

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION
OF JULIET ENERGY PROJECT, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED.

CASE NO. 20-1760-EL-BGN

ENTRY

Entered in the Journal on September 15, 2021

{¶ 1} Juliet Energy Project, LLC (Juliet or Applicant) is a person as defined in R.C. 4906.01.

{¶ 2} R.C. 4906.04 provides that no person shall construct a major utility facility in the state without obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 3} On March 12, 2021, Juliet filed an application with the Board for a certificate of environmental compatibility and public need to construct an up to 101-megawatt, solar-powered electric generating facility in Wood County, Ohio (Project).

{¶ 4} Pursuant to Ohio Adm.Code 4906-3-06, within 60 days of receipt of an application for a major utility facility, the Board Chair must either accept the application as complete and compliant with the content requirements of R.C. 4906.06 and Ohio Adm.Code Chapters 4906-1 through 4906-7 or reject the application as incomplete.

{¶ 5} On May 11, 2021, the Board notified Juliet that its application was found to be sufficiently compliant with the requirements of Ohio Adm.Code Chapters 4906-01, et seq., and provided sufficient information to permit Staff to commence its review and investigation.

{¶ 6} Ohio Adm.Code 4906-3-08(A) states that, once the applicant has complied with Ohio Adm.Code 4906-3-07, the Board or the administrative law judge (ALJ) shall file an entry indicating the date on which the accepted, complete application is deemed filed. Additionally, once the effective date is established, the ALJ must promptly fix the dates for

public hearings. R.C. 4906.07(A) directs that the public hearing be held not less than 60 nor more than 90 days after the effective date.

{¶ 7} By Entry issued July 7, 2021, the effective date of the application was established as July 7, 2021, the public hearing scheduled for September 8, 2021, and the adjudicatory hearing scheduled to commence on September 22, 2021. Also, the July 7, 2021 Entry advised that the Board would accept petitions to intervene up to 30 days following the service of the notice required by Ohio Adm.Code 4906-3-09 or by August 20, 2021, whichever is later, and established a procedural schedule directing Staff to file its report of investigation on or before August 24, 2021; parties to file a list of issues citing specific concerns about which they may be interested in pursuing cross-examination of witnesses at the adjudicatory hearing by September 10, 2021; Juliet to file all expert and factual testimony by September 13, 2021; Staff and intervenors to file all expert and factual testimony by September 17, 2021; and any stipulation entered into by the parties shall be filed by noon on September 21, 2021, along with the associated testimony supporting the stipulation.

{¶ 8} On August 18, 2021, the Ohio Farm Bureau Federation (OFBF) filed a motion to intervene in this proceeding. In its motion, OFBF asserts that it has a real and substantial interest in this matter. More specifically, OFBF asserts that it is a non-profit organization representing agricultural and rural community interests and includes as members hundreds of families in Wood County. OFBF asserts that its members have an interest in solar energy development in order to enhance their income, to ensure construction activities adhere to proper procedures, and to address environmental considerations. No memorandum contra OFBF's motion to intervene was filed.

{¶ 9} In accordance with Ohio Adm.Code 4906-2-12, the ALJ finds that the motion to intervene filed by OFBF is reasonable and should be granted.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That OFBF's motion to intervene be granted. It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon all interested persons and parties of record.

THE OHIO POWER SITING BOARD

/s/ Matthew J. Sandor

By: Matthew J. Sandor
Administrative Law Judge

NJW/kck

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in

Case No(s). 20-1760-EL-BGN

Summary: Administrative Law Judge Entry granting OFBF's motion to intervene.
electronically filed by Kelli C. King on behalf of Matthew Sandor, Administrative Law Judge,
Ohio Power Siting Board