

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Pleasant)
Prairie Solar Energy LLC for a Certificate of)
Environmental Compatibility and Public Need) Case No: 20-1679-EL-BGN
to Construct a Solar-Powered Electric)
Generation Facility in Franklin County, Ohio.)

**JOINT MOTION TO CALL AND CONTINUE THE EVIDENTIARY HEARING AND
CONTINUE DEADLINES FOR FILING PARTIES' TESTIMONY AND
STIPULATIONS AND
REQUEST FOR AN EXPEDITED RULING AND
MEMORANDUM IN SUPPORT**

Pursuant to Ohio Administrative Code ("O.A.C.") Rules 4906-2-07 and 4906-2-27, Pleasant Prairie Solar Energy, LLC ("Applicant"), as well as the Ohio Power Siting Board ("Board") Staff, the Boards of Township Trustees for Pleasant and Prairie Townships (the "Townships"), the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District ("Metro Park"), the Ohio Farm Bureau Federation ("OFBF"), and No Prairie Solar, LLC ("NPS") (collectively, "the Parties"), respectfully request that the Board or its Administrative Law Judge ("ALJ") call and continue the evidentiary hearing in this proceeding that is currently scheduled for August 16, 2021, so that the Parties can complete settlement discussions. The Parties also move to continue deadlines for the filing of the Parties' testimony and stipulations, which are currently set for Monday August 2, 2021 for Applicant's testimony, Monday, August 9, 2021 for intervenors and the Board's Staff, and, Wednesday, August 11, 2021 for the stipulation pursuant to the ALJ's May 11, 2021, and June 28, 2021 Entries.

Specifically, the Parties request that the Board or ALJ allow the Applicant, the Board's Staff, the Townships, Metro Park, the OFBF, and NPS to continue deadlines for their respective testimony and stipulations to a date to be determined during the evidentiary hearing scheduled for

August 16, 2021, or immediately following the hearing and to adjust the procedural schedule accordingly.

Therefore, the undersigned Parties submit that, for the reasons more fully set forth in the following memorandum in support, good cause exists to grant this motion on an expedited basis, in accordance with O.A.C. Rule 4906-2-27(C).

**MEMORANDUM IN SUPPORT OF JOINT
MOTION TO CALL AND CONTINUE THE EVIDENTIARY HEARING AND
CONTINUE DEADLINES FOR FILING PARTIES' TESTIMONY AND
STIPULATIONS
AND REQUEST FOR AN EXPEDITED RULING**

On February 19, 2021, as supplemented on April 7 and 21, 2021, the Applicant filed an application with the Board for a certificate to construct a solar-powered electric generation facility in Franklin County, Ohio.

On May 11, 2021, the Board issued an entry establishing the procedural schedule in this case which, among other things, set: Monday, July 19, 2021, as the date for the local public hearing in this case; Monday, August 2, 2021, as the due date for the filing of the Applicant's testimony in this case; Monday, August 9, 2021 as the due date for the filing of testimony by intervenors and the Board's Staff; and Wednesday August 11, 2021 as the deadline for the filing of any stipulation and associated testimony entered into by the Parties.

The Parties submit that there is good cause for a "call and continue" of the evidentiary hearing that is currently scheduled in this matter to commence on August 16, 2021. While the Applicant had been preparing a proposed stipulation, the Applicant held off on presenting the proposal to all of the parties until after the local public hearing was held so that the stipulation could reflect any relevant comments presented at the local hearing and allow the parties to take any comments made at the hearing into consideration during their settlement deliberations. After the local public hearing, the Parties engaged in settlement negotiations and intend to engage in further negotiations in the following week when all Parties are available. While the goal of the settlement discussion is to reach a stipulation resolving all issues in this matter, the Parties need additional time to resolve any remaining issues. In addition, the Applicant published notice of the evidentiary hearing in accordance with the requirements of the ALJ's Entries issued on May 11,

2021, and June 28, 2021. Thus, calling the evidentiary hearing will preserve the publication of notice of the hearing.

In light of the fact that Applicant's testimony supporting the Application is due Monday, August 2, 2021, and all other Parties' testimony is due Monday August 9, 2021 and stipulations are due on Wednesday, August 11, 2021, the Parties are filing this request to call and continue the evidentiary hearing, continue deadlines for the Parties' testimony and stipulations, and request for an expedited ruling. Specifically, the Parties request that the Board or ALJ allow the Applicant, the Board's Staff, the Townships, Metro Park, the OFBF, and NPS to continue deadlines for their respective testimony and stipulations to a date to be determined during the evidentiary hearing on August 16, 2021, or immediately following the hearing and to adjust the procedural schedule accordingly.

Given the short time frame before the Parties' testimony and stipulations are currently due, the Parties request that this motion be granted on an expedited basis for good cause shown.

Respectfully submitted,

**THE STAFF OF THE OHIO POWER SITING
BOARD**

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CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below this 30th day of July, 2021.

/s/ Christine M.T. Pirik

Christine M.T. Pirik (0029759)

Administrative Law Judges:

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Summary: Motion - Joint Motion to Call and Continue the Evidentiary Hearing and Continue Deadlines for Filing Parties' Testimony and Stipulations and Request for Expedited Ruling and Memorandum in Support electronically filed by Christine M.T. Pirik on behalf of PLEASANT PRAIRIE SOLAR ENERGY LLC