

## THE OHIO POWER SITING BOARD

IN THE MATTER OF THE PROPER  
PROCEDURES AND PROCESS FOR THE  
BOARD'S OPERATIONS AND  
PROCEEDINGS DURING THE DECLARED  
STATE OF EMERGENCY AND RELATED  
MATTERS.

CASE NO. 20-601-GE-UNC

### ENTRY

Entered in the Journal on March 17, 2020

{¶ 1} Under R.C. 4906.02, the Ohio Power Siting Board (Board) was created within the Public Utilities Commission of Ohio (Commission), with the Board's offices located in those of the Commission.

{¶ 2} On March 9, 2020, the governor signed Executive Order 2020-01D (Executive Order), declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. As described in the Executive Order, state agencies are required to implement procedures consistent with recommendations from the Department of Health to prevent or alleviate the public health threat associated with COVID-19. Additionally, all citizens are urged to heed the advice of the Department of Health regarding this public health emergency in order to protect their health and safety. The Executive Order was effective immediately and will remain in effect until the COVID-19 emergency no longer exists. The Department of Health is making COVID-19 information, including information on preventative measures, available via the internet at [coronavirus.ohio.gov/](https://coronavirus.ohio.gov/).

{¶ 3} The Supreme Court of Ohio has found that the Board is vested with considerable discretion "to decide how \* \* \* it may best proceed to manage and expedite the orderly flow of its business, avoid undue delay and eliminate unnecessary duplication of effort." *In re Application of American Transmission Systems, Inc.*, 125 Ohio St.3d 333, 2010-Ohio-1841, 928 N.E.2d 427, ¶ 17; *Toledo Coalition for Safe Energy v. Pub. Util. Comm.*, 69 Ohio St.2d 559, 560, 433 N.E.2d 212 (1982).

{¶ 4} Consistent with the Executive Order, the administrative law judge (ALJ) issues the following directives to ensure the continued orderly flow of the Board's business and to mitigate risks of spreading COVID-19 through social contact during the state of emergency:

- (a) Any time period prescribed by order, statute, or rule for the Board to act upon a pending application or other filing should be tolled during the state of emergency and also during the 14 days thereafter. However, in any pending case in which Staff has already recommended approval of a letter of notification or construction notice application subject to accelerated review and automatic approval, the application should be deemed automatically approved on the date recommended by Staff. Further, during the declared emergency, parties and other interested stakeholders should be aware that Staff will continue to investigate pending applications and the Board will act on such applications on a case-by-case basis.
- (b) In-person filing of documents with the Board's docketing division is suspended during the declared emergency. The ALJ encourages parties and other interested persons to file documents electronically in the docketing information system. Although electronic filing is preferred, filings may also be made by mail or, except as otherwise provided under Ohio Adm.Code 4906-2-02(C)(1), via facsimile at (614) 466-0313. However, any document for which a filer seeks confidential treatment must be mailed to the Board: Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215. All filers should be aware that the acceptance of documents for filing by any method may be delayed during this time.

{¶ 5} It is, therefore,

{¶ 6} ORDERED, That the procedural directives set forth in Paragraph 4 be adopted.  
It is, further,

{¶ 7} ORDERED, That notice of this Entry be served via the Electric-Energy and Gas Pipeline industry service lists.

THE OHIO POWER SITING BOARD

*/s/ Sarah J. Parrot*

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By: Sarah J. Parrot  
Administrative Law Judge

JRJ/mef

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**3/17/2020 9:57:37 AM**

**in**

**Case No(s). 20-0601-GE-UNC**

Summary: Administrative Law Judge Entry setting directives to ensure the continued orderly flow of the Board's business and to mitigate risks of spreading COVID-19 through social contact during the state of emergency. electronically filed by Ms. Mary E Fischer on behalf of Sarah J. Parrot, Administrative Law Judge, Ohio Power Siting Board