

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of)	
Kingwood Solar I LLC for a Certificate)	Case No. 21-0117-EL-BGN
of Environmental Compatibility and)	
Public Need)	

PROOF OF PUBLICATION

Kingwood Solar I LLC (“Kingwood Solar”) hereby certifies that a public notice of its accepted, complete application was published on July 1, 2021 in the Yellow Springs News, the Xenia Gazette, and the Fairborn Daily Herald, as shown by the affidavits of publication attached hereto.

Respectfully submitted,

/s/ Nathaniel B. Morse
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Attorneys for Kingwood Solar I LLC

CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being sent via electronic mail on September 7, 2021 to:

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/s/ Nathaniel B. Morse
Nathaniel B. Morse

AFFP

Affidavit of Publication

STATE OF OHIO } SS
COUNTY OF GREENE }

Cathy Chambliss, being duly sworn, says:

That she is Media Sales Consultant of the XENIA GAZETTE, a daily newspaper of general circulation, printed and published in XENIA, GREENE County, OHIO; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

Jul 1, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Cathy Chambliss

Subscribed to and sworn to me this 1st day of Jul 2021

Janice Marie Studebaker

Janice M. Studebaker, GREENE County, OHIO

My commission expires: July 5, 2025

\$248.00

40017278 70243210 614-464-5482



JANICE MARIE STUDEBAKER
Notary Public - State of Ohio
Commission Expires July 5, 2025

Vorys, Sater, Seymour & Pease LLP
52 East Gay Street
Columbus, OH 43215

AFFP

Affidavit of Publication

STATE OF OHIO } SS
COUNTY OF GREENE }

Cathy Chambliss, being duly sworn, says:

That she is Media Sales Consultant of the FAIRBORN DAILY HERALD,
a daily newspaper of general circulation, printed and published in
XENIA, GREENE County, OHIO, that the publication, a copy of
which is attached hereto, was published in the said newspaper
on the follow dates:

Jul 1, 2021

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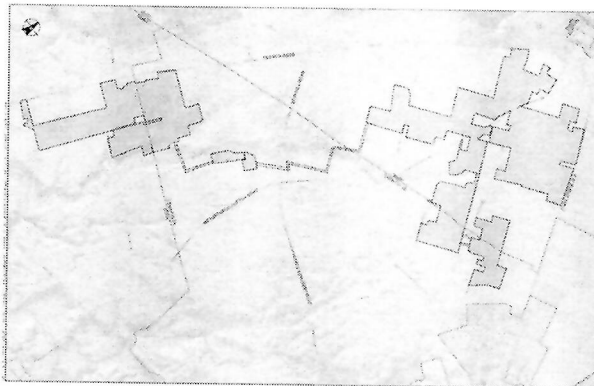
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Vorys, Sater, Seymour & Pease LLP
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Columbus, OH 43215

NOTICE OF PROPOSED MAJOR UTILITY FACILITY

Kingwood Solar I LLC ("Kingwood Solar"), a subsidiary of Vesper Energy, proposes to develop, build, and operate the Kingwood Solar Project (the "Project"), an up to 175 megawatt solar-powered electric generation facility (Facility) to be located in Cedarville, Miami, and Xenia Townships, Greene County, Ohio. The general purpose of the Project is to maximize energy production from solar resources to deliver clean, renewable electricity to the regional transmission system. The Project will be located within an area of approximately 1,500 acres and will consist of solar panel generators, as well as access roads, 34.5kilovolt (kV) electrical collector cables, a meteorological station, a facility substation, and a 138-kV electric generation tie (gen-tie) line that will connect to a utility-owned switchyard. The Project is anticipated to positively impact the local economy by producing significant tax revenue and other economic benefits for the area. A map showing the location and general layout of the Project is below.



Kingwood Solar has filed with the Ohio Power Siting Board (Board) an application for a Certificate of Environmental Compatibility and Public Need to construct, operate, and maintain the Project in Case No. 21-0117-EL-BGN, which is now pending before the Board. Copies of the application were served upon the Greene County Board of Commissioners, Xenia Township Board of Trustees, Cedarville Township Board of Trustees, Miami Township Board of Trustees, Greene County Soil and Water Conservation District, and Greene County Regional Planning and Coordinating Commission. A copy of the application was also provided to and is available for public review at the Xenia Community Library, the Cedarville Community Library, and the Yellow Springs Community Library. The full case record, including PDFs of the application, can be found via the Board's website at <https://dis.puc.state.oh.us/CaseRecord.aspx?CaseNo=21-0117-EL-BGN&x=0&y=0>. Alternatively, a link to the Board's website with the full case record can be found via Kingwood Solar's website at <https://www.kingwoodsolar.com/>. To obtain additional information about obtaining a hard copy of the application or to request help accessing electronic records, reach out to Kingwood Solar directly at 937-907-0970 or info@kingwoodsolar.com. You can also reach out to the Board directly by calling 866-270-6772.

The Board utilizes the following criteria for reviewing an application for a major utility facility:

1. The basis of the need for the facility if the facility is an electric transmission line or gas pipeline;
2. The nature of the probable environmental impact;
3. That the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations;
4. In the case of an electric transmission line or generating facility, that the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability;
5. That the facility will comply with Chapters 3704., 3734., and 6111. of the Revised Code and all rules and standards adopted under those chapters and under section 4561.32 of the Revised Code. In determining whether the facility will comply with all rules and standards adopted under section 4561.32 of the Revised Code, the board shall consult with the office of aviation of the division of multi-modal planning and programs of the department of transportation under section 4561.341 of the Revised Code.
6. That the facility will serve the public interest, convenience, and necessity;
7. In addition to the provisions contained in divisions (A)(1) to (6) of this section and rules adopted under those divisions, what its impact will be on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929. of the Revised Code that is located within the site and alternative site of the proposed major utility facility. Rules adopted to evaluate impact under division (A)(7) of this section shall not require the compilation, creation, submission, or production of any information, document, or other data pertaining to land not located within the site and alternative site.
8. That the facility incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives.

The public will be given an opportunity to comment on the proposed Project. The public hearing for this proceeding shall consist of two parts:

1. A local public hearing pursuant to R.C. 4906.07 and 4906.08(C), where the Board shall accept written or oral testimony from any person; and
2. An adjudicatory hearing. To participate in the adjudicatory hearing, intervention in the case is necessary.

Additional information about the public hearing and adjudicatory hearing, including the date, time, and location for the hearings, will be provided when available. Petitions to intervene should be addressed to the Ohio Power Siting Board, Docketing Division, 180 East Broad Street, Columbus, Ohio 43215-3793 and cite the above-listed case number.

AFFP

Affidavit of Publication

STATE OF OHIO} SS
COUNTY OF GREENE}

Suzanne Szempruch, being duly sworn, says:

That she is Advertising Manager of the YELLOW SPRINGS NEWS, a weekly newspaper of general circulation, printed and published in Yellow Springs, Greene County, OHIO; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

July 1, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Suzanne Szempruch *Suzanne Szempruch*

Subscribed to and sworn to me this 1st day of July 2021

[Signature] *7/1/2021*

\$510

614-464-5482

Vorys, Sater, Seymour & Pease LLP
52 East Gay Street
Columbus, OH 43215



AUNDRIA D JAMES
Notary Public, State of Ohio
My Comm. Expires 11/05/2022

YSDC

CONTINUED FROM THE FRONT PAGE

conference call, none addressed the group, though Laura Curliss, a member of Village Council, wrote in the chat that she appreciated the YSDC’s work and was glad to be in attendance.

- Alex Scott, interim director of the Yellow Springs Chamber of Commerce, who serves as an ex-officio YSDC member, announced that she will be leaving the Chamber effective July 16 to take the position of outreach manager with Home, Inc. The position is currently held by Kineta Sanford, who has accepted a teaching position at Mills Lawn School. Scott noted that she will continue to connect with YSDC, as part of her new role will include leading Home Inc.’s Inclusive & Resilient coalition.
- Members unanimously approved giving a hardship deferral to the Chamber of Commerce on paying its 2021 YSDC dues. The dues amount is \$500 per representative. Voting members in attendance, in addition to Kreeger, were Clifton Mayor Alex Bieri; Shelly Blackman, representing the community; Yellow Springs school board President Steve Conn; Don Hollister and Corrie Van Ausdal, the Miami Township representatives; Hannah Montgomery, of Antioch College; and Lisa Abel, representing the Community Foundation. Abel, who was out of town, called into the Zoom meeting by phone.
- Board members also voted to accept a proposal from Lisa Abel to hire an architect on retainer in an attempt to avoid some of the issues that came up during the firehouse sale. Abel said she had spoken with a representative of Earl Reeder Associates, who agreed to the proposal. Costs would include a \$500 retainer fee plus \$175 per hour of work. The board agreed to the fee, with hourly engagement not to exceed \$1,000.
- YSDC members also unanimously agreed to give \$1,000 to the McKee Group toward its effort to finance a new Cost of Living Survey of the Village, to be compiled by Wright State University, based on the

latest Census data. Total cost of the effort is \$15,000, according to information shared with YSDC.

• Yellow Springs Schools Superintendent Terri Holden, an ex-officio YSDC member, addressed the group about the district’s recent efforts regarding local school facilities and her hope that the YSDC will support its plan to construct a K–12 school on the site of the middle/high school campus on East Enon Road.

Holden said that throughout the master planning process, there has been “a lot of misinformation” passed along in the community, and she believes the YSDC can play a role in promoting “accurate information.”

YSDC involvement is appropriate because, “The story of the schools and the story of the village is the same story,” Holden said.

“I want to stress collaboration,” she added, going on to list a handful of ways the district has worked with the village in the past two years on a range of initiatives, including: the sale of property to the Village for the construction of a bike path connecting East Enon Road to the Agraria farm; participation in the Village’s one-way transportation trial on Walnut Street in front of Mills Lawn School; involvement in the Safe Routes to Schools project; publicly supporting the planned Oberer development on the south side of town; supporting “in name and funding” the expansion of Wi-Fi access in the village.

“I say that to tell you that we are interested in collaborating,” she said. “Help us educate the community” about the importance of a new school.

Asked to add his thoughts, Steve Conn, school board president, said that when the 2020 strategic plan was developed in 2010, “the facilities were already identified” as an issue. “We’ve been talking about them for over a decade. We’ve studied these buildings extensively. ... The [school] board’s goal is to try to figure out the best solution for our kids, which dovetails into the best solution for our village.”

YSDC members responded favorably to the district’s request for support, including discussion about compiling demographic

and tax information and comparisons as well as engaging in community outreach. Jeanmarie Cox, an ex-officio member from the Community Foundation, suggested that the Foundation may have funding available.

Corrie Van Ausdal agreed that YSDC’s support of the school district’s plans is appropriate as an economic development organization.

“I believe the school district is one of the largest employers in town,” she said. It’s appropriate to ask: “What is the larger economic impact of the schools on the village?” she said. “I really look at public schools as an equity issue. I’m disheartened by the negativity [I hear] to progress. I feel down-hearted.”

Van Ausdal, Cox and Abel agreed to form a sub-committee to work with the district in supporting its K–12 plan.

- The group’s next meeting is scheduled for Tuesday, July 13, at 4:30 p.m., via Zoom. YSDC leadership is checking to confirm that the group may continue meeting online since it is not a governmental entity subject to the state’s Sunshine laws.

Contact: csimmons@ysnews.com



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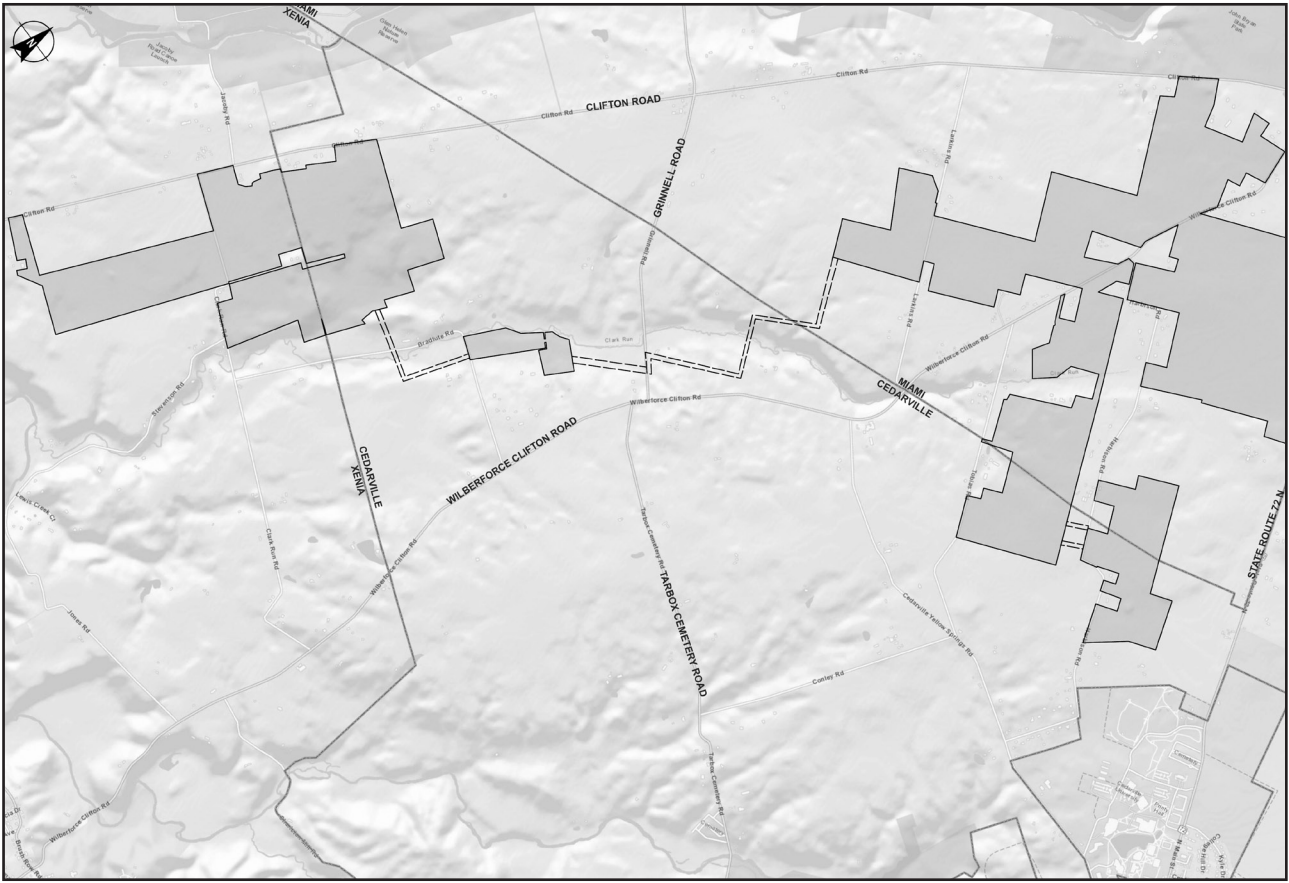
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Miami Township Trustees—

In-person meetings return

By Carol Simmons

Fifteen months after the pandemic lockdown began, and with it a transition to conducting Miami Township business through online video conference calls, the Township Trustees returned to in-person meetings Monday, June 21.

The meeting was also the three-person board’s first in the Township’s new fire station, which includes the trustees’ office, since the building’s completion last fall.

The gathering was small, with Trustee Mark Crockett, who is currently in residence at Friends Care Community, and fire Chief Colin Altman, who was on vacation, both absent. Present were Trustees Chris Mucher and Chair Don Hollister, Fiscal Officer Margaret Silliman and the head of roads and cemeteries, Dan Gochenouer.

Attending from the community were Marilan Moir, who has announced her intention to run for a trustee’s seat in the fall election, and Jenifer Adams, a member of the Citizens for Greene Acres grassroots group that opposes construction of a proposed 1,500-acre solar array that crosses Miami, Cedarville and Xenia townships.

Mucher reported having received a complaint from a township resident that the Trustees were not offering a “hybrid” way to attend their meetings, with the resident saying that the absence of an online option “discriminates against the elderly.”

Business at the June 21 meeting included:

- Mucher reported that the Township and the Yellow Springs Development Corporation, or YSDC, had settled their disagreement over who should pay for utilities and other fees incurred in the three months between announcing the sale of the former firehouse to comedian Dave Chappelle’s holding company and the final closing of that sale. The YSDC conducted the sale on behalf of the Township, having purchased the option to sell for \$1. The original agreement included an 8% commission for the YSDC.
- “We’re going to get a check for \$380,000 from the sale of the firehouse,” Mucher reported, without giving any other details. The News has reported that the sale price was \$424,000. In a June 14 email to the Trustees, Stephen Haller of the Greene County Prosecutor’s Office, which serves as the Township’s counsel, summarized the newly reached agreement with YSDC as a distribution of the sale’s net proceeds of \$413,593.50, with YSDC to receive \$33,593.50.
- Mucher also reported that the placement of the deduct meter in the new firehouse was not allowing it to correctly measure the water discharged in the vehicle bay, resulting in higher water bills.
- “Long story short, we’re going to have to put a new deduct meter in at a cost of \$5,950,” Mucher said.
- Fiscal Officer Silliman reported that payroll was going to come up short without a transfer of money from the general fund. She requested that the Trustees approve a transfer of \$7,000 to make that week’s payroll, and an additional \$32,000 to make up the shortfall for the following four two-week pay periods.
- She explained that payroll funds come from two revenue streams: one-third is covered by a fire department operations levy and two-thirds come from insurance reimbursements for ambulance runs.
- “Insurance reimbursements go up and down,” Silliman said, adding that not all ambulance runs result in an insurance

claim, as patients without insurance aren’t charged.

• Hollister announced that the Miami Township Board of Zoning Appeals was scheduled to have a hearing Wednesday, June 23, to review Zoning Inspector Richard Zopf’s ruling against certain activities occurring and/or planned at the Agraria farm property on Dayton-Yellow Springs Road, which is zoned for agriculture. Agraria leaders believe that a range of activities are allowable through the state’s agritourism rules; Zopf believes some do not qualify as agritourism.

Hollister said interested parties could “google Greene County agritourism,” concerning a court ruling about a property in Caesarcreek Twp., to see how Zopf made his determination.

About 75 people attended the Wednesday night hearing, packing into the meeting room at the new firehouse, but the meeting was continued until Wednesday, June 30, when a stenographer, hired by Agraria to take notes in preparation of a possible court action, did not show up.

• Reporting about other agencies on which trustees serve, Mucher announced that the Miami Valley Regional Planning Commission and the Greene County Regional Planning Commission have each had recent “personnel discussions.” The MVRPC has extended the contract of its executive director, who recently earned a national award for his work, while the GCRPC promoted its assistant director to interim director with the resignation of the former director, who had been commuting from his home in Chillicothe. The GCRPC is currently seeking a new assistant director, Mucher said.

Mucher also said that the trustee’s might consider whether to continue its representation on the Yellow Springs Senior Center board. Crockett, who is the Township designee, has not been able to participate.

• The trustees voted in favor of building a new utility shed and a new columbarium, for holding funerary urns, at Glen Forest Cemetery. Total cost for the two structures is \$32,400.

• The trustees responded positively to a request for financial support in the construction of a proposed Yellow Springs-Clifton bike path connector, authorizing a new donation of \$5,000. The township gave an initial \$5,000 in 2018.

• The Trustees also agreed to contribute \$500 to the local Odd Fellows, who requested a donation to support the July 4 fireworks display, which they traditionally present. Hollister, who noted that he is a member of the Odd Fellows, but didn’t think his membership created a conflict in regards to July 4, said the total cost for the display is about \$8,000. Mucher said the Township has typically donated \$500 in the past. The event was canceled last year amid the pandemic.

The Trustees’ next meeting is scheduled for Wednesday, July 7, at the new firehouse.

Contact: csimmons@ysnews.com

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Case No(s). 21-0117-EL-BGN

Summary: Proof of Pub electronically filed by Nathaniel Morse on behalf of Kingwood Solar I
LLC