

**BEFORE
THE OHIO POWER SITING BOARD**

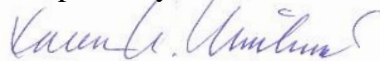
In the Matter of the Application of)	
Hecate Energy Highland LLC for a)	Case No. 18-1334-EL-BGN
Certificate of Environmental)	
Compatibility and Public Need)	
)	

MOTION FOR WAIVER

Pursuant to Section 4906.06(A)(6) of the Revised Code and Ohio Administrative Code 4906-4-01(B), Hecate Energy Highland LLC (“Hecate”) moves the Ohio Power Siting Board (“the Board”) to grant a waiver from Ohio Administrative Code 4906-4- 08(A)(1)(c). Hecate will be filing an application to construct the Hecate Energy Highland Solar Farm electric generation facility (the “Project”), a new solar powered electric generating facility to be located in Highland County, Ohio. Although the application is being filed in accordance with Chapter 4906-4 of the Ohio Administrative Code, Hecate seeks a waiver from Ohio Administrative Code 4906-4-08(A)(1)(c) (manufacturers’ safety manuals or similar documents and any manufacturer recommended setbacks). A memorandum in support of the requested waiver is attached hereto.

WHEREFORE, Hecate respectfully requests that the Board grant this waiver from Ohio Administrative Code 4906-4-08(A)(1)(c).

Respectfully submitted,



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MEMORANDUM IN SUPPORT OF MOTION FOR WAIVER

I. INTRODUCTION

Hecate Energy Highland LLC (“Hecate”) is proposing to construct a 300-megawatt solar-powered electric generation facility which will be located within approximately 3,300 acres currently containing agricultural land (row-crops) about 3.2 miles northwest of Mowrystown, Ohio in Highland County, Ohio (the “Project”). In support of its application to construct the Project, Hecate is seeking a waiver from Ohio Administrative Code 4906-4-08(A)(1)(c) to allow Hecate to provide manufacturers’ safety manuals or similar documents and any manufacturer recommended setbacks to the Board’s Staff as part of the detailed engineering drawings of the final Project design pursuant to Ohio Administrative Code 4906-3-14(C), as opposed to being a part of the application.

As more fully explained below, good cause exists to grant the waiver. Moreover, Hecate’s application will provide all information necessary for the Board and its Staff to conduct a review and make the determinations required by R.C. 4906.10.

II. REQUESTED WAIVER FROM OHIO ADMIN. CODE 4906-4-08(A)(1)(c)

Ohio Administrative Code 4906-4-08(A)(1)(c) provides that the applicant shall provide information on the safety and reliability of all equipment, including the generation equipment manufacturer’s safety standards including a complete copy of the manufacturer’s safety manual or similar document and any recommended setbacks from the manufacturer.

The nature of the Project (a solar farm) and timing of panel model selection warrant a waiver. Hecate will not select the final panel model and equipment vendors until after final engineering of the Project is complete. Moreover, the reliability of the solar panels themselves are highly unlikely to present any safety concerns, and the general public will likely not be exposed to the components of this Project because, except for access roads, they all will be either securely

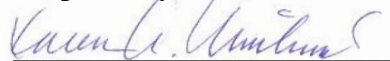
fenced and fully inaccessible or buried. Once the specific panel model and manufacturer is selected, Hecate will provide the Board's Staff with the manufacturer's safety standards, including complete copies of its safety manuals or similar documents as part of the detailed engineering drawings of the final Project design pursuant to Ohio Administrative Code 4906-3-14(C). Hecate also will identify specific setbacks recommended by the manufacturer (if any) once the manufacturer and specific panel model have been selected.

Accordingly, for good cause shown, Hecate respectfully requests that the Board grant a waiver from Ohio Administrative Code 4906-4-08(A)(1)(c) and allow Hecate to provide the manufacturer's safety manual or similar documents and any manufacturer's recommended setbacks to the Board's Staff as part of the detailed engineering drawings of the final Project design pursuant to Ohio Administrative Code 4906-3-14(C), as opposed to being a part of the application.

III. CONCLUSION

As good cause exists for granting the waiver, Hecate respectfully requests that the Board grant the waiver from Ohio Administrative Code 4906-4-08(A)(1)(c).

Respectfully submitted,



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Summary: Motion for Waiver and Memorandum in Support electronically filed by Ms. Karen A. Winters on behalf of Hecate Energy Highland LLC