS: And are you in Vermilion
6 County?

7 MS. WALLACE: Yes, sir.

8 MR. KAINS: All right. Go ahead with
9 your questions for Mr. Vasilion.

10 MS. WALLACE: Okay. My first question
11 is are the letters of support that you presented
12 including the good neighbor agreements?

13 THE WITNESS: Not to my knowledge, no.

14 MS. WALLACE: Okay. Can I ask that you
15 state what is a good neighbor agreement, and who is
16 included in receiving one of those.

17 THE WITNESS: Sure. Yeah. So a good
18 neighbor agreement is something that we'll offer to
19 folks who are in proximity to project facilities,
20 particularly turbines. When I talked about this good
21 neighbor outreach that we were doing, we're reaching
22 out to the folks who were near those facilities. And
23 what a good neighbor agreement includes is just a
24 recognition that when we're approaching people for our

1 land campaign, a lot of our energy is spoken by the
2 landowners who have 100 acres, 200 acres, 300 acres,
3 because those are the turbine, farmers of the parcels
4 that can host turbines and the facilities. So we go
5 back later in the project to private people who own
6 homes to give them an opportunity to participate and
7 opportunity to be compensated for being near the
8 facilities, and that's what a good neighbor agreement
9 is.

10 MS. WALLACE: Okay. Thank you. Is
11 there a set amount of money that a good neighbor would
12 be receiving or is that based on how impacted their
13 home is going to be by this project?

14 THE WITNESS: It's a flat amount based
15 on how many turbines are near the residence.

16 MS. WALLACE: Okay. Thank you. You
17 also mention in your presentation that you -- this --
18 this company is going to provide jobs in Vermilion
19 County. Where do you plan to find housing for
20 employees?

21 THE WITNESS: It's a good question. So
22 really what we're going to engage with when we're
23 doing construction is we work with contractors to do
24 the construction of the project, and those contractors

1 are generally responsible for just delivery of their
2 own employees while we're in this stage. So usually
3 they'll hotel stay as long as there are hotels, and
4 those can be wherever is convenient for the project.
5 I imagine they'll be some in Danville, some in
6 Champaign. It will be as local as they can be,
7 because of the need to commute to the job site.

8 MS. WALLACE: Okay. So I'm
9 understanding that not all of the revenue that would
10 come from housing these employees would be impacting
11 Vermilion County?

12 THE WITNESS: I would say that's
13 correct. Just depending on where the housing is
14 available. They're going to stay wherever they can.
15 They want to be as close to the project as they can
16 when the project is in Vermilion County.

17 MS. WALLACE: Thank you.

18 THE WITNESS: Uh-huh.

19 MS. WALLACE: Will tax-paying citizens
20 see tax breaks if this project gets approved?

21 THE WITNESS: So this project, it
22 provides significant tax impacts to various taxing
23 bodies, and the way that they -- and we will be
24 hearing from Dr. Loomis, he can speak to this in more

1 detail. But the way that the taxing body chooses to
2 accept those dollars is up to them. So it's possible.
3 It's not generally my expectation. They're going to
4 be getting a tax payment from us. And how they manage
5 it is up to each taxing body.

6 MS. WALLACE: Okay. Thank you so much.
7 That's all of the questions that I have.

8 THE WITNESS: Thank you.

9 MR. KAINS: All right. Very good,
10 Ms. Wallace. Thank you so much for your questions.

11 All right. The gentlemen in the plaid shirt
12 in the front row, come on up to this -- I guess this
13 is going to be the questioning seat. And up here,
14 it's still called the hot seat, even though he doesn't
15 get to sit down.

16 Good morning, sir.

17 MR. HOUMES: Good morning.

18 MR. KAINS: Could you please state your
19 name for the record.

20 MR. HOUMES: My name is Milton Houmes.
21 M-I-L-T-O-N, H-O-U-M-E-S.

22 MR. KAINS: Okay. You went way too fast
23 for me. What was the first name, sir?

24 MR. HOUMES: Milton, M-I-L-T-O-N.

1 MR. KAINS: Okay.

2 MR. HOUMES: Houmes, H-O-U-M-E-S.

3 MR. KAINS: All right. And your
4 address, sir?

5 MR. HOUMES: 41222 North 990 East Road,
6 Hoopeston, Illinois.

7 MR. KAINS: And you are a Vermilion
8 County resident?

9 MR. HOUMES: Yes.

10 MR. KAINS: All right. Go ahead, sir,
11 with your questions, if you would, please, for
12 Mr. Vasilion.

13 MR. HOUMES: Okay. My question is, and
14 I'm not really against or for, I received a lot of the
15 contract and I decided not to participate. One of my
16 questions right now is you're putting in overhead
17 transmission lines from your battery facilities to
18 the -- the way I read it, the substation there west of
19 Hoopeston, right?

20 THE WITNESS: Yes. The battery facility
21 will connect to the collection substation. So the
22 green box will connect to the pink box up there and
23 then that is where that energy is going to be
24 transmitted from.

1 MR. HOUMES: Okay. So that overhead
2 transmission line will go by my house where it will
3 come down Route 9, come up 990 East Road to the north
4 part of the property across the road from me. My
5 question is this, how big a line is that as far as
6 capacity? I have lived under high-voltage
7 transmission lines for 4 years and there is bleed off
8 from those high-voltage transmission lines. Will
9 there be bleed off from this, and how big a line are
10 you putting in? Are you putting in single poles? Are
11 you putting in double poles?

12 THE WITNESS: Sure. Yeah. Colleen,
13 could go back a few slide, please, to the -- yep.

14 So the -- to answer your question about the
15 capacity of the lines, these are going to be 138 kV,
16 kilovolt lines. So basically those are going to be
17 carried on structures similar to what you're looking
18 at here, steel monopoles is what we expect. So, I
19 mean, really that picture is exactly what I expect
20 this line to look like.

21 MS. HOUMES: Okay. Now --

22 THE WITNESS: And then you asked about
23 bleed off. What do you -- could you clarify what you
24 mean by that?

1 MR. HOUMES: Well, I've lived, like I
2 said, 4 years under those high-voltage lines that
3 Ameren had. And on foggy days if you had a metal
4 building, you didn't want to touch that building if it
5 was grounded, because you will get shocked. The --
6 that electricity would come through the air. I had it
7 checked once and it was along over from 500 watt bulb.
8 So is there any bleed off, because that's going to
9 have to go across the road, and it's only going to be
10 like less than probably 100 feet from my house.

11 THE WITNESS: Understood. Okay. So
12 we're going to hear from our engineering team who can
13 speak to this, we'll call it stray voltage concept.
14 But it's my understanding, that's -- that's not going
15 to be a risk for this line, and I'll let the
16 engineering team speak to that a little bit more.

17 MR. HOUMES: And the other question I
18 had, you mentioned it's going to be less than an acre
19 for each, or about an acre. What I've always heard is
20 if figure an acre for each one. But that doesn't take
21 into the account, we have prime farm ground in
22 Vermilion and Iroquois County, and a lot of the --
23 like, underside on the crops is sprayed by airplane.
24 That doesn't take into the account the amount of

1 acreage there that you're not going to be able to
2 spray with an airplane and get closer to those big
3 high towers.

4 THE WITNESS: Our expectation is that
5 aerial applicators are going to continue to be able to
6 operate, and we actually are -- we have that built
7 into many of our agreements with landowners and also
8 into the application itself that aerial application
9 will be unaffected. So understood. I appreciate the
10 question, but we don't expect there to be any impacts
11 to the aerial application.

12 MR. HOUMES: Okay. Then I have a
13 comment. I received one of those good neighbor
14 agreements, and you didn't say anything about it, but
15 the way I read that, you give up all rights to any
16 lawsuit or anything against shadow or anything. In
17 other words, we pay -- you would pay us the money and
18 we'd just keep our mouth shut and let it go on as you
19 see fit.

20 THE WITNESS: No. The good neighbor
21 agreements that we've been offering on this project
22 have been really the only obligation that we have in
23 that agreement is that you, as the landowner -- we're
24 kind of formalizing relationship where you, as the

1 landowner, if you have issues with the project, you
2 have to bring it to Invenergy in order for us to be
3 able to fix the problem that you have, and that's the
4 obligation that you do come to us with the problem
5 first and you give us an opportunity to fix it. That
6 good neighbor agreement that we have out there does
7 not remove any rights as far as shadow flicker, noise,
8 or anything like that. The only obligation is just
9 that you come to us first.

10 MR. HOUMES: Okay. Thank you.

11 MR. KAINS: All right. Thank you, sir,
12 for your questions. We appreciate it.

13 Anybody else, members of the public who are
14 opposed or neutral on the application?

15 Yes, ma'am. Good morning.

16 MS. HOEKSTRA: Good morning.

17 MR. KAINS: Could you please state your
18 name for the record.

19 MS. HOEKSTRA: Sure. Lori, L-O-R-I.
20 Hoekstra, H-O-E-K-S-T-R-A.

21 MR. KAINS: And your address?

22 MS. HOEKSTRA: 2415 South Hieland,
23 H-I-E-L-A-N-D, Saint Anne, Illinois, 60964.

24 MR. KAINS: What county is that in?

1 MS. HOEKSTRA: Kankakee.

2 MR. KAINS: Kankakee County.

3 MS. HOEKSTRA: Right.

4 MR. KAINS: All right. Your questions
5 for Mr. Vasilion.

6 MS. HOEKSTRA: It's a very, very quick
7 question. I'm neutral. But I just wanted to get a
8 little clarification, because I heard it in the
9 sentence. But you said something about every inch
10 that -- will be -- will affect people will be
11 approved; is that correct?

12 THE WITNESS: What I said was that every
13 inch of our project is sited on participating grounds.
14 So the question that I was asked was about collection
15 facilities, and all of that underground, over ground,
16 anything associated with this project will be on the
17 property of somebody who has signed voluntarily to
18 receive it.

19 MS. HOEKSTRA: All underground wiring
20 and everything?

21 THE WITNESS: Everything.

22 MS. HOEKSTRA: All along the route?

23 THE WITNESS: Every single of it will
24 be.

1 MS. HOEKSTRA: Okay. I guess that was
2 my only question.

3 MR. KAINS: All right. Thank you,
4 Ms. Hoekstra.

5 Anybody else who's opposed or neutral in the
6 audience with questions.

7 Yes, ma'am. Please come forward. Good
8 morning.

9 MS. ROMINE: Good morning.

10 MR. KAINS: Could you please state your
11 name for the record.

12 MS. ROMINE: I'm Joyce Romine,
13 J-O-Y-C-E, R-O-M-I-N-E.

14 MR. KAINS: And your address, please.

15 MS. ROMINE: 1976 East 3400 North Road,
16 Potomac, Illinois.

17 MR. KAINS: And what county is that in?

18 MS. ROMINE: Vermilion.

19 MR. KAINS: All right. Okay. Go ahead
20 with your question for Mr. Vasilion.

21 MS. ROMINE: Okay. Maybe a couple of
22 comments. But one would be, when you mentioned the
23 amount of money that will be divided to all the
24 schools and all the other public businesses that are

1 going to get the money, which is a large sum, but I
2 think it needs to be noted that that would be --
3 probably be divided over the 30 years that you plan to
4 be there. So it's -- over 30 years is not quite the
5 large amount which seems to be at the time.

6 Another comment might be, some of the -- you
7 said that there was several friendly agreement
8 neighbors from the Hoopeston area. You commented
9 about all those available. Did you mention that there
10 are probably some negative comments also?

11 THE WITNESS: I did not mention that and
12 I'm not aware of the comments you might be referring
13 to.

14 MS. ROMINE: Are we assuming then that
15 everybody is in favor of it? So no -- no negative
16 comments made in that area.

17 THE WITNESS: I don't assume that, no.
18 I understand there may be others.

19 MS. ROMINE: Okay. So probably were
20 some. You mentioned the positives, but we didn't hear
21 about the negatives.

22 One more thought might be, I'm quite
23 concerned that if and when this becomes no longer
24 feasible, usable in our area, and even though you do

1 have a decommissioning plan, I'm a little skeptical
2 that that will actually happen at that time. Maybe
3 so, maybe not. But, again, we are the farmers of the
4 area who have the land there and are going to have for
5 many, many years, probably longer than you plan to be
6 there. So hopefully that is considered, and what we
7 as the farmer would be responsible for if and when
8 this completes. That's all I have.

9 MR. KAINS: All right. Thank you,
10 Ms. Romine.

11 Mr. Griffin, do you have a witness who will
12 describe the financial assurance aspect of the
13 decommissioning plan?

14 MR. GRIFFIN: Well, I think our -- our
15 decommissioning experts, their expertise is on
16 preparing and estimating the amount. I think this
17 plan will be in the form of a bond that's required to
18 be approved by the County Board before construction
19 could start. I would say that's probably going to be
20 more in Mr. Keyt's area of review as far as the terms
21 of the bond.

22 MR. KAINS: When you say, Mr. Griffin,
23 that there will be a bond submitted, is that -- I'm
24 not sure exactly if folks understand what a bond is or

1 does. Does that assure the residents and assure the
2 county that if the project for some reason fails and
3 Invenergy and Musketeeer go away, does it assure that
4 there will be money to close the thing down and haul
5 everything off?

6 MR. GRIFFIN: Yes, it does. The bond is
7 a guarantee from a bonding company or insurance
8 company that will be approved by the county, because
9 they'll be approving the form of the decommissioning
10 bond. And per the County Ordinance, that bond amount
11 is reevaluated every 5 years during the project life
12 to ensure that the amount is an accurate, current
13 estimate.

14 MR. KAINS: Okay. Very good. Thank
15 you.

16 Ms. Romine, does that answer some of your
17 concerns?

18 MS. ROMINE: I think that did. But,
19 again, when it sounds good now, but the 30 years or
20 whatever from now, how do we know for sure.

21 MR. KAINS: Yes, ma'am. I understand.
22 Thank you, so much.

23 MS. ROMINE: Thank you.

24 THE WITNESS: May I offer a quick

1 clarification --

2 MR. KAINS: Yeah, sure.

3 THE WITNESS: -- of what Ms. Romine said
4 on the tax dollars piece. We'll hear from Dr. Loomis.
5 But I do just want to highlight that that \$100 million
6 that I was referring to is accumulative over the life
7 of the project. So there are smaller tax payments
8 that get paid every year. And Dr. Loomis will talk
9 about how that's calculated. But I do just want to
10 say that is an accumulative impact.

11 MR. KAINS: And also to follow up,
12 Ms. Romine said you had letters of support and those
13 are in evidence now -- or, no, they're -- they're --
14 I'm reserving ruling until they can be reviewed by
15 counsel. But would it be fair to say that in -- well,
16 you've done a couple of projects. Would it be fair to
17 say that there are probably folks who write letters in
18 support?

19 THE WITNESS: Yes.

20 MR. KAINS: Like, in this case?

21 THE WITNESS: Yes.

22 MR. KAINS: And would it be fair to say
23 there are people who you may not be aware of who are
24 opposed to the project?

1 THE WITNESS: Yes.

2 MR. KAINS: Okay. I think that's fair
3 that everybody understands that there's maybe folks on
4 different sides of the aisle on this one. And I don't
5 mean the political aisle. I mean, on the -- some like
6 it and some don't.

7 All right. Okay. Then any additional
8 questions from the public?

9 Yes, sir. Would you please come forward.
10 And will there be anybody else besides this gentleman
11 who are opposed or neutral who have questions for the
12 witness?

13 (No response.)

14 MR. KAINS: All right. Good morning,
15 sir.

16 MR. MCCULLOUGH: Good morning. How are
17 you?

18 MR. KAINS: Good, sir.

19 MR. MCCULLOUGH: My name's James
20 McCullough.

21 MR. KAINS: Okay. How do you spell your
22 last name, Jim?

23 MR. MCCULLOUGH: M-C-C-U-L-L-O-U-G-H.

24 MR. KAINS: All right. And your

1 address, sir?

2 MR. MCCULLOUGH: 10167 State Route 9,
3 Hoopeston, Illinois.

4 MR. KAINS: All right. And go ahead
5 with your questions for Mr. Vasilion.

6 MR. MCCULLOUGH: On the map you got
7 there, where does the laydown yard where you're going
8 to supply all the -- store all the stuff in?

9 THE WITNESS: Colleen, can you go to
10 that map, please. All right. I'm going to -- I'm
11 going to walk over here again. So included in our
12 application, we have areas designated for the
13 potential laydown yard indicated by these white and
14 black striped parcels. I will say, and kind of cut to
15 the chase, it is our expectations that the laydown
16 facilities are going to be located right down here.
17 This is about 270 East Road and 3700 North Road. I'll
18 go back to the podium.

19 MR. MCCULLOUGH: As far as your payments
20 to equal that don't have farm ground, what is that
21 again? How much are you --

22 THE WITNESS: The amount?

23 MR. MCCULLOUGH: Yes.

24 THE WITNESS: I really don't get into

1 the commercial terms of our agreements in a public
2 setting.

3 MR. MCCULLOUGH: So that's not public?
4 You can't say it out loud in public?

5 THE WITNESS: I wouldn't get into the
6 agreements, or like the project agreements that we
7 have or the dollar amounts, no.

8 MR. KAINS: Let me ask Mr. Griffin. Is
9 that considered proprietary information by the company
10 and confidential agreement with individual property
11 owners?

12 MR. GRIFFIN: It is. And the easement
13 agreements also state that the information will not
14 publically be disclosed.

15 MR. KAINS: Okay. So that's about the
16 only thing that's not going to be disclosed; is that
17 right? The -- the -- the --

18 MR. GRIFFIN: Correct.

19 MR. KAINS: -- payments to landowners?

20 MR. GRIFFIN: Correct.

21 MR. MCCULLOUGH: Okay. So the people
22 that live in the houses that don't own land, what --
23 can you tell us what they're supposed to be paid?
24 Because I'm one of them.

1 MR. GRIFFIN: Well, I -- I can say that
2 Mr. Vasilion said that good neighbor agreements have
3 been offered to smaller property owners.

4 MR. MCCULLOUGH: And they're how much?

5 MR. GRIFFIN: Well, that's -- that would
6 be a private discussion between interested parties.
7 As Greg has said, his phone number, he's here
8 available to discuss with anyone who wishes to have a
9 good neighbor agreement. Those are still --

10 MR. MCCULLOUGH: Well, I mean, I'm --
11 I'm one of the people. And I'm willing to let
12 everybody know what I'm going to get paid. So if you
13 want to tell me, that's fine. That way everybody is
14 on the same level.

15 MR. GRIFFIN: Yeah. It depends on the
16 location of your house.

17 MR. MCCULLOUGH: Okay.

18 MR. GRIFFIN: So that's why we can't
19 necessarily answer the question today. But Greg would
20 be happy to look at your location of your house and
21 provide that information.

22 MR. MCCULLOUGH: So it's -- according
23 to -- is it within a mile radius, would be that --

24 MR. GRIFFIN: Yes.

1 MR. MCCULLOUGH: Okay. And as far as
2 taxes, do you see our taxes going up because of the
3 windmills or?

4 THE WITNESS: No. We've talked about
5 the property tax implication for this project is that
6 the turbines are going to increase the property tax
7 revenue significantly.

8 MR. MCCULLOUGH: One more thing, I've
9 noticed on -- kind of followed like the solar deal up
10 north Indiana. And the property values have been less
11 since they've put those solars in, just like the
12 windmills. Is there something in there saying that if
13 your house is not rated a fair market value if you
14 want to sale it, does somebody make the difference up?

15 THE WITNESS: Did you say solar project
16 in Indiana?

17 MR. MCCULLOUGH: In Indiana.

18 THE WITNESS: I mean, I can't speak to
19 the situation in that county. But we'll hear from
20 Mr. MaRous in a moment about the property values and
21 how we're not expecting an adverse impact.

22 MR. MCCULLOUGH: Okay. Because there's
23 a lot of people that don't want to live around these.
24 And we're fixing our house to sell, and once these go

1 up, we're probably going to have a hard time selling
2 our house.

3 THE WITNESS: Respectfully, I disagree,
4 and we'll let Mr. MaRous speak to the fact of the
5 matter and we'll talk about it that way. But I
6 appreciates your comment.

7 MR. MCCULLOUGH: Okay.

8 MR. KAINS: Okay. Mr. McCullough, thank
9 you for your questions and comment.

10 All right. Anybody else in the public who's
11 opposed or neutral?

12 Come on up, sir. Good morning, sir.

13 MR. HALEY: Good morning.

14 MR. KAINS: Would you please state your
15 name for the record.

16 MR. HALEY: Dana Haley, D-A-N-A,
17 H-A-L-E-Y.

18 MR. KAINS: And your address, Mr. Haley.

19 MR. HALEY: 42105 North 770 East Road.

20 MR. KAINS: Hoopeston?

21 MR. HALEY: East Lynn.

22 MR. KAINS: Oh, East Lynn? All right.
23 Go ahead with your questions for Mr. Vasilion.

24 MR. HALEY: I got so many questions.

1 What happens to the little town of East Lynn
2 unincorporated? What help will they get?

3 THE WITNESS: Well, East Lynn will be
4 benefitting from the property tax rate that we were
5 talking about and primarily going to the Hoopeston
6 School District, which East Lynn will be benefitting
7 from the project primarily.

8 MR. HALEY: Being unincorporated?

9 THE WITNESS: I'm not sure I understand
10 the question.

11 MR. HALEY: They have no bylaws,
12 nothing.

13 THE WITNESS: That's --

14 MR. HALEY: Like Hoopeston, Rankin?

15 THE WITNESS: They're not an
16 incorporated municipality, that's correct.

17 MR. HALEY: Okay. Second question. On
18 the good neighbor paper, do you lose all your rights
19 of your energy if you sign that?

20 THE WITNESS: No, you don't. We
21 mentioned this a bit earlier, but the only obligation
22 in that agreement is that we're establishing a
23 relationship between the project and the landowner and
24 the homeowner. So the homeowner comes to us -- if

1 they have agreements with the project they come to us,
2 give us an opportunity to cure and then that's really
3 the only obligation there so. There's no impact on
4 your rights as far as noise or shadow or anything like
5 that.

6 MR. HALEY: They don't lose their
7 mineral rights, nothing?

8 THE WITNESS: No.

9 MR. HALEY: Correct?

10 THE WITNESS: Nothing.

11 MR. HALEY: Okay. I've heard
12 different --

13 THE WITNESS: Well, I appreciate you
14 asking the question.

15 MR. HALEY: -- from you guys talking to
16 landowners.

17 THE WITNESS: That's not the message
18 that we would send to landowners. The only obligation
19 in the -- the relationship between us and the
20 landowner there is nothing in that document that
21 removes any owner rights.

22 MR. HALEY: Okay. What happens in 30
23 years if something newer comes in before, like,
24 micronuclear?

1 THE WITNESS: Sure.

2 MR. HALEY: It takes less property, less
3 headaches for people. What do you do then?

4 THE WITNESS: Abandonment is the kind of
5 terms that we're talking about here. And the
6 ordinance, as well as our application, and as well as
7 the decommissioning agreement that we're going to
8 enter into with the county is very explicit about what
9 happens if the project is not being operated. So
10 whether it's because it's the end of the project life
11 or maybe there is something new, whatever it may be,
12 if for whatever reason the project isn't operating
13 anymore, we have an obligation to remove it and the
14 financial security exists to remove it. So it doesn't
15 really matter why we're at the end of the project
16 life, but whatever the reason may be, there's an
17 obligation to remove the facilities.

18 MR. HALEY: Has your company checked
19 into micronuclear?

20 THE WITNESS: Sorry. Can you say that
21 again?

22 MR. HALEY: Micronuclear. Have you guys
23 checked into that?

24 THE WITNESS: So I mentioned earlier

1 that -- Colleen, could you go back to the, like, the
2 slide 2 or so. Great. Invenergy is an all-the-above
3 developer. We do gas projects, we do everything on
4 the screen here. And so I'm not a part of any --
5 really doing that. But if I were being honest in
6 evaluating Invenergy, we want to put on the grid what
7 makes the most sense.

8 MR. HALEY: That's all.

9 THE WITNESS: Thank you.

10 MR. KAINS: All right. Very good.

11 Thank you, Mr. Haley.

12 Anybody else in the public? Okay. Before
13 you come forward, we have to take a break, because
14 we're all sitting here listening, but Mrs. Atkinson is
15 working her tail -- well, her fingers off. So we're
16 going to have to take a break to save her fingers and
17 allow folks to go to the restroom and stretch their
18 legs. It's 10:45 now.

19 The Wind and Solar Committee of Vermilion
20 County Board is in recess until 11:00 a.m. Thank you.

21 (A recess was taken at 10:45 a.m.)

22 (Resume at 11:03 a.m.)

23 MR. KAINS: Back on the record. And
24 Mr. Vasilion remains on the witness stand. And,

1 Mr. Vasilion, before we go any further, I just want to
2 remind you you remain under oath to tell the truth.

3 All right. You understand that?

4 THE WITNESS: Yes, sir.

5 MR. KAINS: All right. Very good. Just
6 because we take a recess doesn't mean that all of a
7 sudden you can start telling stories.

8 All right. There was another gentleman --
9 yeah, he had his hand up. Come on up and come
10 forward.

11 Good morning, sir.

12 MR. HOEKSTRA: Good morning.

13 MR. KAINS: Could you please state your
14 name.

15 MR. HOEKSTRA: My name is Tom Hoekstra.

16 MR. KAINS: Can you spell your last
17 name, please.

18 MR. HOEKSTRA: H-O-E-K-S-T-R-A.

19 MR. KAINS: Oh, okay. And are you
20 related to Lori?

21 MR. HOEKSTRA: I am.

22 MR. KAINS: How so?

23 MR. HOEKSTRA: I am Lori's brother.

24 MR. KAINS: All right. Well, do folks

1 in the family say your sister's nicer than you?

2 MR. HOEKSTRA: Everybody knows that.

3 MR. KAINS: I'm kidding. Now,

4 Mr. Hoekstra, where do you live?

5 MR. HOEKSTRA: Address is 3891 South
6 8500 East Road, Saint Anne, Illinois.

7 MR. KAINS: All right. Go ahead with
8 your questions for Mr. Vasilion.

9 MR. HOEKSTRA: Thank you. My questions
10 pertain to the farmland and how this may affect the
11 farmland, particularly how it might affect future
12 drainage, future tiling. Is the underground wire
13 deeper than what the tile may be or are we going to be
14 restricted between tiling when this moves forward?

15 THE WITNESS: Thanks for the question.
16 So per the AIMA, the document that has a good
17 variation on the cable depth. On your farm ground
18 we're going to be 5 foot depth, which is, you know,
19 certainly below till and then when it comes to impact
20 on drainage, we work with our landowners to understand
21 where their drainage systems are currently and make
22 sure that our cabling is, you know, minimizing impact
23 to facilities.

24 MR. HOEKSTRA: Will it -- will it affect

1 future drainage efforts? In other words, even though
2 you're at a 5 foot depth, are we allowed to tile over
3 top of your underground wiring?

4 THE WITNESS: Yes, that's my
5 expectation --

6 MR. HOEKSTRA: Okay.

7 THE WITNESS: -- that you tile as you
8 need.

9 MR. HOEKSTRA: Okay. And a little bit
10 unclear on what the laydown area is. Looks like some
11 property of ours may abut the some laydown area. Does
12 that affect the farmland?

13 THE WITNESS: No, it doesn't. So a
14 laydown area is just going to be kind of the project
15 hub area of construction. It's where we're going to
16 lay down certain materials for construction and it
17 would be where the trailer is for construction
18 headquarters, etc.

19 MR. HOEKSTRA: Okay. One more question.
20 There's overhead power lines now coming out of
21 Hoopeston going to the west. Will the origin high
22 lines run parallel with those or will they replace
23 those? What's --

24 THE WITNESS: Could we go to the site

1 map, please. Let's go one more.

2 All right. So you can see here as we're
3 coming west out of Hoopeston, this is running parallel
4 on the north side of the line. Then right here at
5 about 1130 East Road we cross the line and go south,
6 and then we run parallel with that line until it takes
7 a turn south here. So it goes about 4 and a half
8 miles west of Hoopeston following that line.

9 MR. HOEKSTRA: So parallel with the
10 existing lines. Then how close to them?

11 THE WITNESS: The proximity is based on
12 the right of way that they have. I believe that it
13 will be 50 feet north, about 50 to 100 feet north of
14 or south of.

15 MR. HOEKSTRA: Okay. That answers my
16 questions. Thank you.

17 MR. KAINS: All right. Mr. Hoekstra,
18 thank you.

19 Anybody else from the public opposed or
20 neutral with questions for this witness?

21 (No response.)

22 MR. KAINS: All right. Very good.
23 Thank you.

24 All right. Questions from Vermilion County

1 staff and consultants, Mr. Keyt.

2 MR. KEYT: Yes, sir. I have a few
3 questions, Mr. Vasilion.

4 **CROSS-EXAMINATION,**

5 **QUESTIONS BY MR. ANDREW J. KEYT:**

6 Q. So the first one, in relation to the
7 battery storage, do you have a manufacturer picked out
8 for the battery storage yet?

9 A. We have one that we work with primarily,
10 but we're going to use the state of the art,
11 whatever's best available.

12 Q. Okay. If I understand it correctly, the
13 battery storage will take up about 8 acres of land?

14 A. That's correct.

15 Q. In terms of the battery storage
16 component, have there been discussions with the fire
17 protection districts about the battery storage?

18 A. There have.

19 Q. What has been the result of those
20 discussions?

21 A. Generally when we're talking to the fire
22 protection districts the conversation is that as the
23 project gets closer to construction and we get into
24 the real nitty-gritty of the safety training and

1 started to actually put some -- put some practice on
2 the ground. So far the nature of those conversations
3 has been informative, letting them know where the
4 facility is, having some preliminary conversations
5 about battery safety in generally, and then as we get
6 more further along in the process, those conversations
7 will advance to be more project specific and design
8 specific.

9 Q. Okay. Do you have an idea of what the
10 batteries will consist of, the type of mechanism that
11 will be used to store the energy?

12 A. We do. You'll be hearing from our
13 battery team. So they'll have more technical details
14 about what will be out there. But they're state of
15 the art right now and what we assume that are going to
16 be cells and enclosures and the like. But I'll let
17 our battery team explain the components in more
18 detail.

19 Q. Understood. I assume you'd be willing
20 to provide any training and equipment to those fire
21 protection districts to utilize in responding to an
22 emergency at the battery storage site?

23 A. Yes.

24 Q. In terms of when you anticipate that

1 those discussions would then be finalized, it sounds
2 like you would be willing to agree to have those
3 discussions and any agreements in place prior to the
4 time of receiving a building permit; is that fair?

5 A. That is fair.

6 Q. Are you aware -- and if you want to
7 defer the question, you can. But are you aware if --
8 what the fire suppression system would be on those
9 battery storage components?

10 A. I would defer that to our battery
11 experts.

12 Q. Okay. Understood. Is there going to be
13 a batch plant associated with the facility?

14 A. It is likely on a facility of this size
15 that we would have one in our laydown facility, yeah.

16 Q. And it would be located at the laydown
17 yard?

18 A. That's my expectation.

19 Q. In terms of whether the batch plant --
20 so the batch plant, as you understand it, would be a
21 facility to mix concrete, and then transport that for
22 the foundation for the turbines?

23 A. Yes.

24 Q. How many yards of concrete does each of

1 those turbines take for the foundation?

2 A. I'll defer to our engineering team who's
3 going to be presenting and to talk about the turbine
4 foundations and the amount of concrete in there. I
5 don't have an exact number and I don't want to say the
6 wrong one.

7 Q. In terms of whether that batch plant --
8 strike that. Batch plants, fair to say, use a fair
9 amount of water to do their work, right?

10 A. Yes.

11 Q. Fair to say if there's any negative
12 impact from well water related to the use of water at
13 the batch plant, you'd be willing to supply either
14 alternative water supplies to those neighbors that may
15 be impacted; is that fair?

16 A. Certainly. If it came to that point,
17 absolutely. But we don't expect that they'd be
18 impacted by that water use.

19 Q. Okay. In terms of decommissioning, is
20 there someone -- is the person who prepared the
21 decommissioning plan and the cost estimates here?

22 A. Yes. There's a representative from the
23 company, yes.

24 Q. Is it the engineer that stamped the

1 plan?

2 A. It's not, but he oversees the engineer
3 who stamped the plan.

4 Q. Is the engineer that's here to testify
5 licensed in Illinois, if you know?

6 A. Yes.

7 Q. Okay.

8 A. Oh, okay. Hi, Brad.

9 Q. Okay. So in terms of the
10 decommissioning plan, and just the mechanics so that
11 people have an understanding of it. Your
12 understanding, which I think is probably my
13 understanding, is that prior to getting a building
14 permit, Invenergy or the project, will have to enter
15 into a decommissioning agreement with the county; is
16 that fair?

17 A. Yes.

18 Q. And the decommissioning agreement that
19 subsumes in a decommissioning plan and a
20 decommissioning financial assurance associated with
21 that plan; is that fair?

22 A. Yes.

23 Q. Part of that process would be the county
24 would be able to retain an engineer to review the cost

1 estimates that are provided within the plan; is that
2 fair?

3 A. That's my understanding, yes.

4 Q. Okay. And then the financial assurance
5 and the decommissioning plan are all subject to
6 negotiation between the county and the engineer -- or,
7 I'm sorry, the county and developer before the time
8 that the building permit is issued; is that fair?

9 A. That's our expectation, we'll come to a
10 reasonable conclusion based on the review of the
11 engineers.

12 Q. And the concept behind decommissioning
13 financial assurance is if the project becomes
14 abandoned or at the end of the life of the project for
15 some reason Invenergy or Musketeer Wind is not around
16 to do the decommissioning, the county has funds to
17 capture on their own to go then remove the project
18 from where it's located; is that fair?

19 A. Yes, that's fair.

20 Q. And part of that decommissioning
21 financial assurance is also that the landowner would
22 be a beneficiary to that, whatever that financial
23 assurance would be so that if the county didn't do it,
24 the landowner themselves could remove the project out;

1 is that --

2 A. The landowners are included in the
3 obligation, yes.

4 Q. Okay. In terms of the project itself,
5 is there financing associated with the project?

6 A. Yeah, almost -- it is likely.

7 Q. In terms of that financing, do any of
8 the financing into these take a lien on the equipment
9 of the project?

10 A. It's not my understanding, no, I don't
11 think so.

12 Q. Okay. Is there any lien on the
13 equipment of the project from any third party?

14 A. It's not my understanding, no.

15 Q. How about the equipment manufacturer
16 such as, let's say, Vestas, do they take an interest
17 in the turbines, for example?

18 A. No.

19 Q. Okay. In terms of the laydown yard, I
20 think you provided a sample of how it might look. But
21 in terms of where the laydown yard may be located, it
22 sounds like you have at least a primary spot picked
23 out, and there's, I think, 5 alternative sites or 4
24 alternative sites that you're looking at?

1 A. That's correct.

2 Q. All right. In terms of the aircraft
3 detection lighting system, that system is something
4 you have to apply to the FCC and the FAA for approval;
5 is that correct?

6 A. That is correct.

7 Q. If they provide -- if the FAA and the
8 FCC provides approval of the system, then you'll
9 install the ADLS system?

10 A. We will.

11 Q. So, in other words, the county doesn't
12 necessarily have oversight over what FAA lighting
13 might or the FCC determination of the ADLS liability;
14 is that fair?

15 A. Yes, that's fair.

16 Q. However, if it is installed you're
17 willing to maintain and operate the system for the
18 life of the project; is that correct?

19 A. Yes.

20 Q. Okay. In terms of impacts from weather
21 radar, occasionally that concern comes up. Has the
22 project been submitted to the National Weather Service
23 through the National Telecommunication Information
24 Administration?

1 A. Yes, and we have our letter from NTIA
2 confirming there's no impacts.

3 Q. I looked in the application for it, and
4 I didn't see it. But if you have a copy of it or can
5 refer it to me at some point in time, or can just
6 provide it to us, we would make it a part of the
7 record.

8 A. We can provide that, if we have it. I
9 mean, I don't know if we have it printed with us
10 right, but we do have it.

11 Q. Okay. I think that's all the questions
12 I have for you in relation to the items on my list.

13 THE WITNESS: I appreciate it.

14 MR. KAINS: All right. Very good.

15 Thank you, Mr. Keyt.

16 Mr. Griffin, do you have that letter from
17 NTIA?

18 MR. GRIFFIN: Yes, I do.

19 MR. KAINS: Okay. We can take that up
20 when we take up other exhibits. But I want to make
21 sure that it gets in.

22 All right. Very good. Then, Mr. Griffin, do
23 you have any redirect examination of your witness?

24 MR. GRIFFIN: The only redirect I was

1 going to do was for purposes of getting these exhibits
2 in.

3 MR. KAINS: All right. That's fine.
4 Let's do it now.

5 Have you provided Mr. Keyt and Ms. Rives with
6 copies of everything?

7 Then once -- if they are in and once they are
8 in then you can distribute to Members of the
9 Committee.

10 MR. GRIFFIN: Thank you.

11 **REDIRECT EXAMINATION,**

12 **QUESTIONS BY MR. JAMES R. GRIFFIN:**

13 Q. Mr. Vasilion, we've marked as Applicant
14 Exhibit Number 3, the spreadsheet with the list of
15 communications with the neighboring property owners in
16 the area; is that correct?

17 A. That's correct.

18 Q. And this was requested by Mr. Henderson,
19 a list of the communications you had. And that's
20 provided here?

21 A. Yes.

22 MR. GRIFFIN: We'd ask that this Exhibit
23 Number 3 be entered into record.

24 MR. KAINS: All right. Ms. Rives,

1 Mr. Keyt, any objection?

2 MR. KEYT: No objection.

3 MR. KAINS: All right. Exhibit 3 is in.
4 And by the way, Mr. Keyt, have you guys had a chance
5 to look at Applicant's Group Exhibit Number 2, the
6 letters in support?

7 MR. KEYT: We did.

8 MR. KAINS: You did?

9 MR. KEYT: We don't have an objection to
10 them.

11 MR. KAINS: No objection, okay. So
12 Group Exhibit 2 will be admitted into evidence, as was
13 1, which was the letter from the Hoopeston School
14 District. 2 -- Exhibit 2, letters in support, they
15 are in, and Exhibit 3 is in evidence as well.

16 MR. GRIFFIN: And we will mark as
17 Exhibit Number 4, the letter from the NTIA.

18 **QUESTIONS BY MR. GRIFFIN:**

19 Q. Mr. Vasilion, what will be marked
20 Exhibit Number 4, can you confirm this is the letter
21 received from the NTIA?

22 A. Yes, I can confirm.

23 Q. And, generally, what is the purpose of
24 this letter?

1 A. The purpose of this letter, like I
2 mentioned, it comes from the NTIA. It supplies a
3 review from the National Weather Service that our
4 project is not going to impact any weather radars.

5 MR. GRIFFIN: Ask that Exhibit Number 4
6 be entered into the record.

7 MR. KAINS: If you could just remind me,
8 what does NTIA stand for?

9 MR. GRIFFIN: It's the National
10 Telecommunications and Information Administration.

11 MR. KAINS: And what's the date on the
12 letter from them about this?

13 MR. GRIFFIN: July 11th, 2025.

14 MR. KAINS: All right. Mr. Keyt,
15 Ms. Rives, do you have any objection to the letter
16 saying from the weather service that it's all okay
17 with them? Do you have any objection?

18 MR. KEYT: No objection.

19 MR. KAINS: All right. That will be
20 admitted as Exhibit 4. And do you have any other
21 exhibits at this time?

22 MR. GRIFFIN: No, we do not.

23 MR. KAINS: Okay. Real good. Okay. So
24 those exhibits are going to be made part of the record

1 and they will be able to be considered by Members of
2 the Committee and ultimately Members of the County
3 Board. So those are all in the record. Thank you,
4 Mr. Griffin.

5 Any other redirect?

6 MR. GRIFFIN: No, nothing.

7 MR. KAINS: Okay. Final questions for
8 the witness then come from Members of the Wind and
9 Solar Committee of Vermilion County.

10 All right. Mr. Wise.

11 MR. WISE: Okay. I just want to make
12 sure I'm clear on this decommissioning plan. You
13 mentioned something about the landowners cleaning it
14 up, the county cleaning it up. With this bond that
15 goes -- goes along with this project, if they were to
16 get to the point where it's going to be
17 decommissioned, is it the county that is responsible
18 for handling the money that goes off to these -- all
19 these -- clean up all these sites, or is it money that
20 goes to the landowner who -- and if they do get the
21 money are they required to clean up the site, or is
22 the landowner going to get a \$200,000 check and say I
23 don't feel like cleaning it up, I want to leave it
24 like this?

1 MR. KEYT: I can answer that question.

2 MR. KAINS: All right. Explain how it
3 works, Mr. Keyt.

4 MR. KEYT: Sure. Generally speaking,
5 when the county -- when they post the bond the county
6 will keep the bond. We get the original copy. We
7 hold the bond. The financial assurance is up to the
8 county how it might be. It could be a letter of
9 credit or it could be a bond, it could be something
10 else. Typically the developers would prefer in this
11 type of situation given the amount, they would prefer
12 to have something more along the lines of a bond.
13 That's all subject to discussion and negotiation
14 between the county and the developer and then it comes
15 to the County Board for approval of a decommissioning
16 agreement.

17 The bond itself typically has two
18 beneficiaries: One being the county; the other being
19 the landowners, who own the property. In terms of how
20 that would work or typically would work, keeping in
21 mind, there hasn't been many projects or any projects
22 in Illinois that have been decommissioned, as far as I
23 know. Okay. The process works is the bond is held in
24 the county. They have the beneficiary -- the first

1 beneficiary. So the county then would -- if there was
2 a project that needed to be decommissioned and the
3 developer was not around to take that responsibility,
4 the county would take that responsibility and go
5 decommission the project. If the county fails to do
6 it or chooses not to do it, then the beneficiary of
7 landowner would kick in and the landowner would then
8 have the option to go do that. Are they required to?
9 It's not -- it may not be expressly stated within the
10 bond funds that they're required to. However, the
11 purpose of capturing the bond would be to do
12 decommissioning. So they wouldn't be able to capture
13 the bond funds unless they were going to perform
14 decommissioning. In other words, they can't say,
15 we're not going to perform decommissioning, but we're
16 going to go ahead and capture the money and just keep
17 it. That's not allowed in the capturing of bond funds
18 themselves. They would have to perform the
19 decommissioning. That step of a landowner actually
20 performing it, capturing the bond funds and actually
21 performing it would be exceedingly rare in this type
22 of an instance. In fact, it's exceedingly rare for
23 the county itself to have to capture the bond fund.

24 Now, I'm not saying it couldn't happen. It

1 could happen, but that's the purpose of it. It's a
2 backstop in the event that the developer goes away and
3 the turbines aren't decommissioned. It could happen,
4 not only for the whole project, but it could happen as
5 a turbine individually, for example. So if, let's
6 say, a turbine hasn't been operating and the
7 developer's refusing to do it, the county could claim
8 the funds to remove a single turbine or some other
9 project equipment if it wasn't physically operating
10 and the developer refuses to do so.

11 I hope that answered your question. It was a
12 long-winded lawyer answer.

13 MR. KAINS: Any other questions -- not
14 for Mr. Keyt but for Mr. Vasilion?

15 Mr. Puzey.

16 MR. PUZEY: So the follow-up on that is
17 the developer is the primary deconstruction and
18 contractor, performer, all that. And the bond is just
19 the backup to make sure that's happening?

20 MR. KEYT: That's correct.

21 MR. PUZEY: Okay.

22 MR. KAINS: Mr. Wise.

23 MR. WISE: Okay. So the taxes for this,
24 the majority is based off of the megawatts that are

1 produced by the wind turbines, correct?

2 THE WITNESS: It's the nameplate value
3 of the turbines themselves, yes.

4 MR. WISE: Okay. So if a turbine -- if
5 a turbine is not functioning at that time, does that
6 mean the tax money generated actually goes down or it
7 stays the same?

8 THE WITNESS: It stays the same. So the
9 distinction here is that the energy generated is not
10 what's considered for tax purposes. It's the -- what
11 we call the nameplate capacity of the turbine. So the
12 turbines that we're working with are
13 4-and-a-half-megawatt turbines, and then they're
14 assessed and taxed value based on that. So 4.5 times
15 whatever value, just for being cited on the ground.
16 So the operational status generally will not be
17 applied.

18 MR. WISE: Okay. Is there any type of
19 agreement where if they -- a turbine isn't functional,
20 that it has to be repaired within X amount of time or?
21 I mean, if the -- I realize that the tax money's not
22 based on that. But that was going to be my follow up
23 if the answer was yes, but.

24 THE WITNESS: I mean, generally it's in

1 our best interest to keep the turbines up and
2 operating and repaired. So, yeah, we have obligations
3 to do so.

4 MR. WISE: Okay. Thank you.

5 MR. KAINS: Any other questions from
6 Members of the Wind and Solar Committee for this
7 witness?

8 All right. Very good. Thank you,
9 Mr. Vasilion. You may step down.

10 THE WITNESS: Appreciate you.

11 MR. KAINS: Oh, I'm sorry. I'm sorry,
12 Adrian.

13 MR. GREENWELL: You may not be the one
14 to answer this. You said up to 81 turbines and then
15 you mentioned varying heights. What determines all of
16 that? How many will be installed?

17 THE WITNESS: It's a great question. So
18 it -- the -- within our target capacity uses
19 approximately a 300 megawatt facility. So different
20 turbines have different nameplate values, different
21 megawatts that they're capable of producing. So
22 depending on the model, it would determine the number
23 of turbines as we approach a target amount of energy.
24 But the primary model that we have there is a

1 4.5-megawatt unit. So that's what makes that
2 determination.

3 MR. GREENWELL: Okay.

4 MR. KAINS: Mr. Puzey.

5 MR. PUZEY: Is it possible that you
6 could have more than 81 turbines with this project?

7 THE WITNESS: Nope. Because it would
8 be -- we're permitting the 81 locations, so it's
9 inclusive of all of our alternates, or all of our
10 contingency turbines.

11 MR. PUZEY: Thank you.

12 MR. KAINS: Anybody else on the Wind and
13 Solar Committee?

14 (No response.)

15 MR. KAINS: All right. Now you can step
16 down.

17 THE WITNESS: Thank you everybody for
18 your time. I appreciate it.

19 (Witness excused.)

20 MR. KAINS: Do you have a witness who
21 can testify in a half an hour, Mr. Griffin?

22 MR. GRIFFIN: I think we have -- we do.
23 We have, I think, three that, I think, will go
24 relatively quickly. And, obviously, depending on the

1 number of questions they're asked.

2 MR. KAINS: And, Mr. Griffin, would you
3 feel more comfortable if you were back at the
4 questioner's seat rather than doing the dance up here
5 at the podium.

6 MR. GRIFFIN: That's probably a good
7 idea.

8 MR. KAINS: Whatever you want to do.

9 MR. GRIFFIN: I think these will be
10 fairly brief, so.

11 MR. KAINS: All right. Go right ahead.

12 MR. GRIFFIN: These are not going to be
13 expert, although, I think they are experts in their
14 own field, but we're not calling them as an expert.

15 MR. KAINS: Okay. Go ahead and call
16 your next witness.

17 MR. GRIFFIN: Mr. Eighner, if you could
18 come up to the stand, please.

19 MR. KAINS: Mr. Griffin, if you want to
20 go back there, that might be --

21 Good morning, sir.

22 MR. EIGHNER: Good morning.

23

24

1 school district and the mayor of Rankin, what are your
2 thoughts and views on this project?

3 A. My thoughts on this project is it's
4 welcome revenue. For example, for the Village of
5 Rankin we have really two areas of sales tax. We have
6 the Casey's and Dollar General recently added to that
7 portfolio, and basically the revenue that's going to
8 come into the Village of Rankin from this project is
9 going to be like putting up another Dollar General and
10 half of Casey's. So that extra dollars for a smaller
11 community and northern Vermilion County is huge. We
12 have homes there that are dilapidated and need to be
13 torn down with no dollars to really perform that task.
14 So this is welcome dollars for the Village of Rankin.

15 As far as the school district is concerned,
16 there aren't really many new revenue streams that come
17 into the school district. So been there about 17
18 years, and it's kind of like every year -- that's one
19 of the reasons I get to go first, because I do have to
20 have a budget on display by August the 12th. But it's
21 sort of the same revenue streams every year. The
22 state will come out with a new program, the federal
23 government, but they don't last. So we get about 12
24 to 14 percent of the federal dollars that come in.

1 State -- well, actually local money is about 37 to 40
2 percent in the balance, state. So really if the state
3 says, hey, we don't have the money, we have to count
4 on local money. So at this point in time, it's
5 welcome revenue.

6 I think it was stated about \$45 million
7 throughout the 30 years. Sure, it's going to come in
8 increments, but we'll take those increments. A lot of
9 people don't understand, but what happens is -- so,
10 for example, in the education fund, that's our highest
11 calculated tax rate. So what happens with that, once
12 the state realizes your local dollars increase, they
13 back off. So local dollars is important to us and we
14 can count on the local money as opposed to counting on
15 the state dollars. So a lot of that local money will
16 go into the Ed fund, go back off, but all the other
17 funds benefit hugely with this new revenue stream.
18 For example, buildings and grounds, it's, like, 50
19 cents per 100. The dollars is going to come into that
20 particular fund is going to allow them to do a lot of
21 capital expenditures, which will benefit the
22 community, which will benefit the students, the
23 faculty. So it's welcome revenue for the school
24 district.

1 MR. GRIFFIN: Thank you. No further
2 questions.

3 MR. KAINS: All right. Very good.
4 Thank you, Mr. Griffin.

5 All right. Questions for this witness, first
6 from Members of the Wind and Solar Committee.

7 (No response.)

8 MR. KAINS: Questions from local
9 officials, County Board, school districts, township
10 officials. Any questions for the mayor on this?

11 Mr. Miller.

12 MR. MILLER: What's the mechanism by
13 which your village will directly benefit from this
14 project?

15 MR. EIGHNER: Well, how we'll benefit is
16 we sort of have an agreement with the wind energy that
17 we'll get X amount per year, and that's new revenue, a
18 new revenue stream for us. But it will be up to the
19 village board to manage those dollars.

20 MR. MILLER: I thought that would be
21 your answer, but I just wanted to have it on the
22 record. Thank you.

23 MR. EIGHNER: Thank you.

24 MR. KAINS: Thank you, Mr. Miller.

1 Any other questions from members of the
2 County Board, township, school districts?

3 (No response.)

4 MR. KAINS: All right. Questions for
5 this witness from members of the public? Folks who
6 are opposed or neutral on the application with
7 questions for this gentleman regarding his testimony?

8 (No response.)

9 MR. KAINS: All right. Thank you.
10 Vermilion County staff and consultants, Mr. Keyt and
11 Ms. Rives.

12 MR. KEYT: No questions.

13 MR. KAINS: Redirect, Mr. Griffin.

14 MR. GRIFFIN: No redirect. Thank you.

15 MR. KAINS: All right. And final
16 questions come from Members of the Committee.

17 Mr. Puzey.

18 MR. PUZEY: So really what's going to
19 happen, you're going to get a direct payment from
20 Invenergy, to the town of Rankin?

21 MR. EIGHNER: As far as the Village of
22 Rankin, that is correct. That's how I understand it.

23 MR. PUZEY: Okay. That's not going to
24 go through the county and trickle down from other tax

1 money?

2 MR. EIGHNER: You know what, I really
3 can't answer that honestly, but I'm thinking that it
4 would be a direct payment. But I don't know that to
5 be a fact.

6 MR. PUZEY: Thank you.

7 MR. KAINS: The folks over here are
8 nodding their heads yes, that it will be a direct
9 payment from Musketeer Wind Project to the Village of
10 Rankin.

11 MR. PUZEY: Okay.

12 MR. KAINS: Any other questions from
13 Members -- yes, Mr. Greenwell.

14 MR. GREENWELL: What -- what kind of an
15 increase is the tax money to the schools from what you
16 determine you get?

17 MR. EIGHNER: Well, I think it would --
18 I've laid this out several times. Basically I was
19 told we would have about 75 windmills in the school
20 district and they're assessed about -- I think they're
21 assessed a little over 700,000 per windmill, and our
22 calculated tax rate today is, say, it typically is
23 around \$4.63, but we do have a bond, so that does
24 elevate a little bit to an additional 30 cents. So

1 we're adding EAV to our current portfolio and our
2 total tax rate could be around \$4.80. That just
3 basically then the money comes in, it gets funneled
4 into each one of those funds based on that tax rate
5 for that particular fund. So we're increasing EAV.
6 And if you look around in Vermilion County, especially
7 the northern part of Vermilion County, for the EAV to
8 grow, somebody has to build something, or farmers get
9 reassessed on their property, or property owners get
10 reassessed, and it just continues to grow. So it's
11 new revenue. It's basically a new revenue stream for
12 the school district.

13 MR. KAINS: Any other questions from the
14 Committee for Mayor Eighner?

15 (No response.)

16 MR. KAINS: All right. Very good.
17 Mr. Mayor, thank you for your testimony. You may step
18 down.

19 MR. EIGHNER: Not many have called me
20 mayor before, but, yeah, thank you, very much.

21 MR. KAINS: That's your title, sir.

22 MR. EIGHNER: Kind of strange. Thank
23 you.

24 MR. KAINS: Thank you, sir.

1 Mr. Griffin, call your next.

2 MR. GRIFFIN: Mr. Bryce Leigh, please.

3 MR. KAINS: Good morning, sir.

4 MR. LEIGH: Good morning.

5 B R Y C E L E I G H,

6 was called as a witness on behalf of the Applicant
7 and, having been first duly sworn, testified as
8 follows:

9 MR. KAINS: Okay. Very good.

10 Mr. Griffin, your witness.

11 **DIRECT EXAMINATION,**

12 **QUESTIONS BY MR. JAMES R. GRIFFIN:**

13 Q. Mr. Leigh, please state and spell your
14 name for the record.

15 A. Bryce, B-R-Y-C-E, Leigh, L-E-I-G-H.

16 Q. And, Mr. Leigh, are you associated with
17 the Rankin Fire Protection District?

18 A. Yes. I'm a fireman and also the
19 president of our trustee board.

20 Q. And what do you do in those capacities?

21 A. A fireman, no officer, just member of
22 the department. President of the trustees, there's a
23 three-member board, president, secretary, treasurer
24 and we oversee the department, decide how to use funds

1 and allocate them to the best possible capacity.

2 Q. And did you have communications with
3 Musketeer Wind concerning this project?

4 A. Our trustee board has had
5 communications, as well as our chief and assistant
6 chief of the department.

7 Q. And what is the position of the fire
8 protection district on this project?

9 A. We are in favor of it. Specifically,
10 just with the tax revenues that are going to be coming
11 in. They'll be a huge benefit, you know, not only for
12 Rankin, but also for the Rankin Fire Protection
13 District and what we can use that for.

14 MR. GRIFFIN: No further questions.
15 Thank you.

16 MR. KAINS: Very good. Thank you,
17 Mr. Griffin.

18 All right. Questions for Mr. Leigh from
19 Members of the Wind and Solar Committee.

20 (No response.)

21 MR. KAINS: Questions from members of
22 units of local government, County Board, townships,
23 school districts.

24 (No response.)

1 MR. KAINS: Questions from members of
2 the public, either opposed to or neutral on this
3 project application.

4 (No response.)

5 MR. KAINS: Vermilion County staff and
6 consultants, Mr. Keyt, Ms. Rives.

7 MR. KEYT: No questions.

8 MR. KAINS: Mr. Griffin, I'd say you
9 have redirect, but there's nothing to redirect on. So
10 we get to skip you.

11 Final questions from Members of the Vermilion
12 County Wind and Solar Committee.

13 Mr. Puzey.

14 MR. PUZEY: Just a general question.

15 MR. LEIGH: Couldn't let me off the
16 hook, could you?

17 MR. PUZEY: How many members do you have
18 on the fire department?

19 MR. LEIGH: We have somewhere between 25
20 and 30.

21 MR. PUZEY: Okay. Thank you.

22 MR. KAINS: Mr. Greenwell.

23 MR. GREENWELL: You're a trustee of the
24 fire protection district, not the Butler Township

1 Trustee, is that correct?

2 MR. LEIGH: Correct. Of the fire
3 protection district, yes.

4 MR. GREENWELL: Okay.

5 MR. KAINS: Anybody else on the
6 Committee?

7 (No response.)

8 MR. KAINS: Mr. Keyt has a question.

9 **CROSS-EXAMINATION,**

10 **QUESTIONS BY MR. ANDREW J. KEYT:**

11 Q. Does your fire protection district have
12 mutual aid agreements with some other fire protection
13 districts?

14 A. Yes. We're a member of the MABAS of
15 Vermilion County, and then we also -- with Cissna Park
16 and Iroquois Counties, then for mutual aid in Paxton
17 and Ford County we also use them.

18 Q. Is your district, I presume is a
19 pay-per-call district?

20 A. Is what? I'm sorry.

21 Q. Volunteer or pay per call?

22 A. Yeah. Volunteer, yes.

23 Q. All right. Do they get paid per call?

24 A. We get paid per call, yes.

1 Q. Okay.

2 MR. KEYT: That's all the questions I
3 have. Thank you.

4 MR. KAINS: Any last questions from
5 Members of the Committee?

6 (No response.)

7 MR. KAINS: All right. Very good.
8 Mr. Leigh, thank you for your testimony. You may step
9 down.

10 MR. LEIGH: Thank you.

11 (Witness excused.)

12 MR. KAINS: Mr. Griffin, call your next.

13 MR. GRIFFIN: Mr. Russ Hiatt, please.

14 R U S S H I A T T,

15 was called as a witness on behalf of the Applicant
16 and, having been first duly sworn, testified as
17 follows:

18 MR. KAINS: Very good. Thank you.

19 Mr. Griffin.

20 **DIRECT EXAMINATION,**

21 **QUESTIONS BY MR. JAMES R. GRIFFIN:**

22 Q. Mr. Hiatt, please state and spell your
23 name for the record.

24 A. Russel Hiatt, H-I-A-T-T.

1 Q. And, Mr. Hiatt, are you a farm manager?

2 A. I am.

3 Q. And do you manage agricultural land
4 that's proposed to be utilized in the Musketeer Wind
5 Energy Project?

6 A. Yes, I do.

7 Q. How many farms do you manager in the
8 area?

9 A. I don't have the exact count. I have 4
10 clients that are affected by this project that I'm
11 representing.

12 Q. And do you also have experience working
13 Invenergy on other wind projects developed in the
14 county?

15 A. Yes, I have.

16 Q. Can you explain your experience that you
17 had with that prior project.

18 A. I've been involved with energy projects
19 in various areas since 2008, different companies, and
20 I have found Invenergy to be top drawer in terms of
21 preparation, disclosure, contracts. We usually hire
22 an attorney to represent our client in a contract
23 development, and our attorneys have always found maybe
24 some issues or some things they've wanted to add into

1 the contract, but they've been very few in number and
2 I found Invenergy to be very flexible in working with
3 contract negotiation. They've kept their word on
4 everything that they've said that they would do. When
5 it comes to repairs, there's things that happen,
6 things go wrong, they think things are going to work,
7 it goes a different way, that's called life. It's how
8 you resolve the problem. And, quite frankly, I have
9 to give Invenergy a lot of credit on the way that they
10 positively and effectively correct any problems that
11 come up. They've stayed true to their words, stayed
12 true to their contract.

13 Q. And were you involved in the other
14 project that you mentioned through Invenergy during
15 the construction phase of the project?

16 A. I was.

17 Q. And is that what you're talking about,
18 the problem solving that Invenergy undertook?

19 A. There were no issues, and resolution of
20 problems -- problems were few, to be quite frank with
21 you, but the resolutions were effective.

22 MR. GRIFFIN: No further questions.

23 Thank you.

24 MR. KAINS: All right. Very good.

1 Thank you, Mr. Griffin.

2 Questions from Mr. Hiatt from Members of the
3 Wind and Solar Committee.

4 MR. PUZEY: Where is your home office?

5 MR. HIATT: Right here in Danville, 2807
6 North Vermilion.

7 MR. PUZEY: Thank you.

8 MR. KAINS: Any other questions from the
9 Wind and Solar Committee?

10 (No response.)

11 MR. KAINS: Question from members of
12 units of local government, County Board, townships,
13 school districts?

14 Chairman Miller.

15 MR. MILLER: Mr. Hiatt, to what extent
16 has the previous -- I think it's called California
17 Ridge Project impacted drainage issues developed into
18 farm problems?

19 MR. HIATT: On the ones that I've
20 experienced there's been no impact on the drainage
21 issues. We've been able to tile, if we want to, over
22 the top. When they damaged tile, they've repaired the
23 tile, and I found the repairs to be over and above.
24 They work with local contractors and they've done a

1 great job of repairing. Damage happens. In fact, to
2 their own admission, anywhere the crane will go there
3 will be damage. They've got it located and they fix
4 it without any resistance. We have to find them, no
5 other way but to find them, but once we find them,
6 they're proactive in fixing them. On the ongoing
7 maintenance, where the towers existing, of course
8 they're not operating it today, but on the onset, they
9 are very responsive to any issues that came up as
10 well.

11 MR. MILLER: That's it. Thank you.

12 MR. KAINS: Very good. Thank you.

13 Anybody else from the County Board, townships, school
14 districts with questions for Mr. Hiatt?

15 (No response.)

16 MR. KAINS: All right. Questions from
17 interested parties, members of the public who are
18 opposed or neutral on the application?

19 (No response.)

20 MR. KAINS: Very good. Thank you.
21 Vermilion County staff and consultants, Mr. Keyt and
22 Ms. Rives.

23 MR. KEYT: No questions.

24 MR. KAINS: Redirect.

1 MR. GRIFFIN: None.

2 MR. KAINS: And final questions come
3 from Members of the Wind and Solar Committee.

4 (No response.)

5 MR. KAINS: Very good. Mr. Hiatt, thank
6 you for your testimony.

7 MR. HIATT: Thank you.

8 MR. KAINS: Mr. Griffin, next witness.

9 MR. GRIFFIN: Okay. This witness
10 probably will take a little longer.

11 MR. KAINS: Who do you got?

12 MR. GRIFFIN: We have Dan Kurz, wind
13 engineer.

14 MR. KAINS: Maybe it would be time to
15 take a lunch recess. I imagine your engineer might
16 take 15 or 20 minutes. But then the questions for him
17 might take 20 minutes, half hour, or even longer.

18 So, Mr. Chairman, would it be all right with
19 you if we broke for lunch?

20 MR. FOUREZ: I think it's time.

21 MR. KAINS: My wife always says lunch
22 and I always say, yes, I'm in favor of that. So let's
23 plan to come back a little after 1:00, maybe 5 after
24 1:00. Give us some time to go get lunch and get our

1 thoughts together.

2 All right. The Wind and Solar Committee of
3 Vermilion County is in recess until 1:05 p.m. Thank
4 you.

5 (A lunch recess was taken at 11:43 a.m.)

6 (Resume at 1:08 p.m.)

7 MR. KAINS: All right. Good afternoon,
8 folks.

9 We heard from 4 witnesses this morning for
10 the Applicant. The Applicant is continuing its case.
11 Just as a map to guide us along, there are -- we're
12 anticipating -- I spoke with Mr. Griffin during the
13 break and it looks like he's got about 6 more
14 witnesses. And if we get through all of them today,
15 then we will move on to folks who are in favor.
16 Members of the public, folks who are in favor of the
17 application, and then after that we'll get to folks
18 who are opposed, and then folks who are neutral. And
19 we'll go in the same fashion where a person
20 testifying, there will be the opportunity to ask
21 questions. But I'm not sure that we're going to get
22 through all 6 of the Applicant's witnesses this
23 afternoon.

24 But with that said, Mr. Griffin, you may call

1 your next witness.

2 MR. GRIFFIN: Mr. Daniel Kurz.

3 MR. KAINS: Okay.

4 D A N I E L K U R Z,

5 was called as a witness on behalf of the Applicant
6 and, having been first duly sworn, testified as
7 follows:

8 MR. KAINS: Very good.

9 **DIRECT EXAMINATION,**

10 **QUESTIONS BY MR. JAMES R. GRIFFIN:**

11 Q. Mr. Kurz, please state your name and
12 spell it for the record.

13 A. Yeah. My name is Dan Kurz, K-U-R-Z.

14 Q. And where is your current place of
15 employment?

16 A. I work with Invenergy.

17 Q. And what is your occupation?

18 A. I'm a senior manager of the Wind
19 Engineering Department.

20 Q. And what did you do concerning the
21 Musketeer Project application?

22 A. Yeah, myself and the other wind
23 engineers work to do site characterization, layout
24 design, suitability of energy analysis for -- for the

1 Musketeer Wind Project.

2 Q. And for the Committee, can you please
3 summarize your educational background?

4 A. Yeah. I got my -- my bachelor's degree
5 in atmospheric science from the University of
6 Missouri-Columbia, and my master's in atmospheric
7 science from the University of Illinois right down the
8 street in Champaign.

9 Q. And can you please summarize
10 professional record.

11 A. Yeah. I've been in the renewable and
12 the wind energy business for coming up on 18 years. I
13 started out working with developers siting wind
14 turbines, performing suitability analyses, greenfield
15 development, layout design and continued on. I worked
16 in -- most recently with UL for about 10 years during
17 their power performance testing. And then I've been
18 with Invenergy for the last 9 months.

19 Q. Do you know how many wind energy
20 projects you've worked on as a professional?

21 A. I do not, but it's well over 100.

22 Q. And have you appeared and been qualified
23 as an expert in your field for other siting boards?

24 A. Yes. I've done one other one besides

1 this one.

2 Q. And I provided a copy of your resume
3 marked as Applicant's Number 5. I provided that to
4 Mr. Keyt and Ms. Rives.

5 Is the statements that are in your resume all
6 true and accurate?

7 A. Yes, they are.

8 MR. GRIFFIN: I would ask that Mr. Kurz
9 be recognized as an expert in the field of wind
10 engineering.

11 MR. KAINS: Mr. Keyt, Ms. Rives.

12 MR. KEYT: No objection.

13 MR. KAINS: Mr. Kurz, I believe,
14 qualifies as an expert in wind engineering, and so he
15 will be allowed unlimited testimony here in this
16 hearing this afternoon.

17 Go right ahead.

18 MR. GRIFFIN: Thank you. Mr. Kurz will
19 run through a PowerPoint presentation. And Mr. Kains,
20 I will with your permission be temporarily leaving the
21 hearing and Mr. Hill will take over.

22 MR. KAINS: All right. Very good.

23 MR. GRIFFIN: Please go ahead and start
24 your presentation.

1 THE WITNESS: Okay. Thank you. I think
2 there were a couple questions in the previous
3 testimony that were deferred to engineering. One was
4 about the approximate cubic yards of concrete used.
5 In the primary turbine, which is the V163, a 98 meter
6 hub height and that is approximately 717 cubic yards.

7 I think there was also discussion about the
8 wells and any impacts it could have on neighboring
9 wells. We did talk with the well contractor that we
10 would be using, he's local to the area, he's worked on
11 several sites and he determine that he would expect no
12 impact on neighboring wells from the well that we
13 drill for the batch plant facility.

14 And the last one was about potential for
15 stray voltage on the transmission line. These are
16 built kind of with the state-of-art technology, the
17 proper grounding, proper maintenance. So we do not
18 anticipate any stray voltage to occur from the
19 transmission line from this project.

20 All right. Go to the next slide, please.

21 So these are the potential wind towers that
22 we have been discussing. The primary one is the
23 Vestas, we go by V163. It would be a tip height of
24 589 feet. The nameplate capacity is 4.5 megawatts.

1 The other two candidate turbines are similar
2 to the Vestas, V162, but a slightly taller hub height,
3 and, therefore, the overall tip height is 666 feet.

4 Nordex as well, will have a nameplate
5 capacity of 5.9 megawatts and a tip height of 622
6 feet. Next slide, please.

7 Just to talk a little bit about turbine
8 sourcing and where everything's coming from, the
9 breakdown of the three large components of these
10 turbines, and here we're specifically talking about
11 the Vestas turbine. So their blades come from a
12 fabricated manufacturing facility in Colorado, as is
13 the nacelle, and then the tower, it kind of depends
14 where the project's located, we have a steel
15 manufacturer and plants that they work with in the
16 U.S. as well to fabricate the steel towers. The next
17 slide, please.

18 Nordex, similarly. Their blades do come
19 either from Mexico or India. Their nacelle is
20 based -- their manufacturing facility -- actually it
21 just restarted earlier this year, in Iowa. And then
22 similarly the tower sections will be fabricated in the
23 U.S. with U.S. steel.

24 Okay. Now we're just going to talk a little

1 bit about kind of the foundation and what is done with
2 that. Here we have Barr Engineering, they're a
3 geotech firm, done, you know, dozens and dozens of
4 gigawatts, operational and developing wind projects
5 throughout the country.

6 For the Musketeer Project they recommended
7 the conventional spread footing, which typically has a
8 depth of approximately 15 feet below ground. And it
9 would just use a general cement mix that meets all of
10 the ACI standards. Again, the width of the foundation
11 itself, there is an exact amount, usually it's between
12 70 and 80 feet wide.

13 I know we spoke about this previously, but
14 part of our due diligence for this project is making
15 sure that we don't interfere with any radio
16 frequencies and other spectrum devices. So we
17 conducted a study and we enlisted Comsearch to perform
18 that. They looked at all these various potential
19 impacts. And the result of the study was that there
20 would be no interference to any of the above-mentioned
21 infrastructures. So we are very clear from a spectrum
22 service viewpoint. Next slide. Thanks.

23 Similarly for radars, also important to check
24 and ensure that we are not affecting them. Westslope

1 was the consultant that we used for this. They took
2 various radar screenings that might be impacted by the
3 Musketeer Wind Project. The main one being the
4 NextGen Radar, also known as NEXRAD, and, similarly,
5 Westslope determined that there would be no project
6 interference with NEXRAD weather radars.

7 And I know we talked about this previously,
8 ADLS is really great new technology that's come about.
9 It will be installed on the tower, and what it does,
10 it significantly reduces light pollution. So when an
11 aircraft is within a few miles, usually around 3 to 5
12 miles, usually below about 1,500 feet, that's when it
13 would activate and begin blinking. The wind farm's
14 that you kind of see now, some of the older ones
15 they're continuously blinking, but this would only go
16 on at night when it's activated by the ADLS. The next
17 slide.

18 That's -- those are my slides. I'm open to
19 any questions.

20 MR. KAINS: All right. Mr. Kurz, I'm
21 just going to ask you a basic question about ADLS.

22 THE WITNESS: Sure.

23 MR. KAINS: When a plane come into the
24 range, it's some kind of radar thing that detects when

1 the plane comes into range?

2 THE WITNESS: Correct.

3 MR. KAINS: And that's when the lights
4 start flashing; is that correct?

5 THE WITNESS: Correct.

6 MR. KAINS: Okay. And from the time a
7 plane comes into the range when it -- it seems like
8 it's a few miles?

9 THE WITNESS: Yeah. Somewhere between 3
10 to 5 miles a plane will get on the design of the wind
11 farm and below a certain height, yes.

12 MR. KAINS: And then for how long do the
13 lights blink?

14 THE WITNESS: They will blink until the
15 aircraft that has left the space, and then there's a
16 safety factor of, I think, of around a minute that it
17 will then continue to blink even after it's left the
18 area just for safety measures.

19 MR. KAINS: So from start to finish,
20 about how long is it the plane comes into the project
21 area?

22 THE WITNESS: A little math involved
23 there, I guess, and the speed of the --

24 MR. KAINS: How about an estimate? Is

1 it no more than 5 or 10 minutes?

2 THE WITNESS: Yeah. I mean, I would say
3 it would be under 10 minutes. That's probably a fair
4 estimate. But, again, depends on the speed of
5 aircraft and what trajectory is across the site.

6 MR. KAINS: A lot of the folks are
7 familiar with the constant blinking from the turbines.

8 THE WITNESS: Yes.

9 MR. KAINS: This would be more than 10
10 minutes only when a plane comes in the area?

11 THE WITNESS: Yes. And then it has to,
12 again, be a low flying aircraft. So it's not going to
13 be either commercial jets that are fly above the site.

14 MR. KAINS: Okay. Thank you. That's
15 the only clarification I needed.

16 THE WITNESS: Sure.

17 MR. KAINS: Questions from Members of
18 the Wind and Solar Committee for Mr. Kurz regarding
19 his testimony?

20 Mr. Puzey.

21 MR. PUZEY: To continue with your
22 conversation about the ADLS, what color are these
23 lights?

24 THE WITNESS: They're red.

1 MR. PUZEY: They're also red lights?

2 THE WITNESS: Yes. Red upward blinking
3 lights as well.

4 MR. PUZEY: One per tower?

5 THE WITNESS: There are sometimes a
6 mid-blade -- or, sorry, a mid-tower. Depending on the
7 height, yes, typically there's just one on the top of
8 the nacelle.

9 MR. PUZEY: You said focused upward?

10 THE WITNESS: Yes.

11 MR. KAINS: Any other questions for
12 Mr. Kurz?

13 Mr. Chairman.

14 MR. FOUREZ: Looking at the chart and
15 all of the towers, the primary one that you picked out
16 that you're going to use, those all have different
17 heights. Is that going to create any necessity to
18 shuffle siting around to get the setbacks?

19 THE WITNESS: No, it would not. All
20 three of those turbines comply with the siting
21 requirements for the county and the state, yes.

22 MR. FOUREZ: Okay. So you've
23 measured -- checked it out --

24 THE WITNESS: Correct.

1 MR. FOUREZ: -- each of those siting --
2 potential sites that you've picked out, all will fit
3 no matter which tower you put in?

4 THE WITNESS: Yes, that's correct.

5 MR. KAINS: Yeah, Mr. Crawford.

6 MR. CRAWFORD: You have 3 tower options
7 that you're looking at. Say you go to the one that
8 produces -- has a nameplate of 7.2, does that mean
9 you're going to have less towers, or you're just going
10 to create more energy?

11 THE WITNESS: No. We would still then
12 have less turbines -- less towers.

13 MR. CRAWFORD: With the 300 --

14 THE WITNESS: Yeah, we're still -- we're
15 still at 300. So you divide that, you'd have less
16 than that with 4.5-megawatt turbines. That's the
17 primary, correct.

18 MR. KAINS: Mr. Puzey.

19 MR. PUZEY: The foundation, the cubic
20 yards of concrete, you talked about 717. And what --
21 what was the dimensions, length and width on that?

22 THE WITNESS: Those are approximately --
23 again, it depends on which turbine, it's between 70-
24 and 80-foot diameter.

1 MR. PUZEY: Okay.

2 THE WITNESS: And then it goes to a
3 depth, a maximum depth of 14 feet in range between
4 about 12 and 15, depending on the final turbine model
5 selected.

6 MR. PUZEY: And what is typic exposure
7 above ground?

8 THE WITNESS: The tower base itself is
9 around -- it's under 20 feet typically. And then you
10 have a little -- you know, gravel ring around that
11 that might extend another 20 feet outward either
12 direction. So you could say approximately 40 feet
13 diameter -- or, sorry, it would be 40 foot radius --
14 no. Well, 30-foot radius from the tower center would
15 be the tower itself, and then the gravel ring around
16 it.

17 MR. PUZEY: The height above the ground,
18 is that your 20 feet?

19 THE WITNESS: Sorry?

20 MR. PUZEY: The top of the foundation,
21 this concrete block basically, you're saying that
22 would be 20 feet?

23 THE WITNESS: Sorry. The pedestal that
24 the turbine tower connects to, that turbine tower

1 is -- its width --

2 MR. PUZEY: Yeah.

3 THE WITNESS: -- is approximately 20
4 feet in diameter.

5 MR. PUZEY: Okay. So how high is that
6 above the ground level?

7 THE WITNESS: Now, I mean, less than 2
8 feet.

9 MR. PUZEY: Okay. Yeah.

10 THE WITNESS: And that's all taken into
11 the whole -- the overall tower height.

12 MR. PUZEY: Okay. And then when this is
13 all disposed, assuming, they're taken out. Okay. How
14 does that work? Is it completely, I'll call it
15 destroyed, broken up and then buried, or is it taken
16 off site?

17 THE WITNESS: I'd have to check with the
18 decommissioning plan, I know the standards to 4 feet
19 below grade, but it might -- it might be up to 5 feet.
20 So there would still be part of the foundation below 5
21 feet.

22 MR. PUZEY: Okay. So that means you got
23 jackhammer it somehow and come up with a removal of
24 part of that concrete?

1 THE WITNESS: Correct.

2 MR. PUZEY: In total?

3 THE WITNESS: Yes.

4 MR. PUZEY: And what happens to that
5 part?

6 THE WITNESS: That is scrapped. If
7 there's a potential to be recycled or turned into
8 gravel, but typically it's sent to -- sent to a
9 landfill in Canton and scrapped.

10 MR. PUZEY: It's taken off site?

11 THE WITNESS: Yes.

12 MR. PUZEY: Okay. Thank you.

13 MR. KAINS: Mr. Greenwell.

14 MR. GREENWELL: Do they always use
15 spread footings? I thought in some previous one they
16 were called deep shafts that were foundation.

17 THE WITNESS: Sure. Certainly that's
18 geotech specific to each site. There are some of
19 those, you know, aggregate piers that go into the
20 ground, but the geotech results from Barr given the
21 beautiful Illinois soils, it's all spread footing
22 foundation needed here.

23 MR. KAINS: Any other questions from
24 Members of the Committee?

1 (No response.)

2 MR. KAINS: Very good. Questions from
3 members of units of local government, including County
4 Board, school districts and townships.

5 Mr. Henderson.

6 MR. HENDERSON: I have a few. The ADLS
7 that was up there first. You said it's a proposed
8 location. That means it's not been finalized. So
9 what's the timeframe that you anticipate getting
10 finalization and, at the same time, what's the
11 probability of actually getting that approval.

12 THE WITNESS: We do anticipate approval,
13 but, you know, and it wouldn't be approved prior to
14 the commencement of construction. So we have the site
15 designated, detectives who -- you know, the
16 consultants who said what location would work for the
17 entire site, and then prior to construction that
18 information reviewed by the FAA and approved.

19 MR. HENDERSON: Okay. So the proposal
20 has been sent in, but you won't get approval until the
21 towers are up?

22 THE WITNESS: Correct.

23 MR. HENDERSON: Okay. You talked about
24 3 different styles of turbines, correct?

1 THE WITNESS: Yeah.

2 MR. HENDERSON: 3 models, I believe.

3 THE WITNESS: Yep. You want to go back
4 to that slide screen.

5 MR. HENDERSON: But I only remember you
6 speaking about 2 of them for manufacturing. Why
7 didn't you talk about the third one?

8 THE WITNESS: I'm sorry. The question
9 is?

10 MR. HENDERSON: Did I not hear that?

11 THE WITNESS: Yeah, they're on the same
12 slide, sorry, at the top there. It's both Vestas
13 turbines. So they have the same sourcing.

14 MR. HENDERSON: And those are the two
15 smaller ones.

16 THE WITNESS: No, 4.5 megawatt, which is
17 the -- a candidate, the primary turbine, and the 7.2.

18 MR. HENDERSON: So the middle one is
19 the --

20 THE WITNESS: And then on the next slide
21 is the Nordex.

22 MR. HENDERSON: The next one, okay.

23 THE WITNESS: Just the blades, but, yes.

24 MR. HENDERSON: So you mentioned that if

1 you would subplant the 7.2 for the smaller ones,
2 correct?

3 THE WITNESS: Yes.

4 MR. HENDERSON: So you could use the
5 larger one. You could use a larger one instead of
6 that smaller one. How does that impact the lease of
7 the property owner?

8 THE WITNESS: I can't speak to the
9 leasing on that. I'm not in the contract negotiation
10 part of this. I'm on design and execution of, you
11 know, site characterization.

12 MR. HENDERSON: Okay. Thank you.

13 MR. KAINS: Thank you, Mr. Henderson.

14 Any other questions from members of the
15 County Board, any other members of units of local
16 government?

17 (No response.)

18 MR. KAINS: Interested parties, members
19 of the public who are either opposed to or neutral on
20 the application.

21 Yes, sir. Sir, if you --

22 MR. WALLACE: Hi, my name's Larry
23 Wallace. L-A-R-R-Y, W-A-L-L-A-C-E. I live 505 East
24 McNeil Avenue, Hoopeston, Illinois. I am in Vermilion

1 County.

2 And my questions for the engineer is, are all
3 your blades carbon fiber or what is the composite
4 makeup of them?

5 THE WITNESS: Yeah. I mean, I don't
6 know the makeup of all of the blades unfortunately,
7 but they are made our of composite materials.

8 MR. WALLACE: Okay. Speaking long term,
9 to my recollection from years past, we have got no
10 place in the United States that can recycle those. Am
11 I right or wrong? If you have a catastrophic -- one
12 of them blew up, where are we going to dispose of
13 them? I don't think any -- I've never heard of any
14 recycled places to be able to take them.

15 THE WITNESS: Okay. I have heard of
16 facilities starting to take around a third of the
17 materials and find, you know, new recycling
18 facilities.

19 MR. WALLACE: Yeah, I --

20 MR. KAINS: Wait. Wait. Gentlemen,
21 when he's answering we need the questioner to be quiet
22 and then we don't need you all stepping on each other.
23 So go right ahead.

24 THE WITNESS: There have been places

1 that have been able to find where they can shred the
2 blades themselves and differentiate the recyclable
3 versus the landfill materials and the other parts that
4 could be recycled.

5 MR. WALLACE: I was just thinking long
6 term, 30 years from now, I wouldn't want to see 400 of
7 them stacked up in somebody's back yard, you know, it
8 would not be a pretty sight.

9 THE WITNESS: Correct. Agreed.

10 MR. WALLACE: So I was just curious. I
11 realize the tower is made of steel construction and
12 chop it up and load it down. Next questioner. Thank
13 you.

14 MR. KAINS: Very good. Thank you,
15 Mr. Wallace, appreciate your questions.

16 Anybody else with questions for Mr. Kurz
17 who's either opposed to the project or neutral on the
18 project?

19 (No response.)

20 MR. KAINS: All right. Very good.
21 Thank you.

22 Vermilion County staff and consultants,
23 Mr. Keyt, Ms. Rives.

24 MR. KEYT: We have a few.

1 **CROSS-EXAMINATION,**

2 **QUESTIONS BY MR. ANDREW J. KEYT:**

3 Q. Just to follow up on one of the
4 questions that Mr. Henderson had. I think the
5 question was if there's a reduction in the number of
6 turbines how will it affect the leases, right? And I
7 think you were --

8 MS. RIVES: Did you want to speak to
9 that?

10 MR. KEYT: Yeah.

11 MR. VASILION: Yeah. Can I do it from
12 here?

13 MR. KAINS: Yeah. This is -- okay.
14 Jamie, you have him?

15 COURT REPORTER: Yes.

16 MR. KAINS: Okay. Go right ahead,
17 Mr. Vasilion.

18 MR. VASILION: Thank you. The impact of
19 the leases that changes depending on the size of the
20 turbine, is the compensation for the landowners. Per
21 facility is sited on a per megawatt basis. So the
22 landowners are paid more if there's a higher megawatt
23 turbine on their property.

24 MR. HENDERSON: That doesn't answer my

1 question.

2 MR. VASILION: What was the question?

3 MR. HENDERSON: If -- what I understood
4 from the engineer is that it would subplant or replace
5 a lower functioning turbine. So basically you would
6 not need to put as many 5.9's out there if you have
7 more 7.1 or 2, whatever that number was. So now I
8 anticipated getting a turbine on my property. Now I'm
9 told that I will not be getting one.

10 MR. VASILION: That would be the case,
11 yes.

12 MR. HENDERSON: So how does that impact
13 the agreement that they have?

14 MR. VASILION: So -- sorry. Say that
15 last portion again.

16 MR. HENDERSON: So are those property
17 owners aware when they sign lease agreements that they
18 may not get a turbine after all?

19 MR. VASILION: Yes.

20 MR. HENDERSON: So that's part of the
21 lease?

22 MR. VASILION: Yes.

23 MR. HENDERSON: All right.

24 MR. VASILION: Actually people sign the

1 lease with the -- that they want to get a turbine, but
2 ultimately not all of our landowners who participate
3 are able to get turbine. Our intention is to use
4 those 4.5-megawatt turbines --

5 MR. KAINS: Mr. Vasilion, your voice is
6 trailing off.

7 MR. VASILION: Oh, sorry.

8 MR. KAINS: If you could kind of restate
9 that.

10 MR. VASILION: Yeah, I'll say it again.
11 There's compensation in the lease outside of only the
12 turbine payments first and foremost. As folks sign up
13 for the project, everyone would like to get a turbine,
14 but they do understand that by signing up not every
15 single participant can get a turbine. So there is
16 compensation outside.

17 MR. HENDERSON: So the agreements that
18 they have signed -- I'm trying to make a good
19 question, but it's going to be more of a comment. The
20 agreements that they sign does not guarantee that
21 there will be a turbine placed on their property?

22 MR. VASILION: That is correct.

23 MR. HENDERSON: Because -- but the
24 anticipation is that there may be, however, when you

1 reevaluate a year from now what's needed, I may not
2 get one because we're going to put larger ones up some
3 place else?

4 MR. VASILION: Yes, that's correct.

5 MR. HENDERSON: And they understand that
6 in that agreement.

7 MR. VASILION: That's correct. And it's
8 our responsibility to make sure that we're clearly
9 communicating with the landowners so they know what to
10 expect.

11 MR. KAINS: Thank you, Mr. Henderson.
12 Mr. Keyt.

13 MR. KEYT: Okay. Sorry. Got us off on
14 a tangent.

15 MR. KAINS: Can you keep your voice up
16 too, please.

17 MR. KEYT: I will.

18 **QUESTIONS BY MR. KEYT:**

19 Q. So, Mr. Kurz, back to you. There's been
20 some communication interference studies that were
21 provided. Those studies indicate that there wouldn't
22 be interference from the turbines with current
23 communications systems that are in place?

24 A. Uh-huh.

1 Q. Is that yes?

2 A. Yes, that's correct.

3 Q. Okay. In the event that it gets
4 constructed and there is interference, our presumption
5 is then Invenergy is willing to make sure to resolve
6 whatever that interference might be on -- whether it's
7 somebody's television or radio, or it's national
8 weather, or it's 911 communications, whatever it might
9 be, Invenergy would then work to resolve whatever the
10 issue would be; fair?

11 A. Yes, that is correct.

12 Q. A particular interest to the county then
13 would be, for example, if there's communication
14 interference with emergency communications within the
15 county, Invenergy would be willing to commit to
16 resolve whatever that emergency communication
17 interference would be in order to ensure that
18 emergency communications can continue; is that fair?

19 A. Yes, that is.

20 Q. In terms of the towers, the locations
21 have been selected that are in the site plan that is
22 proposed within the application, fair?

23 A. Yes.

24 Q. Some of those turbines may be built, all

1 of them may be built depending on the size of the
2 turbines that you're proposing, correct?

3 A. Yes.

4 Q. The location of the turbines is largely
5 set except there may be some various up to 100 feet or
6 so depending on if there's some particular land issue
7 that requires it to be moved to another location on
8 the same parcel; is that fair?

9 A. Yeah, that's fair.

10 Q. Regardless, before you get a building
11 permit from the county, you would have to get
12 determinations of no hazards from the FAA and provide
13 those to the county; is that right?

14 A. Yes, it is.

15 Q. Okay. In terms of the ADLS system, if
16 and when the system is approved by the FAA and the
17 FCC, Invenergy would be committed to installing that
18 system and operating that system throughout the life
19 of the project; fair?

20 A. Yes.

21 Q. And my understanding is your plan is to
22 use DeTect is the consultant on it, or would they be
23 the ones that would be maintaining it as well?

24 A. Yes, they would.

1 Q. Okay. Here is the issue that arises on
2 occasion is, the systems becomes malfunctioning and
3 the developer then rather than expediently resolving
4 the issue just let's the ADLS system revert back to
5 its default, which is just blinking lights at night.
6 What is Invenergy's plan or Musketeer Wind's plan to
7 resolve that issue so that it is expediently working
8 towards resolving an ADLS malfunction?

9 A. I don't have that plan, you know, off
10 the top of my head. It's something we've worked with
11 DeTect for, to see what their kind of use case is and
12 whether they've come across that, and certainly
13 forward that. We want to be good stewards for the
14 people and for the community so we would make sure
15 that it's remediated and fixed as quickly as possible.

16 Q. Regardless of, you know, what that
17 timetable may be in getting it resolved, from what I'm
18 hearing, you're saying Invenergy and Musketeer Wind is
19 committed to making sure that it's operational
20 throughout the life of the project? If it is a
21 malfunction they'll expediently work to resolve that
22 malfunction in the ADLS system so that we're not
23 dealing with flashing lights at night; is that fair?

24 A. That is fair, yes, sir.

1 Q. All right. I think that's all the
2 questions I have for you.

3 MR. KAINS: Thank you, Mr. Keyt.

4 Redirect examination, Mr. Hill, do you have
5 any questions for your witness?

6 MR. HILL: No, I do not. Thank you.

7 MR. KAINS: Okay. Very good. Thank
8 you, sir.

9 All right. Then final questions for the
10 witness come from Members of the Wind and Solar
11 committee.

12 Chairman.

13 MR. FOUREZ: As the -- I'm assuming when
14 the studies were done on noise and flicker and those
15 kind of things, one particular size tower was picked
16 out for those study results?

17 THE WITNESS: We did them for all the
18 turbines.

19 MR. FOUREZ: So all the proposed
20 possible towers all fit into the requirements in the
21 ordinance and setbacks and everything?

22 THE WITNESS: Yes, that's correct.

23 MR. FOUREZ: Okay.

24 MR. KAINS: Anything else from Members

1 of the Committee?

2 (No response.)

3 MR. KAINS: Thank you, Mr. Kurz. You
4 may step down.

5 (Witness excused.)

6 MR. KAINS: Counsel, who's got the next
7 witness, Mr. Hill or Mr. Griffin?

8 MR. HILL: I'll switch with Mr. Griffin
9 at this time.

10 MR. KAINS: All right. Very good.
11 Mr. Griffin, call your next.

12 MR. GRIFFIN: Very good. Jonathan
13 Carroll, please.

14 MR. KAINS: Good afternoon, sir.

15 THE WITNESS: Afternoon.

16 J O N A T H A N C A R R O L L,

17 was called as a witness on behalf of the Applicant
18 and, having been first duly sworn, testified as
19 follows:

20 MR. KAINS: Very good. Thank you. Go
21 ahead, Mr. Griffin.

22 **DIRECT EXAMINATION,**

23 **QUESTIONS BY MR. JAMES R. GRIFFIN:**

24 Q. Mr. Carroll, please state your name and

1 spell it for the record?

2 A. Jonathan Carroll, J-O-N-A-T-H-A-N,
3 C-A-R-R-O-L-L.

4 Q. And what is your current place of
5 employment?

6 A. Invenergy.

7 Q. And what is your occupation?

8 A. I'm the Director of Engineering for the
9 energy storage group.

10 Q. And energy storage, that's battery
11 storage?

12 A. Correct.

13 Q. And what did you do concerning the
14 Musketeer Project at Vermilion County?

15 A. So my team is responsible for
16 participating in site selection, individual site
17 design, equipment selection, equipment sizing and also
18 site characterization.

19 Q. Can you please summarize for the
20 Committee your educational background, please.

21 A. Yes. I have a bachelor's of engineering
22 degree in mechanical engineering, bachelor of science
23 degree, and then a master's of science degree in power
24 systems engineering.

1 Q. And can you please summarize your
2 professional background.

3 A. Yes. So I have just about 10 years of
4 experience in the power generation, renewable energy
5 development and electric utility industry. For the
6 past 4 and a half years I've worked for Invenergy
7 focusing on engineering, design, construction,
8 decommissioning of battery energy storage projects.

9 Q. And how many battery storage projects
10 have you worked on thus far in your career?

11 A. Personally I've been involved with 13
12 projects.

13 Q. And I've handed a copy of your
14 professional resume to Mr. Keyt and Ms. Rives, and
15 marked it as Exhibit Number 6. Is that a true and
16 accurate copy of your current resume?

17 A. Yes.

18 MR. GRIFFIN: I would request that
19 Mr. Carroll be qualified as an expert in the field of
20 battery storage engineering.

21 MR. KAINS: Mr. Keyt, Ms. Rives.

22 MR. KEYT: No objection. Just as a
23 matter of housekeeping, I think Exhibits 5 and 6 have
24 yet to be admitted in the record. But we don't have

1 an objection, if you want to them admit in the record.

2 MR. GRIFFIN: I would ask them be
3 admitted.

4 MR. KAINS: His resume is 6. What was
5 5?

6 MR. KEYT: Kurz resume. Mr. Kurz's
7 resume.

8 MR. KAINS: You have no objection to
9 either of them coming in, Mr. Keyt?

10 MR. KEYT: No, sir.

11 MR. KAINS: Okay. I find Mr. Carroll is
12 qualified as an expert witness in the field of battery
13 storage engineering. His resume will be admitted into
14 evidence as Applicant's Exhibit 6. Similarly,
15 Mr. Kurz's resume will be admitted in evidence as
16 Applicant's Exhibit 5. Both of these documents will
17 be considered by the Zoning Board of Appeals -- not
18 the Zoning Board of Appeals. There's no zoning in
19 Vermilion County. But will be in evidence to be
20 considered by the Wind and Solar Committee and also
21 the Vermilion County Board when its time comes.

22 So this gentleman is an expert witness --
23 with all that said, he's got an unlimited time. Go
24 ahead with your direct examination.

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MR. GRIFFIN: Thank you.

QUESTIONS BY MR. GRIFFIN:

Q. Mr. Carroll, please go through your presentation and provide us a summary of the battery storage project as proposed as to support a facility for the Musketeer Wind Project.

A. Absolutely. So first I just want to highlight Invenergy's experience with battery energy storage. As mentioned previously, we are leading a privately held developer, that also applies to the industry of grid scale, battery energy storage. We've had operational projects since 2012. We've got experience with multiple different technologies in use cases and then down at the bottom right is the highlight of the number of projects we've worked on, and I just want to highlight that over 900 megawatts of energy storage projects, 3,000 megawatt hours.

So just to reorient where the energy storage project is going to be located, it is about 1.8 miles south of State Route 9, about 2 and a half miles southeast of East Lynn. Next slide, please.

This is a 300-megawatt, 1,200-megawatt-hour energy storage facility. The footprint of the BESS yard takes up approximately 8.4 acres and is located

1 at the intersection of East 3900 North and North 880
2 East Road.

3 As mentioned previously, it will be adjacent
4 to the project substation and the operations and
5 maintenance building.

6 Just a few relevant offsets or setbacks from
7 the project fence line, the highlight. The nearest
8 public road and nearest property line are 150 feet,
9 and the nearest residence is over 3,000 feet away in
10 any direction of the project.

11 I want to talk just briefly about the
12 components or the equipment that is going to be on the
13 site. At a high level the project is going to consist
14 of battery energy enclosures. So that's pictured here
15 on the right. What makes up those enclosures are
16 battery cells. Those are packaged into modules, those
17 are packaged into racks, which then populate the
18 enclosures, which you can see throughout the facility.
19 Those enclosures are what store energy. So there's
20 time when they're taking energy, that's charging, and
21 then they're discharging energy, putting it back onto
22 the grid. That's done through a power conversion
23 system.

24 So it will be a group of enclosures, which

1 connect to a power conversion system, which are then
2 charging and discharging energy. Next slide.

3 Here's a zoomed-in view of what the site
4 layout of the battery energy storage facility will
5 look like. Again, it's essentially several battery
6 energy enclosures grouped together with a power
7 conversion system. There's also box power
8 transformers, which reduce the supply to ancillary
9 loads of the facility. And then there's, of course,
10 other ancillary electrical equipment.

11 Speaking more just to the site design, there
12 are also underground medium voltage cables, those are
13 routed back to the project substation. We have
14 underground box power circuits. There will be a
15 20-foot blind access throughout the facility. And
16 then a also security fence with controlled and
17 restricted access. And it's in here, as mentioned
18 previously, adjacent to the project substation and O&M
19 building. Next slide.

20 The last thing I want to touch on here, it
21 was mentioned previously, but just to highlight our
22 focus on community engagement and coordination with
23 local first responders and fire departments. So one
24 thing that we do at every Invenergy Project is the

1 development of an emergency response plan, which is
2 done through collaboration with local responding
3 agencies, Invenergy's engineering team and licensed
4 fire protection engineers. So we would like to do a
5 training and we will do a training on multiple
6 instance prior to construction, prior to battery
7 deliveries and operations and we will continue routine
8 training throughout the lifetime of the project. What
9 at that training consists of is a general overview of
10 the technology, some of the safety information related
11 to the project, who the site contacts are and will be.
12 We'll also review site-specific technology features,
13 site-specific information, safety systems, response
14 tools and tactics. And then we'll, of course, do a
15 site walk down so the responding agencies can see the
16 equipment in facility as it stands in the ground.

17 And that's the end of my presentation.

18 MR. KAINS: Very good. Thank you.

19 Additional direct examination.

20 MR. GRIFFIN: Briefly.

21 **QUESTIONS BY GRIFFIN:**

22 Q. Mr. Carroll, the first responder plan
23 that you just went over, has that been implemented for
24 Invenergy's other battery storage projects?

1 A. Yes. That's correct. And each project
2 will implement an emergency response plan.

3 Q. And you yourself worked on the
4 implementation of those plans?

5 A. Yes. That is one function of my team is
6 the development of that ERP, and then also delivering
7 the training and coordination with other experts in
8 the field.

9 MR. GRIFFIN: Okay. No further
10 questions. Thank you.

11 MR. KAINS: All right. Very good.
12 Thank you.

13 Questions for this witness from Members of
14 the Wind and Solar Committee.

15 Yes, Mr. Wise.

16 MR. WISE: As far as the training that
17 you're offering, would that be available to all the
18 fire departments that are in mutual aid agreements
19 with -- that would be near this?

20 THE WITNESS: Correct.

21 MR. WISE: Okay. And depending on the
22 chemical composition of the batteries and stuff like
23 what they've claimed. The world -- just hose down
24 with water doesn't exist any more. As far as the

1 materials needed to fight a potential battery fire,
2 would that be something that the fire protection
3 district would have to get themselves, or is that
4 something you guys would assist with?

5 THE WITNESS: So this is what --
6 partially what we will cover in this training is what
7 response will look like, and really be original
8 equipment manufacturer recommendation, industry best
9 practice and experience. It is essentially
10 non-intervention and allowing the equipment
11 self-extinguish. So we worked with fire departments
12 of various degrees, volunteer departments and rural
13 departments, professional, paid departments, and we've
14 managed to find a solution that works for everyone.

15 MR. WISE: Okay. Thank you.

16 MR. KAINS: Thank you, Mr. Wise.

17 Anybody else on the Committee?

18 Yes, Mr. Crawford.

19 MR. CRAWFORD: It appears there's going
20 to be dozens, if not hundreds, of these enclosures on
21 the site. Are they spaced far enough apart so if
22 there's a catastrophic fire with one, will it not jump
23 to another one?

24 THE WITNESS: Yes, they are. And that's

1 part of the extensive testing that we do from all the
2 way down to the cell level up to the enclosure level
3 is to ensure if a fire were to occur what happens and
4 that then forms the overall spacing of the project to
5 ensure that we don't have that propagation.

6 MR. KAINS: Mr. Chairman.

7 MR. FOUREZ: What type of construction
8 is the enclosure that these batteries fit in?

9 THE WITNESS: It's a steel enclosure.
10 It does have some thermal installation because we want
11 to maintain a certain temperature inside the
12 enclosure. But essentially a steel enclosure.

13 MR. FOUREZ: Here comes my second
14 question. Should a catastrophic event like a tornado
15 destroy that facility and scatter it all over the
16 neighborhood, what are the short and long-term
17 consequences of that happening? And is there any
18 issues with toxic materials being distributed or
19 spread? I mean, it's one thing to contain a fire,
20 it's something else for it to explode by a
21 catastrophic weather event like a tornado and get
22 scattered all over the neighborhood.

23 THE WITNESS: I think that would be a
24 catastrophic event. That is something that to some

1 degree is part of the design process. We've got wind
2 loading up to a certain degree, the equipment is
3 anchored to the ground. So I don't see that scenario
4 playing out necessarily.

5 MR. KAINS: Excuse me. Call it.

6 MR. FOUREZ: Jana, you're up.

7 MS. MESSMORE: In the case of a fire
8 where would they be disposed of for debris?

9 THE WITNESS: So there are multiple
10 companies and locations that decommission energy
11 storage projects and recycle materials, several of
12 them are within the United States. So it's hard to
13 say exactly where that will be, but there are
14 facilities that do manage that process.

15 MR. KAINS: Yes, Mr. Puzey.

16 MR. PUZEY: Can you point out exactly
17 what the enclosure looks like. Is that the white and
18 the grey in the top photo there? And then there -- it
19 looks like there's rows of those.

20 THE WITNESS: You've got it exactly
21 right. So the greyish component, that's the power
22 conversion system, the one furthest to the left, and
23 then behind that, the white equipment is part of the
24 battery enclosures.

1 MR. PUZEY: Okay. So there's just rows
2 and rows of those batteries?

3 THE WITNESS: That's correct. It
4 depends on the technology. There are also essentially
5 20-foot-by-8-foot containers that are grouped together
6 in group 4. That's what we'd be proposing for this
7 project. But it would essentially be rows of that --
8 those, plus there's other equipment.

9 MR. PUZEY: Right. And as a matter of
10 maintenance, these 10 or 15 guys, are they going
11 around and checking the condition of those batteries?
12 Or are they ever going to be replacing those
13 batteries? Or are they expected to last for the term
14 of the project?

15 THE WITNESS: The original equipment
16 installed is expected to last for 20 years.

17 In terms of activities that our operation and
18 maintenance personnel will do, that could -- that
19 could be a variety of activities. There's HVAC
20 equipment, there's these general routine inspections,
21 things of that nature that they would be responsible
22 for.

23 MR. PUZEY: But you're not going to be
24 replacing the potential battery monitors and stuff

1 like that?

2 THE WITNESS: It's not common, but in
3 the event that one did need to be replaced, that is
4 something that could be done, yes.

5 MR. PUZEY: And your system will monitor
6 that carefully?

7 THE WITNESS: That's correct.

8 MR. PUZEY: Okay.

9 MR. KAINS: Yes, Mr. Greenwell.

10 MR. GREENWELL: What kind of wind loads
11 is this -- these structures complying for?

12 THE WITNESS: It's -- it's project
13 dependent. I can't say the exact figure for this
14 project, in particular. But it all comes down to the
15 foundation. This is actually pretty heavy equipment.
16 So some of these are 80,000 to 100,000 pounds, but I
17 don't have an exact figure of what they would be rated
18 for.

19 MR. KAINS: Any further questions from
20 Members of the Committee?

21 (No response.)

22 MR. KAINS: Questions from members of
23 local government, County Board, townships, school
24 districts.

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(No response.)

MR. KAINS: Questions from members of the public, folks who are either opposed to the application or neutral on the application.

Yes, Ms. Wallace. Go right ahead. You don't need to say your name, I think we've got it all down.

MS. WALLACE: Okay.

MR. KAINS: Thank you.

MS. WALLACE: My question for you is, as was stated earlier, our fire departments around here are volunteer based. So right now they're making 17.50 per call. That's not per hour, that's per call that they get. So my question is on your emergency response plan when you train them, are they going to get paid for their time? Is it going to be 17.50?

THE WITNESS: That's not something that Invenergy or, at least, me personally would have purview over. I believe that would be just with the local agencies at their discretion.

MR. KAINS: Mr. Griffin, seated next to is Mr. Vasilion. Does he have an answer?

MR. VASILION: Yes, I think -- thanks for the question. Yes, we would compensate the firefighters for their time.

1 MS. WALLACE: Okay. Thank you.

2 MR. KAINS: Okay. Thank you,
3 Ms. Wallace.

4 Any other questions from members of the
5 public who are either opposed or neutral?

6 (No response.)

7 MR. KAINS: I just want to say this.
8 You all have good questions. This is -- this is
9 really productive. I hope you're finding it
10 productive. Because I've done some hearings where
11 people just get up and want to yell. And so I
12 appreciate the good questions.

13 All right. Vermilion County staff and
14 consultants, Mr. Keyt, Ms. Rives.

15 MR. KEYT: I have a few.

16 **CROSS-EXAMINATION,**

17 **QUESTIONS BY MR. ANDREW J. KEYT:**

18 Q. So has this particular parcel where the
19 battery storage is being proposed, has it been -- has
20 there been a drain tile survey for that particular
21 parcel?

22 A. Yes, there has.

23 Q. And is there any drain tile on that
24 parcel where the battery storage is going to be

1 placed?

2 A. Not that I'm aware of, no.

3 Q. Okay. Do you have -- and I may have
4 just missed it in the application, is there a drain
5 tile map that you have for that parcel?

6 A. Not that I'm aware of, no.

7 Q. Do you know who did the drain tile
8 survey?

9 A. Can defer to the developer so.

10 Q. Okay.

11 MR. KAINS: Mr. Vasilion.

12 MR. VASILION: Thank you. So there's
13 not a drain tile survey. But according to the
14 landowner of this parcel, where the storage facilities
15 are, and prior to construction of those facilities
16 we'll make sure that we are confirming where those
17 locations are, if there are any or are none.

18 **QUESTIONS BY MR. KEYT:**

19 Q. Okay.

20 MR. KAINS: What was the last part?

21 THE WITNESS: There aren't any. Sorry.

22 MR. KAINS: Okay. Very good. Thank
23 you.

24 **QUESTIONS BY MR. KEYT:**

1 Q. So in terms of -- before you would get
2 a -- before you would be able to obtain a building
3 permit from the county, you would agree that there's
4 going to be a drain tile survey provided to the county
5 to evaluate the potential impact of this battery
6 storage facility on any drainage from that particular
7 site; is that fair?

8 A. Yes.

9 Q. In terms of the -- where the location
10 sits, have there been any review of whether it's
11 subject to any flooding? Or whether it's in the FEMA
12 map for the 100-year floodplain?

13 A. Yes, there has. This parcel, along with
14 the rest of the project, there's a hydrology study.

15 Q. What does it reflect in relation to this
16 particular parcel where the battery storage is sited?

17 A. There is, I think, it's below one foot,
18 but it's maybe half a foot. I'm quoting from memory
19 here of what the floodplain is. So we would take that
20 into consideration with our foundation design having
21 the concrete poured.

22 Q. Okay. Just so the -- so everybody
23 understands what you're talking about, it sounds like
24 there is some portion of it that might be within the

1 floodplain; is that what you're stating?

2 A. No. No.

3 Q. Or are you saying there may be a
4 potential that -- up to a foot, you might have to have
5 what's called freeboard above that particular -- where
6 water may infiltrate in a parcel to keep the battery
7 storage above that particular area?

8 A. For a 100-year floodplain, yes.

9 Q. Okay. So is the parcel within the
10 100-year floodplain?

11 A. I -- I don't know the answer to that,
12 no.

13 Q. So the purpose of the freeboard then is
14 what?

15 A. To keep the battery containers above
16 whatever that 100-year level is, 100-year flood level
17 is.

18 Q. Okay. In terms of a design
19 certification, was there a design certification
20 provided in the application for the battery storage
21 system?

22 A. No, there wasn't.

23 Q. Is there design certifications available
24 for the battery storage system?

1 A. There are. I'll take a step back. So
2 the governing code and standard for stationary energy
3 storage projects is NFPA 855. So the National Fire
4 Protection Association, and as part of that there are
5 UL certifications for all of the individual components
6 within the project, and then the broadest level is UL
7 9540, which our products will have.

8 Q. Okay. And I may have missed this, but
9 have you decided on a manufacturer yet for the battery
10 storage?

11 A. We have one in mind. However, there
12 will be used, you know, the best available equipment
13 at the time.

14 **QUESTIONS BY MS. RIVES:**

15 Q. Who is that manufacturer that you have
16 in mind?

17 A. Fluence. They're a battery integrator.

18 **QUESTIONS BY MR. KEYT:**

19 Q. Can you spell that for everybody?

20 A. Sure. F-L-U-E-N-C-E.

21 Q. And they're a battery storage
22 manufacturer?

23 A. They are an integrator, yes. So they
24 take cells, package the modules, package that as the

1 enclosures and provide -- there will be a full
2 solution with the power conversion system as well.

3 Q. Okay. Understood. So they kind of
4 assemble the final system to then provide to you?

5 A. Correct.

6 Q. All right. How many battery storage
7 systems has Invenergy installed in Illinois?

8 A. In Illinois there's one that I'm aware
9 of.

10 Q. Where is that located?

11 A. That's in LaSalle County.

12 Q. Is it currently operating?

13 A. Yes.

14 Q. Who is the manufacturer of those
15 particular battery cells, or the battery energy
16 storage system?

17 A. I believe it's Energport, at one point
18 in time, yes.

19 Q. When was that project installed?

20 A. The first phase was 2012, and there's
21 been additional phases added to it.

22 Q. How many -- when was the latest phase?

23 A. I believe it was 2019.

24 Q. Okay. Has there been any fires or

1 emergencies at that facility?

2 A. There has been one thermal event at the
3 facility. It consists of 18 containers and only one
4 of those 18 containers was impacted.

5 Q. What do you mean by a thermal event?

6 A. So, essentially, yes. A battery
7 experiencing thermal runaway resulting in a fire.

8 Q. Okay. What was the end result of that
9 fire?

10 A. End result ultimately -- and in the
11 grand scheme of things, uneventful. That one
12 container was -- was damaged to the point where it
13 could not be used and it was recycled --
14 decommissioned, recycled and replaced.

15 Q. Where was it taken to be recycled?

16 A. I don't have that information.

17 Q. Was there -- one of the questions was,
18 was there noxious fumes that could be released from
19 the system, is that -- could that occur if there's a
20 thermal runaway?

21 A. I would say just -- just like any fire,
22 there is the potential for -- you know, it's not
23 something that you would want directly next to. But
24 as part of this particular incident, first responders

1 arrived, EPA had air quality monitoring. They did not
2 determine any concerns for air, soil, or water from
3 the event.

4 Q. In terms of the emergency response to
5 that, part of that included that -- I think you're
6 referring to the Illinois Environmental Protection
7 Agency?

8 A. Yes.

9 Q. Is that the primary agency that would
10 then monitor both groundwater and noxious fumes or
11 toxic fumes for the surrounding area?

12 A. I think it depends on the agency, the
13 local agency and capabilities, but that would be an
14 option.

15 Q. Okay. Other than one project -- well,
16 let me back up. The thermal event that you're talking
17 about, when did that occur?

18 A. This was in 2021.

19 Q. What was the makeup of that battery
20 system?

21 A. Could you be more specific, please.

22 Q. Well, good question. What is the --
23 what was the basic function of the energy system?
24 Like, how did it store energy? Like, what was it?

1 Was it a Lithium battery, was it a what?

2 A. Yes, it was a Lithium-Ion battery
3 chemistry. So a chemical energy storage, battery
4 energy storage.

5 Q. What would be the proposed methodology
6 of this particular facility?

7 A. So this facility would use -- there's
8 multiple versions, so to speak, of Lithium-Ion. This
9 facility, the kind we're proposing, is Lithium Iron
10 Phosphate.

11 Q. And would that be different than the
12 proposed system in the LaSalle County?

13 A. Similar chemistry, but one thing to --
14 or one important thing to identify is really NFPA 855,
15 the first version of that was in 2020. So there's a
16 lot of projects, you know, around that time period
17 that weren't designed and built with that standard,
18 because it wasn't available. So anything beyond is
19 going to adhere and comply to NFPA 855.

20 Q. Does Invenergy have any current battery
21 energy storage projects utilizing Lithium-Ion --
22 sorry, Iron Phosphate?

23 A. Yes, we do.

24 Q. Okay. Where are those located?

1 A. We have several projects in Arizona,
2 Wisconsin, Mexico and developing in other states as
3 well.

4 **QUESTIONS BY MS. RIVES:**

5 Q. So are those built? When you -- those
6 that you just named, are they already installed?

7 A. Yes.

8 Q. Okay.

9 A. Installed and operational.

10 **QUESTIONS BY MR. KEYT:**

11 Q. Have there been any, to use your words,
12 thermal events at any of those locations?

13 A. There has been, yes. However, I don't
14 want to get into too much of the details, but there
15 have been thermal events. I think what's important to
16 highlight here is what NFPA 855, UL 9540 has set out
17 to accomplish is; one, to prevent these events as much
18 possible, and if they do occur, limit the consequence
19 of those events. We have seen that in practice.

20 Q. Okay. So we'll come back to that.
21 You're talking about the National Fire Protection
22 Association 855?

23 A. Correct.

24 Q. All right. We'll come back to that.

1 But in terms of the details, how many of these systems
2 have been built in Arizona, Wisconsin, and Mexico?

3 A. In Arizona we are at 12 -- 12 or 13.

4 Q. Okay.

5 A. We have one in Wisconsin. One in Mexico
6 with another underway.

7 Q. So there are -- if I'm understanding
8 correctly, there are 12 or 13 that have been built and
9 constructed in Arizona, there's one in Wisconsin, and
10 one in Mexico and another on the way in Mexico?

11 A. Correct. And then others in development
12 in Wisconsin, Arizona, a few other states as well.

13 Q. Of the 12 or 13 in Arizona, how many of
14 those have experienced thermal events?

15 A. We've had two containers experience an
16 event.

17 Q. How about in Wisconsin?

18 A. None.

19 Q. How about in Mexico?

20 A. None.

21 Q. Okay. The two in Arizona, when did the
22 first one of those occur?

23 A. This was in, I believe, 2022. Early
24 2022.

1 Q. Okay. How about the second one?

2 A. 20 -- late 2023, I believe.

3 Q. Of those is it -- was it a similar
4 response to what occurred to the one in LaSalle
5 County?

6 A. In terms of first responders, I would
7 say, yes, if not less. As I mentioned before, pretty
8 uneventful. These are intentionally containerized
9 units designed to limit the consequence of any sort of
10 event. So similar to Illinois, the impact to the
11 container was damaged to the point where we would not
12 reuse it, set up to be decommissioned and recycled.

13 Q. Do you know where either of those two
14 containers in Arizona were taken to be recycled?

15 A. I do not, no.

16 Q. Part of the reason I ask is the
17 decommissioning plan suggests that because there's not
18 essentially current recycling set up, that they have
19 not included salvage value in that estimation. So I
20 am just curious where they could have been taken. Do
21 you know where they could have been taken?

22 A. I know that there's facilities in
23 Georgia, Nevada, Virginia. There's companies that we
24 work with in Illinois that help create decommissioning

1 plans and help with that process. It's just -- I'm
2 not involved directly with decommissioning process.
3 It's more of the operation's teams.

4 Q. Okay. In terms of fire suppression, do
5 any of the containers have fire a suppression system
6 on them?

7 A. It's -- it's product dependent, I would
8 say. Some do, some don't.

9 Q. The ones proposed here, have you decided
10 whether they would have fire suppression within them?

11 A. We've not made a final determination
12 there.

13 Q. Okay. Why would you not have fire
14 suppression on them?

15 A. So there's provisions in NFPA 855 for
16 remote designated locations where fire suppression is
17 optional. And then looking ahead, the code is not
18 released, but 2026 is coming and it does look like
19 that that would be essentially not recommended or
20 required, the fire suppression systems that exist
21 today.

22 Q. So if this project were to be built in
23 2026, the anticipation would be the NFPA 855 for
24 that -- for 2026 would require a fire suppression

1 system?

2 A. Would not require.

3 Q. Would not require. But why not include
4 it on the system? That's what I'm not understanding.

5 A. There's -- I think the industry,
6 original equipment manufacturers are starting to learn
7 more and really what everyone is coalescing around is
8 the best method to manage a fire with the battery
9 energy storage project is self-extinguishment.

10 Q. Okay. Forgive me. Because this
11 sounds -- I'm just going to -- wouldn't the best
12 method of handling a fire be to prevent the fire from
13 happening in the first place? That's what I'm not
14 understanding.

15 A. So I'll go back and maybe answer that
16 question directly. There are several layers of safety
17 that are implemented in this equipment to attempt to
18 prevent a fire from happening. The base level being
19 the chemistry, and then right above that, the battery
20 management system. So its sole purpose is to manage
21 the operation of the equipment, looking at voltage,
22 temperature, current, things of that nature. To limit
23 and prevent an event from happening.

24 When an event does happen, there is a debate

1 on the effectiveness of the fire suppression systems
2 that exist today, the ones that has already started.

3 Q. Okay. So if I'm understanding what
4 you're saying, it's not that necessary fire
5 suppression wouldn't be the right method, it's that
6 fire suppressions just may not work; is that what
7 you're -- is that what you're saying? The ability of
8 it to suppress the fire at that point is just too
9 late, you just have to let it go?

10 A. Correct.

11 Q. Okay.

12 **QUESTIONS BY MS. RIVES:**

13 Q. So if there is some sort of additional,
14 you know, technology here for suppression of fires or
15 what you're referring to, would Invenergy be willing
16 to, even if it's not required under the Code, would
17 Invenergy be willing to implement those?

18 A. I would say yes. With the caveat that
19 we want to use the best available equipment and
20 technology and information at that time.

21 MS. RIVES: Okay.

22 **QUESTIONS BY MR. KEYT:**

23 Q. Is there -- in fire suppression, is
24 there ever, like, with the batteries you've proposing.

1 I understand some batteries are not necessarily put
2 out by water. But is there water that is used to put
3 out a battery fire with the type of system you're
4 contemplating?

5 A. That is not the recommendation.

6 Q. Okay. In terms of -- are you familiar
7 with the Moss Landing fire in California?

8 A. Yes, to some extent.

9 Q. Okay. That fire ended up requiring some
10 evacuation of people. Are you aware of that?

11 A. Yes.

12 Q. If there was a battery fire here, and
13 let's just presume for the sake of argument, that it
14 spread throughout the system and it required the
15 evacuation of potentially nearby residents, what would
16 Invenergy's plan be for those displaced residents? I
17 can ask -- I'm sorry. Go ahead.

18 MR. GRIFFIN: Just to let you know, so
19 we do have another safety expert here on BESS --

20 MR. KEYT: Oh, okay.

21 MS. RIVES: Okay.

22 MR. GRIFFIN: -- who I guess would
23 probably talk more about other events that what you
24 just referenced.

1 MR. KEYT: I gotcha. Okay. I'm sorry.

2 MR. GRIFFIN: Jonathan is also familiar
3 with it. But we do have a second witness on this
4 topic coming up with more specific knowledge.

5 MR. KEYT: Okay.

6 **QUESTIONS BY MR. KEYT:**

7 Q. I guess ultimately the question -- if
8 you want to defer the question, that's fine. But
9 let's presume that residents needed to be displaced,
10 because there is noxious fumes and there's some issue
11 with the fire maybe spread through the homes or
12 whatever it might be. My assumption is that Invenergy
13 would be willing to pay for the cost of that
14 relocation of those residences; is that fair?

15 A. I'm don't think I'm the one qualified to
16 speak on behalf of Invenergy.

17 Q. Okay. Understood. You mentioned that
18 the batteries could weigh -- the systems -- I think
19 each individual container is what you're referring to
20 could weigh somewhere between 8,000 to 100,000 pounds?

21 A. 80,000 to 100,000.

22 Q. Oh, okay. I was going to say 8,000 to
23 100,00 is a pretty good range.

24 A. Quite a range.

1 Q. Okay. In terms of the location for
2 where the battery storage is proposed, is there any
3 type of -- well, let me back up. In between the
4 battery containers, what's going to be between those?

5 A. Typically just free space, free tile in
6 between the rows of enclosures.

7 Q. Is it going to be gravel? Is it going
8 to be concrete? Is it going to be vegetation? What
9 would be there.

10 A. Typically we do gravel. There's other
11 engineering components with step potential and things
12 like that, that will not be exactly what's needed
13 there. But gravel's not unknown.

14 Q. So the 8-acre site, will it be entirely
15 gravel with battery containers on top of the gravel?

16 A. Most likely, yes.

17 Q. And then how are those -- how are
18 those -- are those anchored to the ground or are they
19 just sitting on top?

20 A. A common foundation we use is grid
21 piles. So it will be, you know, 8 to 10, 12 piles in
22 the grounds, 10, 12 feet deep in the ground, and
23 that's what supports the enclosure, and then those are
24 anchored to those file cabinets.

1 Q. Okay. And then is this entire system
2 enclosed within a fence?

3 A. Correct.

4 Q. Is there any -- from looking at these
5 and just from experience in looking at them, it seems
6 like it looks like the back of a -- it looks like a
7 semitrailer, the container itself?

8 A. Yeah, similar to that. They're 20-foot
9 enclosures, 8 foot wide. So a portion of the back of
10 a semi-truck container.

11 Q. Is there a plan for some type of
12 vegetative screening around that site? Just
13 specifically the battery storage. I'm not talking
14 about the rest of it.

15 A. Yes. I think we would be willing to do
16 that, yes.

17 Q. Okay. All right. I think that's all
18 the questions I have for you on that particular topic,
19 unless Alex has others.

20 MS. RIVES: I'm okay for now.

21 MR. KAINS: All right. Very good.
22 Thank you. Redirect examination, Mr. Griffin.

23 MR. GRIFFIN: No questions.

24 MR. KAINS: All right. Mr. Griffin, it

1 seems to me that Mr. Carroll said he wasn't certain if
2 the battery storage facility was in the 100-year
3 floodplain. Do you have anybody on your team who
4 could address that? And if not today, come back with
5 a proffer?

6 MR. GRIFFIN: Mr. Kurz can address that.

7 MR. KAINS: Okay. Mr. Kurz, is this --
8 is this project --

9 MR. KURZ: I'm sorry. I don't have the
10 answer. I have to look it up here.

11 MR. KAINS: Oh, you need to look it up?

12 MR. KURZ: Yes.

13 MR. KAINS: Gotcha. Okay. We'll get
14 back to that.

15 All right. That's the only thing I had for
16 you all.

17 And final questions for this witness come
18 from Members of the Wind and Solar Committee.

19 Yes, Mr. Greenwell.

20 MR. GREENWELL: So are these containers
21 susceptible or protected from lightning strikes?

22 THE WITNESS: Yes. So as part of a
23 project we do what's called lightning assessment. And
24 if it does seem necessary that lightning protection

1 rods, etc., are needed, those would be implemented.

2 MR. GREENWELL: Okay.

3 MR. KAINS: Mr. Puzey.

4 MR. PUZEY: You mentioned several
5 events, two different containers. How do you define a
6 container? Is that like -- looks to me like 12
7 modules all stacks into rows. So would the thermal
8 event be confined to one of those modules, or is it
9 the entire container? How do you define a container?

10 THE WITNESS: Sure. Could we go back
11 one slide. And I'm going to walk over. So these are
12 the battery enclosures, the containers that we're
13 talking about here, these black rectangles. So you
14 can see that there's groups of two; two, two, two. So
15 this group of four right here is one unit, so to
16 speak, one block. What I'm saying, isolation to one
17 container, I'm talking to one of these black
18 rectangles.

19 MR. PUZEY: Oh, okay. All right. Not
20 the whole?

21 THE WITNESS: Correct.

22 MR. PUZEY: And there's how many of
23 those in, say, that whole enclosure? It looks like a
24 semi-truck containers you can see going down the road.

1 THE WITNESS: So one of these is --
2 that's the 20-foot enclosure.

3 MR. PUZEY: That is a 20-foot by, like,
4 15-foot by 40-foot container?

5 THE WITNESS: So this is a good actual
6 picture representation of what these look like.

7 MR. PUZEY: Okay.

8 THE WITNESS: So about 20 feet in this
9 direction, 8 feet wide.

10 MR. PUZEY: Okay. And go over to your
11 next one, I think. When they were to go to the fire
12 training.

13 Okay. So one is 20 feet long, is that inside
14 all those grey containers?

15 THE WITNESS: 20 feet would be roughly
16 this. But this is not a battery energy enclosure.
17 This is a power conversion system. But that is
18 roughly 20 feet, I would say. This is a slightly
19 different form factor from what we're proposing.

20 MR. PUZEY: So what's the overall length
21 of that unit there?

22 THE WITNESS: So this particular product
23 is more modular. So this is actually just an
24 8-foot-by-8-foot-by-10 -- 12-foot cube. And there's

1 going to be multiple of those. A slightly different
2 arrangement than this project.

3 MR. PUZEY: Okay. All right. So the
4 fire would be limited to just a portion of one of
5 those sections right there?

6 THE WITNESS: Correct.

7 MR. PUZEY: All right. Thank you.

8 THE WITNESS: So we're talking one
9 container out of 300 or more.

10 MR. PUZEY: 300 containers, okay.

11 MR. KAINS: Mr. Crawford.

12 MR. CRAWFORD: So of all the thermal
13 events that you're aware of, none of them have moved
14 to a second container?

15 THE WITNESS: Using this battery
16 chemistry in this foreign factor and conforming to
17 NFPA 855. There are events prior that are really
18 apples to oranges to the technology we're talking
19 about here.

20 MR. CRAWFORD: This technology, do you
21 know, nothing has moved to a second storage unit?

22 THE WITNESS: Correct.

23 MR. KAINS: Yes. Ms. Messmore.

24 MS. MESSMORE: How old did you say this

1 technology is?

2 THE WITNESS: So this technology is
3 being deployed today. This is kind of the latest
4 state of the art, so it's new. But in terms of the
5 chemistry, it's been around for several years.

6 MR. KAINS: All right. Any other
7 questions from Members of the Committee?

8 Yes, Mr. Greenwell.

9 MR. GREENWELL: What causes a thermal
10 event? I mean, does the battery start overheating and
11 then it heats up the others, or?

12 THE WITNESS: So that's essentially what
13 thermal runaway is. It's excessive heating of the
14 battery cell and there are a number of things that
15 could cause that. Essentially, abuse, whether that be
16 physical, electrical, and that is what NFPA 855
17 designed to do is to ensure that there's mechanisms in
18 place that prevents that from happening. Barriers to
19 all of those potential causes of thermal runaway.

20 MR. KAINS: What was the last part of
21 what you said?

22 THE WITNESS: NFPA 855, essentially that
23 is what it's partially there for is to establish
24 barriers for any of the causes that could result in an

1 event like this.

2 MR. KAINS: Okay. Thank you. Any other
3 questions from Members of the Committee for
4 Mr. Carroll? Yes, Mr. --

5 MR. GREENWELL: Did you say physical
6 abuse, or did I misunderstand what you said?

7 THE WITNESS: Any sort of abuse. So
8 that, yeah, thermal, electrical I could say physical,
9 that's not something that you would want to do.

10 MR. KAINS: Mr. Keyt.

11 **QUESTIONS BY MR. KEYT:**

12 Q. I think one of the questions is related
13 to how -- how old is this technology that we're
14 talking about for this proposed battery system? When
15 you said a few years old, do you know exactly -- when
16 is the first time Invenergy deployed this?

17 MR. KAINS: Mr. Carroll, I'm going to
18 ask you to step back over to the podium and
19 microphone. I want to make sure folks in the back row
20 can hear you.

21 THE WITNESS: Okay. So the question
22 was -- could you please repeat the question.

23 **QUESTIONS BY MR. KEYT:**

24 Q. How old is this technology and -- first

1 of all, how old is the technology?

2 A. It is -- I think the next witness could
3 probably speak more to just the overall landscape of
4 the equipment. But Invenergy's experience is with
5 this chemistry goes back to 2012.

6 Q. Okay. In terms of Invenergy's
7 experience, just with battery fires in general, how
8 many has Invenergy had a battery energy storage system
9 that did catch fire?

10 A. The three events that I mentioned
11 previously are the ones that we've had any involvement
12 with.

13 Q. As to any battery storage system, or are
14 you talking just specifically this technology?

15 A. Any system.

16 Q. Okay.

17 MR. KEYT: Okay.

18 MR. KAINS: Questions from Members of
19 the Committee?

20 (No response.)

21 MR. KAINS: All right. Very good.
22 Thank you, Mr. Carroll. You may step down.

23 (Witness excused.)

24 MR. KAINS: Mr. Griffin, call your next

1 witness.

2 MR. GRIFFIN: Thank you. Mr. Kurz does
3 have the answer to your question.

4 MR. KAINS: All right. 100-year
5 floodplain, is it in, is it out?

6 MR. KURZ: Yeah. None of the facilities
7 are located within the 100-year floodplain.

8 MR. KAINS: None are in the floodplain.

9 MR. KURZ: The O&M, the BESS and the
10 substation, correct.

11 MR. KAINS: Okay. Very good. Thank
12 you, Mr. Kurz.

13 Mr. Griffin, thank you for getting that
14 information for us.

15 All right. Call your next.

16 MR. GRIFFIN: Dr. Mark Kellenberger.

17 MR. KAINS: Good afternoon, sir.

18 MR. KELLENBERGER: Afternoon.

19 **MARK KELLENBERGER,**
20 was called as a witness on behalf of the Applicant
21 and, having been first duly sworn, testified as
22 follows:

23 MR. KAINS: Very good. Thank you.
24 Mr. Griffin, you may go ahead.

1 **DIRECT EXAMINATION,**

2 **QUESTIONS BY MR. JAMES R. GRIFFIN:**

3 Q. Please state your name and spell it for
4 the record.

5 A. My name is Mark Kellenberger. That's,
6 M-A-R-K, K-E-L-L-E-N-B-E-R-G-E-R.

7 Q. And where are you currently employed?

8 A. I'm currently employed at DNV.

9 Q. And what is DNV?

10 A. DNV stands for Det Norske Veritas. DNV
11 is a Norwegian Engineering Company.

12 Q. And where is your office located?

13 A. Our headquarters are based in Katy,
14 Texas, in North America. Our local headquarters is
15 based in Europe.

16 Q. And what is your occupation?

17 A. I am a senior energy storage engineer at
18 DNV, specifically focused on energy storage data.

19 Q. And can you please summarize for the
20 Committee your educational background.

21 A. Sure. I have a bachelor's of
22 engineering in mechanical engineering. I have a
23 master's in mechanical engineering, and then I have a
24 PhD in mechanical engineering focusing on combustion

1 and high-speed reactive flows.

2 Q. Can you briefly summarize your
3 professional background as it relates to battery
4 storage?

5 A. Sure. I review a lot of energy storage
6 safety designs for energy storage projects. Worked on
7 tens of gigawatt hours or projects, visited them on
8 site. I also do a lot of public meetings such as this
9 one, public hearings where I speak to public and
10 elected officials about energy storage system and
11 their resources and safety.

12 Q. And are you familiar with the safety
13 standards for battery storage projects?

14 A. Very familiar. I do a lot of energy
15 storage compliance reviews for storage projects.

16 Q. And so are you hired by energy companies
17 to review their design and provide advice on safety
18 and operations?

19 A. Yeah. So one of DNV's main roles is to
20 act as an independent engineer for renewable energy
21 projects, and that includes stand-alone storage and
22 hybrid storage projects such this one.

23 Q. And I provided the -- Mr. Keyt a copy of
24 your CV, which has been marked as Exhibit Number 7.

1 Are all of the statements in there true and correct?

2 A. Yes.

3 Q. And have you appeared and been qualified
4 as an expert in the battery storage field in other
5 proceedings before citing boards?

6 A. I've gone to probably 20 hearings or
7 public meetings such as this in the past few years.

8 MR. GRIFFIN: I'd ask that
9 Mr. Kellenberger be qualified as an expert in battery
10 storage engineering.

11 MR. KAINS: Mr. Keyt, Ms. Rives, any
12 objection?

13 MR. KEYT: No objection.

14 MR. KAINS: Do you have any objection to
15 his resume coming in as Applicant's Exhibit 7 in
16 evidence?

17 MR. KEYT: No objection.

18 THE COURT: All right. The resume is in
19 as Applicants Exhibit 7 and will be considered by the
20 Wind and Solar Committee and ultimately the Vermilion
21 County Board. And I find that Dr. Kellenberger is
22 qualified to testify as an expert on the subject
23 matter of engineer -- or energy storage safety. So
24 he's in.

1 Go right ahead, Mr. Griffin.

2 MR. GRIFFIN: Thank you.

3 **QUESTIONS BY MR. GRIFFIN:**

4 Q. Mr. Kellenberger, you've heard the
5 questions that Mr. Carroll was asked. Can you kind of
6 provide a background as to what is the current state
7 of the art as far as safety design for battery storage
8 projects, and how is that technology improved over the
9 years?

10 A. Sure. As most codes and standards are
11 developed, they're developed in responses to incidents
12 that have happened in the past. There have been --
13 battery storage systems have been deployed at a great
14 scale since the early 2000's, at a scale, and this
15 technology that Invenergy is proposing to use here is
16 a Lithium Iron Phosphate. Technology that's been
17 widely deployed since about 2018 globally, and it's
18 now kind of the dominant energy storage technology
19 that's being used is great scale storage.

20 Part of that is to do with the safety aspects
21 of Lithium Iron Phosphate batteries. There's a number
22 of safety standard codes, as Jonathan alluded to. The
23 primary one is NFPA 855. That's the National Fire
24 Association's Code 855, and that governs the

1 installation of energy storage systems. That brings
2 together a number of other standards. Some of those
3 include UL, those are Underwriter Laboratory
4 standards; namely, 9540 and 9540A, as well as some
5 other ones. These are all safety standards and tests
6 that you are required of energy storage systems to be
7 able to deployed in systems such as this.

8 Q. And what type of tests are those of
9 energy storage systems?

10 A. Sure. So the main ones are 9540A. So
11 that's a test standard from Underwriters Laboratories,
12 that is a thermal runaway test, and that occurs at 3
13 different level. Jonathan showed that there are 3
14 different levels or different makeup packages of
15 batteries starting at the cell level, the module
16 level, and then the racking of unit level. So UL
17 9540A actually has specific tests on the cell, on the
18 module and of the unit or the rack. And these are
19 thermal runaway tests. And in this test procedure a
20 battery cell is deliberately submitted to thermal
21 runaway to see what the outcome of that is. And
22 there's a number of different measurements that are
23 made during the test. One is the gas production, the
24 temperatures at which the cell fails. So there's kind

1 of two different temperature measurements of concern.
2 So the first is called a venting temperature. So
3 that's when the cell begins to vent the gas. That is
4 breakdown of materials within the cell. And then
5 finally, thermal runaway temperature is when the cell
6 undergoes uncontrolled self-heating. So that is the
7 characteristic of Lithium-Ion batteries. Same thing
8 that -- the battery in your phone can undergo thermal
9 runaway, and these are all tested to the 9540A
10 standard. And when we're moving from the cell level
11 to the module, thermal runaway propagation is of
12 concern. So that is the propagation of failure of one
13 cell to another cell, and then at the unit or the
14 enclosure level, that is then looking at propagation
15 from module to module within the closure.

16 Now, beyond 9540A, there are new requirements
17 that are coming into play over the next few months.
18 That will mandate large-scale fire testing of these
19 systems. There are a number of manufacturers that
20 have conducted large-scale fire tests, and DNV often
21 runs these fire tests by -- or by subfire testing
22 group and basically we are deliberately lighting the
23 entire battery container on fire to ensure that that
24 fire will not be able to propagate to adjacent

1 equipment. So we're evaluating manufactured
2 recommended spacing distance between the containers
3 and we're creating a worse-case fire scenario to
4 ensure cite spacing will be adequate to have the fire
5 just burn itself out.

6 Q. And do all of those things you just
7 mentioned represent improvements in the technology and
8 safety of battery storage systems since they were
9 first implemented?

10 A. Yes. So NFPA 855 itself, the first
11 edition came out in 2020. So projects that were
12 designed prior to 2020 and, in fact, many that were
13 actually built and went into service after that,
14 they're kind of grandfathered in. So a lot of the
15 storage system failures that have occurred in the past
16 have been on systems that were not -- that did not
17 meet NFPA 855, probably because they didn't exist for
18 early storage systems.

19 Q. And the technology that Musketeer's
20 proposing to utilize in this battery storage system,
21 has that been successfully implemented in other
22 projects that you're aware of?

23 A. Yes. So this would be using the Lithium
24 Iron Phosphate technology. That is by far which would

1 be deploying retail storage, there's been gigawatts of
2 it deployed to date.

3 Q. And has that design eliminated some of
4 the issues that projects experienced before with
5 hazards?

6 A. Yeah. So some of the projects that have
7 happened, I know the Moss Landing incident was brought
8 up. Moss Landing was a completely different battery
9 chemistry. It used a more energy-dense chemistry for
10 those battery cells. It was also an indoor facility
11 that was actually stacked racks of batteries. So what
12 Invenergy is proposing here is outdoor containers
13 deployed, better spaced out with access tiles between
14 them. So it's a very -- a very different deployment
15 and that is because the NFPA 855, that dictates site
16 layout requirements.

17 MR. GRIFFIN: That's all the questions I
18 have.

19 MR. KAINS: Very good. Thank you,
20 Mr. Griffin.

21 All right. Questions for Dr. Kellenberger
22 from Members of the Wind and Solar Committee.

23 Yes, Mr. Puzey.

24 MR. PUZEY: This testing that you

1 referred to, is that done by the manufacturer of the
2 battery within the presence of, I'm not sure, that's
3 UL or NFPA? How's that done?

4 THE WITNESS: So the testing is done --
5 combination of both. It depends on when the testing
6 is done. Typically now it's done by the manufacturer,
7 and it's either conducted or witnessed by experts in
8 the field. So DNV does witnessing of tests. UL, CSA
9 does witnessing of these large-scale fire tests.

10 MR. PUZEY: So there's no lab out there
11 that you send the battery to so that whoever they are
12 tested it?

13 THE WITNESS: There is. So DNV, when we
14 do large-scale fire tests we work with a partner lab
15 in North Carolina that has facilities to be able to
16 the large-scale fire testing, and instrument the
17 battery, look at the temperatures in the initiating
18 unit that would light a fire, as well as monitor the
19 temperatures in what we call target unit, which are
20 the next-door units, to ensure that the fire won't
21 spread to those.

22 MR. PUZEY: So is Invenergy taking, I
23 guess, the results of these other tests and saying,
24 okay, that's good enough for us? You're not doing

1 your own tests?

2 THE WITNESS: No. Invenergy wouldn't be
3 doing their own large-scale testing, no.

4 MR. PUZEY: Thank you.

5 MR. KAINS: Thank you, Mr. Puzey for
6 your questions.

7 Mr. Greenwell.

8 MR. GREENWELL: So what is the spacing
9 between containers?

10 THE WITNESS: It depends. So the first
11 step would be to look at what the manufacturer's
12 recommendations are and that is typically based on UL
13 9548 testing. Now, as more large-scale fire tests are
14 done, that spacing is being based on the large-scale
15 fire testing. So typically it's on the order of 10
16 feet between aisles or more. And some of these
17 containers have doors only on one side for access. So
18 the containers are placed back to back in certain
19 situations. And that back to back spacing tends to be
20 as little as 4 inches.

21 MR. KAINS: Mr. Puzey.

22 MR. PUZEY: These containers, do they
23 come in fully assembled so you've got a whole unit, or
24 are they put together on site?

1 THE WITNESS: Again, it depends.
2 Typically containers that Invenergy is proposing to
3 use 20-foot containers. The big risk here becomes
4 road transport weight. So typically a 20-foot would
5 arrive fully assembled and to crane and deployed on
6 site. And then the underground wiring would be
7 completed on site.

8 For larger containers, 40-foot, some 53-foot
9 containers, those generally have the container shipped
10 empty and then the battery modules themselves are
11 shipped, and then the battery modules are loaded on
12 site.

13 MR. PUZEY: Okay. Thank you.

14 MR. KAINS: Very good. Thank you. Yes,
15 Mr. Crawford.

16 MR. CRAWFORD: Just talking about the
17 proposed technology that we're -- on this project.
18 How many thermal incidents of that type of technology
19 are you aware of?

20 THE WITNESS: There have been thermal
21 incidents with the LLP technology. Part of the my
22 role at DNV is also to read root cause analysis
23 investigations of energy storage system failures. So
24 we have investigated probably 4 fires over the last 2

1 years with LLP technology. And to give some
2 perspective, in the U.S. there's been gigawatts of
3 this technology deployed and the fire safety
4 investigations have included about 4 containers'
5 worth.

6 MR. CRAWFORD: And typically the cause
7 of these fires, are they all different, are they all
8 the same?

9 THE WITNESS: Typically, some of the
10 recent causes have been related to poor manufacturing
11 qualities of the enclosure itself and water
12 infiltration into the enclosure.

13 MR. KAINS: Any further questions from
14 Members of the Committee?

15 Go ahead, Mr. Puzey.

16 MR. PUZEY: How do you prevent water
17 from getting into a module or a battery component?

18 THE WITNESS: Yeah. So these containers
19 go through water ingress testing. So I'm sure some
20 people might have heard IP testing or NEMA ratings for
21 outdoor equipment. And this tests them against water
22 and dust infiltration. So you have different ratings
23 based on the amount of water that's tested, the
24 duration of water spray, the pressure of water spray.

1 So typically an energy storage container will undergo
2 this IP testing in a controlled environment to test if
3 water's able to get into the container.

4 The important thing they're testing is a lot
5 of the areas around the HVAC system where air intakes
6 and stuff like that, those need to be tested to ensure
7 they're protected against water. Also to access the
8 battery modules, there's many doors on these that have
9 door seals on them, so those are areas that are
10 typically tested. So that is to test and certify a
11 particular design. But then if you're looking at
12 manufacturing quality at repeated manufacturing of
13 these storage enclosures, we have seen some
14 manufacturers implementing water testing on every
15 single enclosure that comes off the assembly line.

16 Part of my role at DNV also looks at
17 manufacturing quality and those testing procedures to
18 ensure that there is proper testing of the storage
19 enclosures, because water infiltration has been an
20 issue in the past.

21 MR. KAINS: Any other questions for the
22 witness from Members of the Committee?

23 (No response.)

24 MR. KAINS: Questions for

1 Dr. Kellenberger from members of units of local
2 government, County Board, townships, school districts.

3 Mr. Henderson from the County Board.

4 MR. HENDERSON: The last question
5 initiated a question on my part. So there's initial
6 testing for water intrusion by the manufacturer. You
7 indicated doors open, seals, etc. Is there ongoing
8 testing that occurs by maintenance? Is there a
9 maintenance schedule, something, you know, designed
10 that, you know makes certain that 5 years, 10 years?
11 Because you indicated life expectancy is, I thought
12 you said 20 for the container, or maybe I just --
13 maybe I just --

14 THE WITNESS: Typically the storage
15 system is -- it's around 20 years, yeah.

16 MR. HENDERSON: So what systems in place
17 for ongoing maintenance?

18 THE WITNESS: Yeah, for ongoing
19 maintenance there's -- especially for ingress
20 protection, there's not necessarily any ongoing
21 testing. Typically when a container is open any
22 maintenance stop, like say, a module needs to be
23 swapped out for whatever reason, maintenance, that
24 will look at the general condition of the interior of

1 the container and if there is liquid water in the
2 container, that would certainly be something that is
3 reportable and warrants investigation. But in terms
4 of ongoing maintenance specifically for water ingress,
5 that has been very rare, unless there's a known issue
6 with a particular technology.

7 MR. HENDERSON: I'm just -- follow up?

8 MR. KAINS: Yes.

9 MR. HENDERSON: I think about my car
10 door, and after a few years the seal around starts
11 deteriorating, it gets -- because it's of the
12 composition of what it's made of. Are those seals
13 replaced periodically?

14 THE WITNESS: So the seals are
15 replaceable typically on these containers. I would
16 say the only reason they would be replaced is if
17 maintenance does notice an issue, say, they open a
18 door and they notice a seal is damaged. Often these
19 containers have double seals. So it's actually a
20 single piece of rubber that seals both of the outside
21 surface and on the inner surface. So if the outside
22 surface was somehow damaged by some kind of an
23 abrasion or by -- or by UV deterioration in the sun,
24 there would still be an inner seal behind that to back

1 it up.

2 MR. HENDERSON: I guess what I'm trying
3 to lead to is, is there a checklist, a check box that
4 the maintenance people -- these are things that they
5 specifically look at or do they wait till there's a
6 problem before they look at it?

7 THE WITNESS: That would be something
8 for -- for Invenergy's O&M procedures. I'm not aware
9 of exactly what's included in that, but that is
10 certainly a check list item that's very --

11 MR. HENDERSON: A proactive approach
12 rather than reactive.

13 THE WITNESS: Yeah.

14 MR. HENDERSON: Thank you.

15 MR. KAINS: Thank you for your
16 questions, Mr. Henderson.

17 Anybody else from the County Board, members
18 of units of local government, including townships,
19 school districts.

20 (No response.)

21 MR. KAINS: All right. Very good.
22 Members of the public, folks who are either opposed to
23 the application or neutral on the application? Anyone
24 have questions for Dr. Kellenberger on his testimony?

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(No response.)

MR. KAINS: Thank you. Vermilion County staff and consultants, Mr. Keyt, Ms. Rives.

CROSS-EXAMINATION,

QUESTIONS BY MR. ANDREW J. KEYT:

Q. If I understood what you indicated earlier, the Lithium Iron phosphate, you referred to it as LIP technology, if I understand that correct?

A. LF.

Q. LFP. You indicated that there's been, from what you could recall, 4 fires, thermal events on that technology of battery in projects in the United States, am I understanding that right?

A. Of which my company DNV has investigated. So we were deliberately brought in to investigate those fires.

Q. Were any of those 4, the 2 that were in Arizona of the Invenergy Projects?

A. Yes.

Q. What was the cause -- if you could determine it, what was the cause of those two fires?

A. I can only speak to one of them, and right now all I can say is that the investigation has not been completed.

1 Q. If I understand it, Invenergy has
2 completed 14 or 15 projects using that technology
3 in -- at least its portfolio projects. I understand
4 that one, right? Is that a yes?

5 A. I believe so, yes.

6 Q. Okay. My understanding then from
7 Mr. Carroll's testimony is that 2 of them had thermal
8 events, which I understand to mean a fire. Is that
9 how you understand it?

10 A. A thermal event can be anything from a
11 single-cell thermal runaway that does not propagate to
12 anything else, to a full-blown enclosure, fully being
13 consumed. So a thermal event refers to a wide range
14 of potential evidence.

15 Q. The two in Arizona, what were those?

16 A. Again, I can only speak to one of those
17 Arizona fires that I'm familiar with. That did not
18 consume the entire container. That was restricted to
19 one subunit within the container.

20 Q. Meaning there was a fire but it was
21 contained within one subunit of the container?

22 A. From what we have determined to this
23 point, yes.

24 Q. Okay. So if my math is correct, of the

1 14 or 15 projects, about 14 percent of the ones have
2 caught fire?

3 A. Of Invenergy projects, that's -- that's
4 quite possible. In terms of total LFP failures across
5 the United States, the number is significantly lower
6 than that.

7 Q. Okay. So is there a reason these
8 particular 2 of these 14 have had an issue, or is it
9 manufacture related, is it some design issue, is it
10 installation, is there any idea?

11 A. Again, because the investigation has not
12 been completed on at least that one, I can't speak to
13 that right now.

14 Q. But 14 percent, that sounds -- when I
15 hear that number it sounds like kind of high. Like if
16 14 percent of the houses burn down in Decatur, it
17 sounds -- or Danville, it sounds pretty high, right?

18 A. It certainly is very high, but that
19 doesn't reflect the total failure rate of LFP projects
20 or Invenergy storage projects.

21 Q. Do you know what the total failure rate
22 is for LFP projects?

23 A. I don't know it off the top of my head.
24 But DNV actually last year wrote a white paper on the

1 frequency of energy storage system failures based on
2 publicly available data, and that's certainly
3 something that I can share at a later time. It's a
4 public white paper that's available.

5 Q. Okay. Yeah, if you can provide it, that
6 would be great.

7 A. Yeah.

8 Q. I'm trying to understand exactly why --
9 it sounds like if there is a thermal event, you could
10 feasibly have fire suppression on these systems; is
11 that correct?

12 A. You could have fire suppression. As
13 Jonathan stated, a lot of the industry learnings over
14 the past decade have been that fire suppression
15 systems on grid-scale storage, just the way batteries
16 are configured is not very effective, and in some
17 cases it can increase the risk of other hazards.

18 Q. Increase the risk of what?

19 A. Other hazards.

20 Q. Okay. So if I'm understanding you
21 correctly, the best way to handle a fire is to just
22 simply let it go?

23 A. Yes. That -- that is the guidance that
24 manufacturers provide as well as -- it's what

1 industry, the best practice is at this time.

2 Q. And here's what I'm -- when you say just
3 let it go. If somebody said, house is on fire, just
4 let it burn. How do you keep it from spreading to
5 other portions of the facility?

6 A. So there's -- there's kind of two
7 aspects of that. One is the large-scale fire testing
8 to ensure that, one, that particular technology has
9 been tested in the worse-case fire scenario and that
10 the spacing is adequate to prevent fire propagation in
11 the event there was no intervention from first
12 responders whatsoever.

13 Emergency response plans of which have to be
14 developed for projects like this, do give firefighting
15 guidance, and typical firefighting guidance for modern
16 energy storages systems is to use water to cool
17 adjacent equipment to ensure the fire doesn't spread,
18 and it is not to apply water to the incident
19 container.

20 Q. Where would -- in this particular
21 project, my understanding is there is not fire
22 hydrants nearby. Where would the water come from?
23 Just water trucks from the fire department?

24 A. So that would be part of the emergency

1 response plan that Invenergy would work with the local
2 fire department to develop. Typically for remote
3 storage sites that don't have access to municipal
4 water, there would either be a truck and tanker plan
5 put in place, or there would be an onsite fire water
6 storage tank. Typically these are between 10,000 and
7 50,000 gallons, depending on the availability of the
8 water to be trucked and brought into the site on a
9 continuing basis to cool the equipment. But, again,
10 that whole plan would be developed in conjunction with
11 the local fire departments.

12 Q. In your opinion is it safer to have the
13 water on site? I assume that's the safest option,
14 fair?

15 A. That would be fair to say. That would
16 be the safest option.

17 Q. So in this particular plan, I've not
18 seen a plan for exactly how this would work for this
19 project, but fair to say Invenergy would be -- since
20 that's the safest system is to have water on site for
21 the system; is that fair?

22 A. I think that Invenergy would do whatever
23 is safest, and especially, I think the codes like NFPA
24 55 and potentially any local fire code that might

1 apply, from what I understand, there is no fire code
2 in the unincorporated areas here. But typically what
3 DNV recommends in cases like this, is adherence to the
4 latest fire code and the latest version of NFPA 55.

5 Q. In terms of the spacing of the
6 containers, in your opinion what is the safest spacing
7 for those containers?

8 A. I wouldn't be able to say without
9 redoing or conducting a large-scale fire test.
10 Typically rows of containers are spaced on the order
11 of 10 feet and the back-to-back spacing if they don't
12 have doors on one side is on the orders of 6 inches.
13 And, again, this spacing would be dictated based on
14 the results of the fire testing. There is general
15 guidance that is given in NFPA 55 in lieu of a
16 large-scale fire test, but any real test results would
17 supercede any of that general guidance.

18 Q. What's the general guidance?

19 A. I don't recall off the top of my head.
20 I believe it's an appendix, and NFPA 55 is not
21 actually strictly laid out in there is the
22 recommendation.

23 Q. Okay. Switching back to the water on
24 site. In terms of water being utilized on site, what

1 is the -- if I understand it correctly, the battery
2 storage for this site is to be how many megawatts of
3 storage?

4 A. 300 megawatts of storage.

5 Q. A 300-megawatt storage facility, how
6 much water should be on site for that facility?

7 A. Again, that would largely depend on
8 large-scale fire tests. Typically, in my opinion, I
9 would not expect the fire to propagate to the entire
10 site. So having water to cool 300 megawatts of
11 containers is not practical or necessary. But
12 certainly water to protected equipment of a
13 single-container failure for a number of hours.
14 Typically when we do large-scale fire testing, a
15 container will burn from anywhere between 4 to 14
16 hours. So having water to adequately cool or having a
17 water plan to adequately cool any adjacent equipment.
18 Of course, same math with regard to heat and the heat
19 output of the fire. So it wouldn't be sustained high
20 peak output.

21 Q. So in terms of -- in terms of -- in
22 terms of your opinion as to how much water would be
23 necessary, right now you don't necessarily have an
24 opinion as to that?

1 A. No. Typically there would be fire
2 protection engineer that would work on that
3 combination.

4 Q. Okay.

5 MR. KEYT: I don't have any more
6 questions.

7 **QUESTIONS BY MS. RIVES:**

8 Q. How many containers are anticipated in
9 this project? I don't know if -- if you don't
10 directly know that answer, if Invenergy, you know,
11 hasn't decided that, but what -- based on its size,
12 what would you envision how many containers will be?

13 A. I -- I don't know what the site design
14 is right now, but for 300 megawatts, a 20-foot
15 container, state-of-the-art right now, will hold about
16 5 megawatt. I don't know what Invenergy has planned.
17 There's obviously a number on the site drawing.
18 Jonathan can answer that.

19 MR. GRIFFIN: He can answer that.

20 MR. CARROLL: So container capacity?

21 THE WITNESS: The number of containers.

22 MR. CARROLL: Oh. 272.

23 MS. RIVES: Okay. It sounds like from
24 your presentation, I'm kind of -- I'm kind of sideways

1 here on who I'm asking these questions to. I should
2 of went ahead and asked you, Mr. Carroll, when you
3 were still here -- up here. But the nearest
4 residence, is it 3,000?

5 MR. CARROLL: Over 3,000 feet.

6 MS. RIVES: Over 3,000 feet.

7 MR. CARROLL: I think the closest was
8 3,300 or so.

9 MS. RIVES: Okay. Is that a
10 participating -- is that a project -- is that
11 landowner -- that residence, is that a
12 non-participating residence or a participating
13 residence?

14 MR. VASILION: Non-participating
15 residence.

16 MS. RIVES: Okay. Those are all the
17 questions I have.

18 THE WITNESS: I'd actually like to
19 quickly correct something I said earlier on spacing.

20 MS. RIVES: Uh-huh.

21 THE WITNESS: So spacing of the
22 containers is dictated in NFPA 55. But it depends on
23 where the site is classified as a remote storage site
24 or not, and it depends on a number of other factors,

1 how the container should be placed. Some of the
2 requirements for the spacing are fire testing to 9548,
3 as well as what's known as a hazard mitigation
4 analysis. So that's kind of going through a list of
5 the things that could fail on the site and barriers
6 that are placed in mitigation of those systems. So
7 generally, the authority having jurisdiction, usually
8 the local fire department, would review this, and then
9 they would be able to approve or deny the spacing that
10 is less than what is recommended in NFPA 55.

11 And typically on these large grid-scale
12 storage sites, on the order of 300 megawatts, there
13 would be a hazard mitigation also done because that
14 site does exceed the minimum recommended quantities in
15 NFPA 55.

16 MR. KAINS: Thank you, Doctor. Redirect
17 examination now, Mr. Griffin.

18 **REDIRECT EXAMINATION,**

19 **QUESTIONS BY MR. JAMES R. GRIFFIN:**

20 Q. Dr. Kellenberger, when you have -- you
21 talked about a few incidents, and one you're familiar
22 with in Arizona on the Invenergy Project?

23 A. Yeah, correct.

24 Q. And that was a failure of one

1 subcomponent and one enclosure; is that correct?

2 A. Correct. So that is a large container
3 and within that container segments it into smaller
4 racks, and the issue was restricted to one of the
5 racks within the container.

6 Q. And do you know how many enclosures that
7 actually had?

8 A. Not off the top of my head. Certainly
9 at least 6 containers on site there in the immediate
10 vicinity.

11 Q. And so looking at this, and I think
12 Mr. Carroll just said in this Invenergy Project we're
13 here about, this tier has a 272 proposed enclosures.
14 So if there would be one component that had an issue,
15 that would just be one out of the 272?

16 A. Yes. Yeah. So that's why we do
17 large-scale fire testing is to ensure that the fire --
18 or to have confidence that the fire would not
19 propagate beyond one single container.

20 Q. As far as the percentage of failures,
21 you would look at in comparison to the number of
22 components versus the number of failures of those
23 components?

24 A. Yes, that would typically tell us that.

1 Typically failure data is hard to come by and not well
2 presented for energy storage systems. So saying that
3 a failure happened on a site that has 10 megawatts is
4 the equivalent to a failure on a site that has 300
5 megawatts. And obviously there are many, many more
6 cells in a 300-megawatt site is operating safely. But
7 it's a project-by-project basis. It's more difficult
8 to gauge the true failure on a per megawatt basis.

9 Q. But say let's use the failure in Arizona
10 that you're familiar with. And I know Mr. Keyt asked
11 you questions. I want to make this comparison,
12 though. You would not compare that failure with a
13 house burning down? That wasn't the equivalent for
14 that project, correct?

15 A. No. So we do make comparisons between
16 storage fires and residential fires in that the smoke
17 can be dangerous from both of them. Typically, you
18 don't want to be breathing in the smoke, but that is
19 the extent to which it would be compared to a house
20 fire.

21 Q. But otherwise, that facility still was
22 able to remain operational and function after that
23 incident was resolved?

24 A. So typically if there is a failure, the

1 site would get shut down until there is a root cause
2 analysis with an investigation done just to make sure
3 that we know what the cause of the fire was so we can
4 correct it, if it's a correctable thing.

5 So I'm not sure of the operational state of
6 that particular project, but it's often that the way
7 the projects are constructed, there is a number of
8 energy storage battery containers that are connected
9 to one power conversion system component. So let's
10 say there's one power conversion system component
11 connected to 4 battery containers, typically that
12 entire bank would be shut down if there was an
13 incident in one of them. But all the other banks
14 within the site would continue to operate.

15 MR. GRIFFIN: Thank you.

16 MR. KAINS: Thank you, Mr. Griffin.

17 Final questions for Dr. Kellenberger
18 regarding his testimony come from Members of the Wind
19 and Solar Committee.

20 Mr. Puzey.

21 MR. PUZEY: What would you say is the
22 normal operating temperature of the system?

23 THE WITNESS: For the batteries?

24 MR. PUZEY: For the battery.

1 THE WITNESS: So the batteries are
2 happiest to being between -- I'm going to say this in
3 degree celsius, because that's how we do it, but it's
4 usually between 25 degree celsius and 40 degree
5 celsius, it's within that temperature range, the
6 batteries cells.

7 MR. PUZEY: What can they reach without
8 damage?

9 THE WITNESS: Sorry?

10 MR. PUZEY: What temperature can it
11 reach inside the box? I'll call it inside the
12 container --

13 THE WITNESS: Yeah.

14 RM. PUZEY: -- if you had a thermometer
15 in there?

16 THE WITNESS: If you had a thermometer
17 in there -- so there's -- the temperature side is
18 actively managed by either an air-cooled system or a
19 liquid-cooled system, the battery cells. Typically
20 energy storage system containers are rated up to 50 or
21 55 degrees ambient operation. In the case of some
22 projects in Arizona in desert, it can exceed that.
23 What happens in that case is the energy that we put of
24 the battery system gets derated. So instead of having

1 a 300-megawatt output, it might only be 250 megawatts.
2 But the interior in the container is actively managed
3 to be probably around 30 degrees during operation.

4 MR. PUZEY: So you're telling me that
5 there is refrigeration going on to offset radiant heat
6 coming from the sun or just from generated heat in
7 your components?

8 THE WITNESS: Yeah, yeah. So that's
9 exactly right. There's a number of different things
10 that can add heat into the battery. One of them is
11 radiant heat from the sun, that's why the container
12 are typically painted white to reflect as much of that
13 infrared radiation as possible. Also when the
14 batteries are charging and discharging there is
15 internal resistance associated with that. So the
16 battery cells themselves do heat up. If you guys have
17 ever held your phone while it's charging, it does warm
18 up, and that is the internal resistance of the energy
19 going into the battery cell. So it indicates that
20 these enclosures are actively managed by --

21 MR. PUZEY: So 40 degrees celsius is how
22 much Farenheit?

23 THE WITNESS: About the neighborhood of
24 100, 110 degrees.

1 MR. PUZEY: Give or take -- yeah. Yeah.
2 Thank you.

3 MR. KAINS: Any other questions from
4 Members of the Committee for Dr. Kellenberger?

5 (No response.)

6 MR. KAINS: Very good. Doctor, thank
7 you for your testimony. You may step down.

8 THE WITNESS: Thank you.

9 (Witness excused.)

10 MR. KAINS: It's a little after 3:00.
11 Mr. Griffin, how many more witnesses do you
12 have?

13 MR. GRIFFIN: We would like to call 3
14 more.

15 MR. KAINS: 3 more. You've got property
16 valuation, economic impact and?

17 MR. GRIFFIN: Decommissioning.

18 MR. KAINS: And decommissioning. And do
19 you have any other witnesses who are not considered
20 expert witnesses? I know you have several of those.

21 MR. GRIFFIN: No, we don't.

22 MR. KAINS: Okay. Then we've got to go
23 through folks who are in favor, those who are opposed.

24 Another day.

1 MR. FOUREZ: I think so.

2 MR. KAINS: We've all been here since
3 9:00. I think what we're going to do is take a break.
4 We'll come back and try to figure out another day
5 that's going to work for most everybody, not
6 everybody, but most everybody. We especially need to
7 make sure we have this room available.

8 Mr. Keyt, will you be able to ascertain that?

9 MR. KEYT: Yes, I think so.

10 MR. KAINS: We've got to make sure we
11 have Mrs. Atkinson available. Without her nothing
12 happens, all right. And then we've got to make sure
13 everybody else can be here.

14 Let's take a 10-minute recess until 3:16,
15 3:17 p.m., come back and figure out another day.
16 We're in recess until 3:16.

17 (A recess was taken at 3:05 p.m.)

18 (Resume at 3:19 p.m.)

19 MR. KAINS: Mr. Griffin has asked if the
20 Committee would entertain public comment at this time
21 because there are a number of people who have been
22 here all day, and might have something to say. So
23 this isn't public testimony that can be considered by
24 the Committee, but if you have a public comment you

1 just want to make about this project you get three
2 minutes, and we will allow that. If you don't want to
3 make a public comment, that's okay. If you want to
4 come back on another day and give testimony, which is
5 longer than 3 minutes and will also be considered as
6 evidence by the Committee, you'll have to come back
7 another day. But right now, if somebody wants to get
8 up and say what they want to say for 3 minutes, we'd
9 be happy to hear you, okay.

10 How about -- yeah, this gentleman, how about
11 if you just come up to the podium. Yeah, just come on
12 up here to this podium and just kind of line up along
13 the wall if you want to say something. We'll go 3
14 minutes at a time.

15 Mr. MaRous, you don't get 3 minutes. You
16 have to come back another day.

17 MR. MAROUS: I tried.

18 MR. KAINS: All right. We've got
19 several folks, and I gotta to tell you, I see that
20 some of you have been here all day and appreciate you
21 coming here and caring. So, yeah. Just line up along
22 the wall, and what we'll do is I'll call you forward
23 and ask you to just state your name and spelling it,
24 and then I'll -- let me get my fancy-dancy stopwatch.

1 My wife taught me how to do this on my
2 smarter-than-I-am phone.

3 All right. First gentleman, sir, what is
4 your name?

5 MR. BLEICH: Jerry Bleich.

6 MR. KAINS: Jerry.

7 MR. BLEICH: Bleich, B-L-E-I-C-H.

8 MR. KAINS: B-L-E-I-C-H.

9 MR. BLEICH: C-H.

10 MR. KAINS: Okay. Mr. Bleich, you may
11 go ahead, and when you have about 30 seconds left,
12 I'll just give you a 30-second warning.

13 Go right ahead, sir.

14 MR. BLEICH: I've farmed in the Butler
15 Township area my whole life, and I'm also on the
16 Butler Township Trustee Board. I've seen the
17 advantage of the windmills. We've got a little bit on
18 the east side of us. The money that's come in on
19 taxation, this -- in our area of the county, we won't
20 be having industry come in. The valuation of these
21 windmills would raise the township valuation and will
22 help us keep taxes lower on farmland and real estate.
23 I see that as the biggest advantage of it.

24 So I do ask the Board to approve this. Thank

1 you.

2 MR. KAINS: Thank you, Mr. Bleich.

3 Really appreciate your public comment.

4 All right. Next gentleman, what is your
5 name, sir?

6 MR. ELLIOTT: Chris Elliott.

7 MR. KAINS: Okay. Two l's and two t's?

8 MR. ELLIOTT: Spelled full meal deal.

9 MR. KAINS: Full meal deal. All right.
10 Very good, Mr. Elliott. Go right ahead with your
11 public comment.

12 MR. ELLIOTT: Okay. I got first wind of
13 this project -- wind of the project -- first got wind
14 of this project by a land guy, big tall Brett guy,
15 nice kid, and my first thoughts were as a drainage
16 commissioner was what's it going to do to my
17 100-year-old tile. So I mentioned that to him. He
18 contacted Greg and his team. They were out
19 immediately. Brought maps and compared my maps right
20 in my farm shed. My commissioners were with me, his
21 team with him, we got together, we looked at
22 everything as best we could, they have approached me
23 several times since about things and questions. Have
24 been very easy to work with, and I feel very good

1 about this project moving forward.

2 MR. KAINS: All right. Very good.

3 MR. ELLIOTT: Thank you.

4 MR. KAINS: Thank you, Mr. Elliott.

5 All right. Sir, what's your name?

6 MR. C. BLEICH: I'm Chris Bleich,

7 B-L-E-I-C-H.

8 MR. KAINS: Okay. All right.

9 Mr. Bleich, you go right ahead.

10 MR. C. BLEICH: My dad and I dairy farm
11 south of Rankin. I've been on the fire department for
12 34 years and, you know, there's just not much up in
13 that part of the county that's capable to generate
14 extra tax money either for fire departments or some
15 townships, the library, the schools, whatever it may
16 be. And, again, we farm ground in Ford County where
17 we've been farming around the windmills. It's a very
18 positive thing. A different company besides Invenergy
19 put them other ones up, but, again, just like Chris
20 Elliott said, you know, if there's a problem with a
21 tile, you can call them, you can talk to them, they
22 took care of it, and that's what these guys have been
23 doing with us for now. And I think it's a very
24 positive thing. So, thank you.

1 MR. KAINS: All right. Thank you,
2 Mr. Bleich.

3 Hello, sir.

4 MR. MOTLEY: Hi. My name's Gavin
5 Motley, M-O-T-L-E-Y.

6 MR. KAINS: All right. Go right ahead,
7 Mr. Motley.

8 MR. MOTLEY: My family's been farming
9 Butler Township since 1961, and I just agree with the
10 previous speakers. I think it's good for the county,
11 good for our -- especially our part of the county, as
12 far as tax revenue and things like that. Obviously
13 for the owners and farmers and people who are getting
14 sites on their land. And I just -- I think it's going
15 to be a positive thing overall for Vermilion County,
16 and I'd just like to say I support it too.

17 MR. KAINS: All right. Very good.
18 Thank you, Mr. Motley.

19 Good afternoon, sir. What's your name?

20 MR. BETKA: Skip Betka. I --

21 MR. KAINS: How do you spell your last
22 name?

23 MR. BETKA: Betka, B, as in boy,
24 E-T-K-A.

1 MR. KAINS: All right. Very good.

2 MR. BETKA: I'm a lifetime resident of
3 Northern Vermilion County, farm up there. I have been
4 involved in the Hoopeston Wind Project in the past, so
5 I feel I have a little bit of experience of what to
6 expect. Everything that we had with them went very
7 well. They went beyond what they said they would. So
8 I feel confident with another wind project. The
9 Invenergy folks have been very great, you know, to
10 work with and keeping us well informed. I am also on
11 the township trustee and fire department. So I see
12 the real benefit of adding extra tax revenue to
13 Northern Vermilion County, because, I mean, land taxes
14 and taxes on houses is our -- the big stream of
15 income. And to have something like this come into our
16 neck of the woods is very positive. With the cost of,
17 you know, fire trucks -- you know, fire trucks will
18 start, you know, around \$600,000, and we have been,
19 you know, doing our best to keep taxes down by buying
20 used fire trucks, and we can only do that so long, you
21 know, before that stream runs out. I mean, we have
22 more repairs, less reliability on calls.

23 So I just see that as a very positive thing.
24 And there was -- there was a lot of, you know,

1 concerns on the first -- on the wind project that, you
2 know, I think some of them were a little bit
3 exaggerated, you know. The noise, you know, being one
4 of them. If anybody's been out in the country very
5 much, even the wind that blows is loud and noisy.
6 Anybody that lives on a highway, I use to live on
7 Route 9, and I can tell you one thing, the traffic on
8 there is very loud. And, like I say, we have a wind
9 turbine on our land and it is -- I'd much rather
10 listen to that every day than the traffic on Route 9.

11 As far as, you know, there's a lot of people
12 talk about, you know, the wildlife getting killed from
13 them --

14 MR. KAINS: You have 30 seconds.

15 MR. BETKA: Okay. I don't know if
16 anybody's ever hit any wildlife with their car or if
17 an airplane's ever hit any, but I don't think that's
18 any -- any worse, unless -- unless we want to take up
19 all the roads and go back to riding horses.

20 So I -- I encourage the Board to approve this
21 project. Thank you.

22 MR. KAINS: Very good. Thank you,
23 Mr. Betka.

24 Good afternoon, sir.

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MR. HATFIELD: Hi.

MR. KAINS: What's your name?

MR. HATFIELD: My name's Mike Hatfield,
H-A-T-F-I-E-L-D.

MR. KAINS: All right. Go ahead,
Mr. Hatfield.

MR. HATFIELD: Thank you. I grew up in Hoopeston, an alumnus of the Hoopeston Schools, also a landowner with my property between Hoopeston and East Lynn. As this Board knows so well, it's not often that a group brings an opportunity to new revenue streams to the table for the citizens of Vermilion County. And if they did bring an opportunity, impactful revenues are unheard of. This wind turbine project spearheaded by Invenergy brings impactful financials to the table to the citizens of Vermilion County, especially the Northern county communities of Hoopeston, Rankin, East Lynn, Potomac, Rossville, Henning and others, along with the Danville Area Community College. As someone who wants to see these communities and schools have more opportunities to flourish, I want to thank Invenergy for putting together this project. This project will also be a great benefit to the Hoopeston Library, the

1 conservation district, the Grant township general
2 fund, the Grant Township roads and bridges and special
3 services funds, numerous fire districts and those
4 communities and school districts that I mentioned.
5 This plan is beyond what any internal or external
6 group has ever attempted to do for the benefit of
7 these communities and its citizens.

8 And I ask that this Committee to know that I
9 am in favor of this project. And I respectfully ask
10 the Committee to consider casting their votes in full
11 support of this project. In doing so today's
12 residents and those of the future will be eternally
13 grateful. Thank you.

14 MR. KAINS: Very good. Thank you,
15 Mr. Hatfield.

16 All right. Anybody else want to make public
17 comment? Oh, one more.

18 Good afternoon, sir.

19 MR. FRICHEL: Good afternoon.

20 MR. KAINS: What's your name?

21 MR. FRICHEL: My name is Don Frichel.

22 MR. KAINS: Can you spell your last
23 name.

24 MR. FRICHEL: F-R-I-C-H-E-L.

1 MR. KAINS: Okay. Very good.

2 MR. FRICHEL: I'm -- I farm in the
3 Rankin area of Northern Vermilion County. I actually
4 live just a few miles from Vermilion County in Ford
5 County, so I've witnessed the wind -- the Pioneer
6 Trail Wind Farm that's in the Paxton area, which went
7 in, I'm guessing, probably more than 10 years ago.

8 Anyway, it's been a great benefit to the
9 Paxton school system and the fire department. I
10 actually many years ago worked for Button Township
11 which borders Butler Township, and we were a very
12 poor township because there were no cities involved in
13 our township, we didn't have much tax revenue, and we
14 didn't even have a building to store the township
15 equipment in at that time. And since this other
16 windmill project has come in, they have a really nice
17 township building where they can house everything.
18 The roads have been greatly improved, and I've just
19 seen nothing but benefit from the wind project that I
20 live near.

21 So I encourage the Board to approve this
22 project, and I want to thank you.

23 MR. KAINS: All right. Thank you, very
24 much for your comment.

1 Anybody else?

2 (No response.)

3 MR. KAINS: All right. Jamie, we need
4 to go off the record.

5 (A discussion was held off the record.)

6 MR. KAINS: Sir, do you want to be sworn
7 in. Whether you want to or not, I'm going to swear
8 you in.

9 M I C H A E L M A R O U S,

10 was called as a witness on behalf of the Applicant
11 and, having been first duly sworn, testified as
12 follows:

13 MR. KAINS: Mr. Griffin -- well, go ask
14 him his name and all of that stuff and then we'll get
15 into qualifications and then we can short-circuit some
16 stuff.

17 MR. GRIFFIN: Thank you.

18 **DIRECT EXAMINATION,**

19 **QUESTIONS BY MR. JAMES R. GRIFFIN:**

20 Q. Please state your name and spell your
21 last name for the record.

22 A. Michael S. MaRous, M-A-R-O-U-S.

23 Q. And Mr. MaRous, I've handed Mr. Keyt a
24 document we'll mark as Exhibit Number 8, I believe, in

1 the order, which is your current resume. Are the
2 statements in that resume true and correct?

3 A. Yes.

4 MR. GRIFFIN: Mr. Kains, I know
5 Mr. MaRous has testified as an expert witness before
6 this County Board and numerous others. Rather than go
7 through his qualifications, I would ask that he be
8 qualified as an expert.

9 MR. KAINS: Mr. Keyt, and, Ms. Rives, do
10 you have any objection to his resume coming in as an
11 exhibit and his testifying as an expert witness?

12 MR. KEYT: No objection to either. Is
13 this Exhibit 8?

14 MR. GRIFFIN: I believe so, yes.

15 MR. KAINS: Exhibit 8 is in evidence.
16 And I have heard Mr. MaRous's testimony on property
17 valuation in at least 5, probably closer to 7 or 8
18 public hearings before. I find him to be very much
19 qualified as an expert witness in the area of real
20 estate property valuation.

21 Your witness, Mr. Griffin.

22 MR. GRIFFIN: Thank you.

23 **QUESTIONS BY MR. GRIFFIN:**

24 Q. Mr. MaRous, you have prepared some

1 slides as part of your testimony today, correct?

2 A. I have.

3 Q. Why don't you just -- I know you've
4 qualified as an expert. Why don't you just briefly
5 explain who you are and what you do concerning this
6 project.

7 A. Sure. My name is Michael MaRous. I am
8 a real estate appraiser consultant. I'm the owner of
9 MaRous & Company, which I founded about 40 years ago.
10 I have a MAI designation. I graduated from the
11 University of Illinois Champaign, with a degree in
12 finance, specialization in urban land economics.
13 Basically I wanted to be real estate appraiser, which
14 I have. So I've appraised over 12,000 properties,
15 probably \$20 million of value with primary focus on
16 the Midwest. I have done over 200 value impact
17 studies similar to what I have prepared and done for
18 this, which was over 100-page document. I have looked
19 at probably 75 wind projects throughout the U.S.,
20 again, a large portion of them in the state of
21 Illinois. And my report focuses on things that are
22 done on every analysis of a proposed project. So what
23 I do is I look at the proposed project, I look at the
24 engineering, I look at the expert reports, and then we

1 study the area, we look at the demographics, we look
2 at sales. We're very familiar with Central Illinois.
3 We've done a lot of work down here. And I came down
4 and I visited the project twice. In the report, which
5 I'll go through, have provided sales transactions of
6 properties in Vermilion County proximate, and just to
7 kind of understand the market, looked at the new
8 proposed turbines, and clearly Vermilion County has
9 experience with wind, and in my professional opinion,
10 having ADLS is a benefit. And I think there's been
11 some questioning about density or higher turbines, I
12 think going to ADLS and having these larger turbines
13 but less density. There was a question earlier about
14 California Ridge, and instead of 134 turbines, that
15 they had the same number to get the same megawatt
16 power, they could do it with 50 to 52.

17 So, anyway, with these slides, basically kind
18 of summarizes what I've done in this. I'll go to the
19 next page.

20 This just kind of goes through some of the
21 projects. Besides 75 wind projects, I've done
22 probably 75 to 100 solar projects. I have over
23 probably 75 clients and have done work for a lot of
24 public bodies in the state including U of I. Next

1 slide, please.

2 And so in this situation, I think you've
3 heard a lot about the financial impacts, which is
4 huge, because higher taxes, significant revenue,
5 consistency of revenue is a huge issue, and it
6 provides the ability to upgrade schools, upgrade
7 infrastructure, but we always look at the impact of
8 that, is it going to have more costs. In this
9 situation, you know, once the project is completed
10 there's not going to be much push on infrastructure so
11 there's not only money for the taxing bodies but for
12 the property owners and we, you know, hear this a lot
13 from a lot of property owners that live in the county,
14 you know, that happens, you know, some people could
15 sell their farms tomorrow, but the bottom line is it
16 provides more money to go back in the community.
17 You're going to hear Dr. Loomis at a later date talk
18 about the positive economic impacts, but they're
19 significant. And will provide significant well-paid
20 jobs, both during the construction period. People say
21 that it's temporary. Well, all construction jobs are
22 temporary. So during that time period it's a
23 significant economic benefit, and then there's, you
24 know, very good paid jobs to maintain and operate in

1 operating a wind farm.

2 What we do is we look at what's called a
3 match-paired analysis. And in my report I think
4 there's over 45, including, you know, some right here
5 in Central Illinois in Vermilion County, and we
6 basically look at sales of residential properties
7 proximate to turbines, and looking to have similar
8 qualities, such as the size, age, amenities,
9 modernization that would meet the same criteria. And
10 the next page, and then we compare it to a similar
11 property that, let's say, is several miles away, very
12 similar characteristics. Unfortunately this slide for
13 me is too small really to see from here, but
14 basically it's taking one property that is in
15 Armstrong that sold in May of 2012, that's about 1,800
16 feet from a turbine, sold for 187,500, and then in
17 2022 sold for \$300,000. And then it's comparing a
18 property that's not proximate to a turbine in
19 Hoopeston, sold in June 2021 for \$290,000. And in
20 this, it just kind of -- we go through the
21 information, the number of bedrooms, the number of
22 bathrooms, the square footage of the property, the
23 square footage of the sites, the modernization and any
24 values. Sometimes there's significant outbuildings,

1 sometimes there are not. And the next page would just
2 show in the report would go through what's called as
3 appraisers adjustment grid to see if there's any
4 differentiation. In that instance, we found none, and
5 of the 45 matched-paired sales, which are all existing
6 wind, we found no negative impact because of the wind.
7 You say, well, some people don't like to look at it.
8 I get that. But the positive nature, it becomes
9 another part of the fabric of agricultural community.
10 The economic benefit we find that its enhanced values
11 clearly, property owners or good neighbor or have
12 leases, the values -- the land values increase and it
13 actually increases the values of generally the entire
14 area just because you have these higher constant, you
15 have the economic vitality.

16 This next page is just 6 sales of property,
17 you can see where the proposed turbines are going to
18 be, the little red dots. I think the little white
19 dot -- actually the little white dots are where the
20 sales transactions that are pretty proximate to this.

21 And then in the report I go over that every
22 county in the state that has wind -- next slide,
23 please -- I call and interview the assessors, and I
24 personally do this and I've done it with probably 125

1 assessors throughout the Midwest, and I explain who I
2 am, what I'm doing, what the purpose of the call is
3 really to understand, and I ask, whether you got wind,
4 was there concern. Yes. Why. Because we had no
5 experience. We had concern. Had we had any tax
6 appeals. So probably several million acres and, you
7 know, thousands of thousands of property. There's
8 only been two tax appeals throughout this whole group
9 in the Midwest. And when the assessors -- I don't
10 think either one of them were in Illinois, when
11 assessors did the research and found out that there
12 was no support to have a reduction in value based on
13 the proximity of a wind farm and the turbines, then
14 the next question is are you valuing properties within
15 1,500 feet, within 3,000 feet of the turbine that have
16 very similar characteristics to a property, but let's
17 say 3 miles away in the same township, the same
18 county, and they said no. Again, we've gotten
19 pressure from some of our board members, we've gotten
20 some political pressure, other pressure, we've looked
21 at it, we haven't found any negativity. In fact, we
22 find, you know, once it's done it becomes a part of
23 the community.

24 So the assessor study is another

1 consideration of significant detail in my report.

2 The next we look at peer-reviewed articles.
3 Not -- you know, somebody venting on the internet, but
4 these are published studies that are done by experts,
5 universities where they kind of study transactions in
6 Canada, the U.S., and there's numerous of these
7 studies, and provided that information in the report.
8 Again, there's concern and some of the original
9 projects that were too dense, didn't have ADLS, that
10 weren't managed properly, there's been some
11 negativity. But the modern projects where there's
12 proper zoning, there's proper controls, the economics
13 have been beneficial and there's no negative
14 indication of value.

15 I know I've been talking fast and I
16 apologize, but.

17 And in conclusion, after doing all this and
18 my experience and looking at, you know, thousands of
19 properties and I look at contested value situations
20 all the time, it's my strong opinion there will be no
21 negative market value impact from the proposed
22 project, both for properties in the area and also
23 agricultural land. Thank you.

24 MR. KAINS: Any additional direct

1 examination, Mr. Griffin?

2 MR. GRIFFIN: No, I don't have. I do
3 want to point out as Mr. MaRous stated in his reports,
4 full report, which is extensive, is in the project
5 application.

6 MR. KAINS: Okay. Very good. Thank
7 you.

8 Questions for Mr. MaRous from Members of the
9 Wind and Solar Committee?

10 (No response.)

11 MR. KAINS: Questions for Mr. MaRous
12 from members of units of local government, County
13 Board, townships, school districts?

14 (No response.)

15 MR. KAINS: Members of the public who
16 are opposed to or neutral on the application, do you
17 have any questions for this witness?

18 (No response.)

19 MR. KAINS: Vermilion County staff and
20 consultants, Mr. Keyt, Ms. Rives.

21 MR. KEYT: I don't have any questions.

22 MR. KAINS: All right. Very good.
23 Again, hard to do redirect when there's been no
24 questions.

1 Final questions come from members of the
2 Zoning Board of Appeals.

3 MR. WISE: Wind and solar.

4 MS. RIVES: Wind and solar.

5 MR. KAINS: I'm sorry?

6 MR. WISE: Wind and solar.

7 MS. RIVES: Wind and solar.

8 MR. KAINS: I do so many hearings in so
9 many different counties, and many of them have zoning
10 and they have Zoning Board of Appeals. At least I
11 haven't called you all Livingston County today or
12 Coles or Macon. I'm trying to think where I'm going
13 to be next. I guess in Macon next week. Well, I was
14 going to make a joke about nobody's asking questions,
15 did Mr. MaRous put you to sleep, but here I don't know
16 where I am or what I'm doing.

17 Mr. MaRous, thank you for your testimony.

18 MR. MAROUS: Thank you for allowing me
19 to testify. I appreciate it. Have a good evening.

20 MR. KAINS: Yes. Very good. You may
21 step down. Thank you, so much.

22 (Witness excused.)

23 MR. KAINS: All right. Now, on to the
24 subject of next meeting September 9, 9:00 a.m.

1 Are all members of the Wind and Solar
2 Committee available that day?

3 MR. KEYT: Mr. Puzey is not.

4 MR. KAINS: Mr. Puzey is not. And I
5 think it would be awfully nice if Mr. Puzey got a copy
6 of the transcript. Give you some heavy ready to do
7 there.

8 MR. KEYT: Well, we likely would vote on
9 the 9th.

10 MR. KAINS: We would not vote on the
11 9th?

12 MR. KEYT: We would.

13 MR. KAINS: Oh, we would vote on the
14 9th.

15 MR. KEYT: Yes. Unless the Committee
16 preferred not to, or if you want us to hold off, but
17 otherwise we probably would finish on the 9th, I would
18 think.

19 MR. KAINS: All right. Well, then --

20 MR. KEYT: Unless there's a strong
21 opinion about it one way or the other. We could hold
22 off.

23 MR. KAINS: I think we can carry on
24 without Harold, but I'm not so sure.

1 MR. PUZEY: Go right ahead.

2 MR. KAINS: I have to say, Mr. Puzey,
3 that I appreciate your attention to everything. Of
4 all of the folks, you know, that I see, committees,
5 zoning boards, this group of folks has been very
6 attentive in the four or five hearings I've had the
7 pleasure of doing in Vermilion County. And Harold
8 Puzey is a good man and a good representative on this
9 committee.

10 MR. PUZEY: Thank you.

11 MR. KAINS: All right. Mr. Chairman,
12 you'll be here on September 9th.

13 MR. FOUREZ: I plan to.

14 MR. KAINS: All right. Your team will
15 be available on September 9th, Mr. Griffin?

16 MR. GRIFFIN: I don't know about
17 Dr. Loomis, but we'll do our best to have him here.

18 MR. KAINS: We'll definitely try to get
19 Dr. Loomis in.

20 MR. GRIFFIN: We do have his report.

21 MR. KAINS: Yes. Yes. The room's
22 available. Mr. Keyt, you're available, Ms. Rives is
23 available, Mrs. Atkinson.

24 COURT REPORTER: Available.

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MR. KAINS: Okay. By golly. Then, Mr. Chairman, with your consent, I think we ought to go into recess until September 9th.

MR. FOUREZ: Sounds good to me. Without objection we'll go into recess until September 9th.

MR. KAINS: September 9th, 9:00 a.m., in this room in the Vermilion County Administrative Building on Vermilion Street. 9/9 at 9:00. September 9th at 9:00.

Thank you, folks. We're in recess.

(Cause adjourned.)

WHICH WERE ALL THE PROCEEDINGS MADE OF RECORD IN THIS CAUSE ON SAID DAY.

C E R T I F I C A T E

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I, Jamie S. Atkinson, Court Reporter, in and for the County of Vermilion, State of Illinois, do hereby certify that the foregoing to be a true and accurate transcript of the proceedings had in the before-entitled cause on said day.

Dated this 18th day of September, 2025.

Jamie S. Atkinson, CSR
Official Court Reporter
License No. 084-004156