

**BEFORE
THE OHIO POWER SITING BOARD**

**In the Matter of the Application of Madison
Fields Solar Project, LLC for a Certificate
of Environmental Compatibility and Public
Need to Construct a Solar-Powered Electric
Generation Facility in Madison County,
Ohio**

Case No. 19-1881-EL-BGN

Motion to Intervene of the Ohio Farm Bureau Federation

The Ohio Farm Bureau Federation (“OFBF”) pursuant to Section 4906-2-12 of the Ohio Administrative Code (“OAC”) moves to intervene in the above docket as a full party of record. As set forth in the accompanying memorandum in support, OFBF has a real and substantial interest in this matter that is not represented by existing parties. OFBF’s involvement will contribute to a just and expeditious resolution of the issues involved in the proceeding and will not unduly delay the proceedings or unjustly prejudice an existing party.

Respectfully Submitted,

/s/ Chad A. Endsley

Chad A. Endsley (0080648)
Chief Legal Counsel
Leah F. Curtis (0086257)
Amy M. Milam (0082375)
Ohio Farm Bureau Federation
280 North High Street, P.O. Box 182383
Columbus, OH 43218-2383
Phone: 614.246.8258
Fax: 614.246.8658
E-Mail: cendsley@ofbf.org
lcurtis@ofbf.org
amilam@ofbf.org

Attorneys for Ohio Farm Bureau Federation

**BEFORE
THE OHIO POWER SITING BOARD**

**In the Matter of the Application of Madison
Fields Solar Project, LLC for a Certificate
of Environmental Compatibility and Public
Need to Construct a Solar-Powered Electric
Generation Facility in Madison County,
Ohio**

Case No. 19-1881-EL-BGN

**Memorandum in Support of Motion to Intervene
of the Ohio Farm Bureau Federation**

Pursuant to Section 4906-2-12 of the OAC, Ohio Farm Bureau Federation (“OFBF”) moves to intervene in this proceeding as a full party of record.

Rule 4906-2-12(B) of the OAC states:

(B) The board or the administrative law judge shall grant petitions for leave to intervene only upon a showing of good cause.

(1) In deciding whether to permit intervention under this paragraph, the board or the administrative law judge may consider:

- (a) The nature and extent of the person’s interest.
- (b) The extent to which the person’s interest is represented by existing parties.
- (c) The person’s potential contribution to a just and expeditious resolution of the issues involved in the proceeding.
- (d) Whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice an existing party.

I. OFBF has a real and substantial interest in this matter that is not represented by existing parties.

OFBF maintains a non-profit organization representing agricultural interests at the state and local levels with member families in every county, including hundreds of families in Madison County.

Many Farm Bureau members are involved in farming and agribusiness activities, including food processing, commodity processing/conditioning/handling, biofuel production, and greenhouse operations. Some members are involved in larger scale industries and manufacturing, while others have small business enterprises, such as restaurants, cleaners, and other services. All are residential energy consumers.

Farm Bureau members have an interest in effective solar energy development. Farmers engaged in solar leasing agreements want to make sure that construction activities on their property adhere to procedures ensuring soil and water conservation. While a facility might be accommodated at one specific location, the surrounding topography, land forming, conservation practices, and subsurface drainage systems link a number of locations and land holdings together. Construction and land forming modifications for an energy facility and related infrastructure could impact conservation strategies over a wider area. Residents in rural neighborhoods want assurances that environmental considerations – setbacks, noise, traffic, aesthetic and other factors – are addressed with effective facility design and placement. Area businesses want to make sure that a solar facility in the community enhances local commerce and economic development.

OFBF does not intervene in this proceeding in support or opposition to the project at hand. Rather, OFBF's concerns lie in ensuring that if a project of this nature goes forward, landowners and their land are protected and have appropriate recourse for needed repairs or remediation. OFBF's interest in this case is guided by policy resolutions from Ohio Farm Bureau Federation's 2020 State Policies. OFBF employs an extensive grassroots policy development process which involves individual members, county Farm Bureau leaders, government officials, and businesses and community stakeholders. The policy positions which are ultimately approved at OFBF's annual meeting by elected delegates from each County Farm

Bureau reflect extensive local input, need, experience, and concern. These policies become the basis for action plans at local and state levels, often involving collaborative efforts over many years to address important issues. Annual evaluation of policy ensures that Farm Bureau's state and local efforts remain on target. Many of the policies appearing in OFBF's 2020 State Policies have been developed and honed over many years. This thorough process ensures that OFBF's policy positions are well thought-out, developed, researched, and reflective of our members' needs and concerns. This perspective cannot be provided by another existing party.

II. OFBF's involvement will contribute to a just and expeditious resolution of the issues involved in the proceeding and will not unduly delay the proceedings or unjustly prejudice an existing party.

On the state level, OFBF has worked with utilities, energy service providers, the Public Utilities Commission of Ohio, other government agencies, and interested citizens groups to explore strategies and introduce new technologies to help consumers and communities control energy costs. Some of this work spans several decades. OFBF continues to help citizens and local leaders in several areas of the state create working groups to discuss and address solar energy development issues and concerns. Again, OFBF utilizes its extensive policy development process to generate stakeholder dialogue that includes a variety of groups with varied interests and concerns. In particular, OFBF's interests lie in ensuring appropriate consideration of drainage infrastructure, soil conservation, and best practices for remediation on agricultural land.

OFBF fully understands and appreciates the rules and regulations governing the OPSB evaluation process. OFBF will continue to share its experiences and unique perspective with the Ohio Power Siting Board as it works with others to evaluate this Application. OFBF's timely intervention and participation in this process will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and quick resolution of issues and concerns raised.

Given the diverse, yet unique, interests of its members, its experience with energy development issues and support for collaboration, the Ohio Farm Bureau Federation submits that good cause exists to grant it leave to intervene in this proceeding.

III. Conclusion

For the reasons set forth above, the Ohio Farm Bureau Federation requests that its motion to intervene be granted.

Respectfully Submitted,

/s/ Chad A. Endsley

Chad A. Endsley (0080648)
Chief Legal Counsel
Leah F. Curtis (0086257)
Amy M. Milam (0082375)
Ohio Farm Bureau Federation
280 North High Street, P.O. Box 182383
Columbus, OH 43218-2383
Phone: 614.246.8258
Fax: 614.246.8658
E-Mail: cendsley@ofbf.org
lcurtis@ofbf.org
amilam@ofbf.org
Attorneys for Ohio Farm Bureau Federation

Certificate of Service

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served on this 18th day of November 2020 by regular U.S. Mail, postage prepaid, or by electronic mail, upon the persons listed below.

Christine M.T. Pirik
William V. Vorys
Dickinson Wright PLLC
150 East Gay Street, Suite 2400
Columbus, OH 43215
cpirik@dickinsonwright.com
wvorys@dickinsonwright.com
Attorneys for Madison Fields Solar Project, LLC

Thomas Lindgren
Robert Eubanks
Assistant Attorneys General
Public Utilities Section
30 East Broad St., 16th Floor
Columbus, OH 43215
thomas.lindgren@ohioattorneygeneral.gov
robert.eubanks@ohioattorneygeneral.gov

/s/ Chad A. Endsley

Chad A. Endsley (0080648)
Chief Legal Counsel
Leah F. Curtis (0086257)
Amy M. Milam (0082375)
Ohio Farm Bureau Federation
280 North High Street, P.O. Box 182383
Columbus, OH 43218-2383
Phone: 614.246.8258
Fax: 614.246.8658
E-Mail: cendsley@ofbf.org
lcurtis@ofbf.org
amilam@ofbf.org
Attorneys for Ohio Farm Bureau Federation

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

11/18/2020 12:47:29 PM

in

Case No(s). 19-1881-EL-BGN

Summary: Motion to Intervene of Ohio Farm Bureau Federation electronically filed by Amy M Milam on behalf of Ohio Farm Bureau Federation