

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE OHIO POWER
SITING BOARD'S CONSIDERATION OF
OHIO ADM.CODE CHAPTER 4906-4.

CASE NO. 19-778-GE-BRO

ENTRY ON REHEARING

Entered in the Journal on January 8, 2020

{¶ 1} On November 21, 2019, the Ohio Power Siting Board (Board) issued a Finding and Order (Order) finding that Ohio Adm.Code 4906-4-09(A)(1) should be amended, and Ohio Adm.Code 4906-4-10 should be adopted, in order to improve the construction and incident management of wind farms.

{¶ 2} On December 23, 2019, Innogy Renewables US LLC and Hardin Wind LLC (Innogy) filed both an application for rehearing, and an amended application for rehearing (the only change in the amended application is a reference to the applicable rule in the first two assignments of error that Innogy asserted) from the Board's Order.

{¶ 3} On December 23, 2019, The Mid-Atlantic Renewable Energy Coalition (MAREC) filed an application for rehearing from the Board's Order.

{¶ 4} No other applications for rehearing or memoranda contra have been filed in this case since the journalization of the Board's Order.

{¶ 5} R.C. 4906.12 provides that R.C. 4903.02 to 4903.16, and 4903.20 to 4903.23 apply to a proceeding or order of the Board as if the Board were the Public Utilities Commission of Ohio.

{¶ 6} Ohio Adm.Code 4906-2-32 provides that any party or affected person may file an application for rehearing within 30 days after the issuance of a Board order in the manner, form, and circumstances set forth in R.C. 4903.10.

{¶ 7} R.C. 4903.10 provides that any party to a Commission proceeding may apply for rehearing with respect to any matter determined by the Commission within 30 days after the entry of the order upon the journal of the Commission.

{¶ 8} Pursuant to the authority set forth in Ohio Adm.Code 4906-2-32(E), the administrative law judge grants the applications for rehearing filed separately by Innogy and MAREC in order to afford the Board more time to consider the issues raised in the applications for rehearing.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the applications for rehearing filed by Innogy and MAREC are granted as outlined in Paragraph 8. It is, further,

{¶ 11} ORDERED, That a copy of this Entry on Rehearing be served upon each party of record.

THE OHIO POWER SITING BOARD

/s/Michael L. Williams

By: Michael L. Williams
Administrative Law Judge

JRJ/hac

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Commission of Ohio Docketing Information System on

1/8/2020 3:51:58 PM

in

Case No(s). 19-0778-GE-BRO

Summary: Administrative Law Judge Entry granting applications for rehearing electronically filed by Heather A Chilcote on behalf of Michael L. Williams, Administrative Law Judge, Ohio Power Siting Board