

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Marion County )  
Solar Project, LLC for a Certificate of )  
Environmental Compatibility and Public Need to ) Case No: 21-36-EL-BGN  
Construct a Solar-Powered Electric Generation )  
Facility in Marion County, Ohio. )

**DIRECT TESTIMONY OF**

**Sean Flannery  
Senior Director, Permitting & Environmental  
Savion**

**on behalf of  
Marion County Solar Project, LLC**

**October 13, 2021**

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**1. Please state your name, current title, and business address.**

My name is Sean Flannery. I am a Permitting and Environmental Senior Director for Savion, LLC (“Savion”). My business address is 422 Admiral Boulevard, Kansas City, 4 Missouri 64106.

**2. Please summarize your educational and professional experience.**

I have a B.A. in Natural Science from Saint John’s University and a Masters in Urban and Regional Planning from the University of Minnesota with a concentration in Environmental Planning. I have worked for Savion since November 2020. Prior to Savion, I was employed at Renewable Energy Systems Americas for ten years, and prior to that I worked as an Environmental Consultant and Project Manager at Tetra Tech for nine years. While at Savion, I have worked as a permitting and environmental lead supporting solar and battery storage development efforts for projects located in North Dakota, Texas, Oklahoma, Wisconsin, Indiana, and Ohio. My focus on renewable energy development projects involves environmental review and due diligence for project siting, and specific permitting process support to obtain permitting approvals to construct and operate renewable energy projects. I coordinate internal company resources and experts to prepare work plans and permit applications for development stage projects. I also work directly with local, state, and federal permitting entities to gain environmental review and approvals as needed.

**3. On whose behalf are you offering testimony?**

I am testifying on behalf of the Applicant in the case, Marion County Solar Project, LLC (“Marion County Solar” or “Applicant”). Marion County Solar is a wholly owned subsidiary of Savion.

Founded in 2019, the Savion team is comprised of utility-scale solar and energy storage experts that have developed over 10 gigawatts of solar projects across 28 states that are either in operation, under construction, or in development. Savion has over 100 employees and is headquartered in Kansas City, Missouri. Savion develops projects and secures power purchase agreements that are ultimately transferred to other entities who will own and

1 operate the projects long-term. The Project will be constructed, operated, and maintained  
2 by the Applicant.

3  
4 **4. What is your role with respect to the Project?**

5 In my position as Permitting and Environmental Senior Director, I oversee and manage all  
6 facets of project planning and development for the Marion County Solar Project (“Project”  
7 or “Facility”). I oversee the permitting process for the Project, and the production of the  
8 various studies required to complete the Application before the Ohio Power Siting Board  
9 (“Board”) for a certificate of environmental compatibility and public need to construct a  
10 solar-powered generation facility in Marion County.

11  
12 **5. What is the purpose of your testimony?**

13 The purpose of my testimony is to provide a summary of the Project and a description of  
14 the process that led to the joint stipulation and recommendation (“Stipulation”), which was  
15 filed in the docket on October 13, 2021, and is being offered in this proceeding as Joint  
16 Exhibit 1. I will sponsor the admission of the Stipulation into evidence in this case, along  
17 with the Applicant’s exhibits listed in the Stipulation, which include the Application and  
18 supplements, certificates of service, and proofs of publication. I intend to explain the  
19 background of the Stipulation and the reasons why I believe it should be adopted by the  
20 Board. In addition, my testimony will confirm that the Stipulation complies with the  
21 Board’s three-part test for evaluating stipulations.

22  
23 **6. Is the Application and all exhibits and appendices attached to the Application, true**  
24 **and accurate to the best of your knowledge?**

25 Yes, they are.

26  
27 **7. Did Marion County Solar cause the Application and notices to be served on property**  
28 **owners, tenants, adjacent property owners, various local government officials, and**  
29 **libraries?**

30 Yes. The certificates of service were filed and have been marked as Applicant Exhibits 9,  
31 and 11 -13.

32

1   **8. Did Marion County Solar have notices of the public information meetings, the**  
2   **Application, and the hearings published in a newspaper of general circulation in**  
3   **Marion County, Ohio?**

4   Yes. Proofs of publication were submitted filed and have been marked as Applicant  
5   Exhibits 10 and 12-13.  
6

7   **9. Please provide a summary and overview of the proposed Facility.**

8   As described in detail in the Application, which was filed in this case on March 5, 2021,  
9   as supplemented on March 31, 2021 (“Application”), the Project is comprised of up to 100  
10   megawatts of alternating current (“MW”) solar photovoltaic (“PV”) generation and a  
11   battery energy storage system in Marion Township, Marion County, Ohio. The facility  
12   will inject up to 100 MWs into the grid. Construction of the facility is expected to begin  
13   as early as the fourth quarter of 2022. The Project is anticipated to be commercially  
14   operational in the fourth quarter of 2023.  
15

16   **10. Will the Facility comply with all applicable regulations?**

17   Yes, the Facility is designed to comply with all applicable state and federal regulations,  
18   and the Applicant is committed to ensure the final layout adheres to all applicable  
19   regulations.  
20

21   **11. Please describe Marion County Solar’s public information program to provide the**  
22   **local community information about the Project.**

23   Marion County Solar followed the Board’s public information and public notice  
24   requirements. It hosted a virtual public information meeting on February 17, 2021, prior to  
25   filing the Application. Marion County Solar is also maintaining a website with information  
26   about the Project. However, Marion County Solar went beyond these requirements to  
27   engage the local community through attending township trustee meetings and county  
28   commissioner meetings. Marion County Solar launched a Facebook page to provide  
29   interested individuals a way to seek Project related information and connect with Project  
30   representatives. The Project Developer has invited and held meetings with local residents  
31   to answer questions on the Project, met with Ridgedale Local Schools, and presented to

1 Marion CanDo, the economic development entity of Marion, comprised of community  
2 leaders and representatives of the community on several occasions. The Project team has  
3 also made efforts to respond to information requests sent through the Project website to the  
4 applicant. In fact, a separate visual simulation was prepared for one specific Marion  
5 resident who had concerns about her viewshed.  
6

7 **12. Did you attend the public hearing held on September 28, 2021?**

8 Yes. 14 people offered sworn testimony. Thirteen people testified in support of the Project  
9 and one person testified stating concerns for the Project.  
10

11 **13. Please generally summarize the comments raised at the local public hearing.**

12 The comments received during the public hearing were generally in support of the solar  
13 project. Representatives from several different trade unions were present, and spoke in  
14 support of the project and the jobs and the positive economic effects from building a solar  
15 project in the area. The trade union representatives included the Carpenters Union,  
16 operating engineers, and the International Brotherhood of Electrical Workers (“IBEW”).  
17

18 Three residents local to the Marion area spoke in support of the project, including a  
19 representative from the Marion Township Board of Trustees, which supports the project  
20 due to the positive economic impact to the local community.  
21

22 A representative from the County Economic Development office and a representative from  
23 a local corporation both spoke in favor of the positive economic effects from the solar  
24 project. They support economic development in the area to bolster other business  
25 activities, including other companies that have carbon reduction goals and want  
26 opportunities to purchase renewable energy from projects like this proposed solar project.  
27

28 One Marion resident spoke in opposition to the solar project. He stated his concern about  
29 taking productive farmland out of production by converting it to a solar project. He stated  
30 that the area only receives 175 days of full sun per year on average which may not be a

1 good location for a solar project. He also stated his concern that the construction jobs  
2 associated with building the project are temporary.

3  
4 **14. Did you encounter any objections to the Marion County Solar Project from the**  
5 **officials in the area?**

6 No. The Applicant has been working in Marion County and meeting with landowners  
7 regarding the Marion County Solar Project for more than four years. Throughout this time,  
8 we have formed strong relationships with local landowners, as well as county officials.

9  
10 **15. Please provide the background on the process leading up to the Stipulation and the**  
11 **evidentiary hearing.**

12 The Board's Staff ("Staff") issued a Staff Report of Investigation on September 13, 2021  
13 ("Staff Report"). The local public hearing was subsequently held on September 28, 2021.  
14 The Stipulation, which was signed by the Applicant, Staff, and the Ohio Farm Bureau  
15 Federation was filed on October 13, 2021. The evidentiary hearing is scheduled to  
16 commence October 28, 2021.

17  
18 In my opinion, Staff completed its investigation process seamlessly. The Applicant did not  
19 detect any major issues or hurdles during Staff's investigation of the Application. We do  
20 not have concerns with the Staff Report and our proposed Stipulation revisions related to  
21 minor refinement of condition language.

22  
23 **16. Have you reviewed the Stipulation that was filed in this docket on October 13, 2021?**

24 Yes.

25  
26 **17. Are you aware that the Board must make certain determinations under Ohio Revised**  
27 **Code ("R.C.") 4906.10 before issuing a certificate for the construction, operation, and**  
28 **maintenance of a major utility facility?**

29 Yes. My attorney has advised me that there are eight criteria considered by the Board in  
30 making its determination for the issuance of a certificate.

31

1 **18. Does the first of these criteria under R.C. 4906.10(A)(1), which requires the Board to**  
2 **determine the basis of need for the facility, apply to the Board's review of this**  
3 **Application?**

4 No. My attorney has advised me that R.C. 4906.10(A)(1) only applies to an electric  
5 transmission line or a gas pipeline, and is not applicable to this generating facility.  
6

7 **19. Does the Application, as agreed to through the Stipulation, enable the Board to**  
8 **determine the nature of the probable environmental impact of the facility?**

9 Yes. The Application addresses all of the subject matter areas necessary for the Board to  
10 determine the nature of the probable environmental impact of the Facility. The Application  
11 includes detailed surveys, assessments, and reports related to probable socioeconomic  
12 impacts, ecological impacts, and public services, facilities, and safety. The Application  
13 narrative and exhibits, along with subsequent supplements and interrogatory responses,  
14 provide the information necessary to determine the probable impacts. Lastly, the  
15 Stipulation agreement expands upon the information included in the Application to confirm  
16 the probable impacts from the Project.  
17

18 **20. Does the Application, as agreed to through the Stipulation, enable the Board to**  
19 **determine that the Facility represents the minimum adverse environmental impact,**  
20 **considering the state of available technology and the nature and economics of the**  
21 **various alternatives, and other pertinent considerations?**

22 Yes. The information included in the Application that enables the Board to determine the  
23 probable adverse environmental impact shows that Project has a minimum adverse  
24 environmental impact.  
25

26 **21. Does the Application, as agreed to through the Stipulation, enable the Board to**  
27 **determine that the Facility is consistent with regional plans for expansion of the**  
28 **electric power grid of the electric systems serving this state and interconnected utility**  
29 **systems that the Facility will serve the interests of electric system economy and**  
30 **reliability?**

1 Yes. The regional plans for expansion of the electric power grid of the electric systems  
2 serving the state are determined by PJM. PJM performed studies analyzing the proposed  
3 Facility, its proposed interconnection point, and the related impacts on the electric power  
4 grid, as well as for compliance with PJM and North American Electric Reliability  
5 Corporation (“NERC”) reliability criteria. The PJM System Impact Studies and Feasibility  
6 Studies, included in the Application, show that the Facility is consistent with the regional  
7 plans for expansion of the electric power grid serving Ohio and the interconnected utility  
8 systems, and that the proposed Facility will serve the interest of the electric system’s  
9 economy and reliability.

10  
11 **22. Does the Application, as agreed to through the Stipulation, enable the Board to**  
12 **determine that the Facility will comply with the requirements established by the state**  
13 **of Ohio for air pollution control; solid and hazardous waste, water pollution control;**  
14 **permitting for a major increase in withdrawal of waters; and aeronautical**  
15 **requirements?**

16 Yes. The Application addresses air pollution topics, revealing that the proposed Project  
17 would not produce air pollution through emissions. The Application addresses solid and  
18 hazardous waste, revealing that the proposed Project would not produce solid or hazardous  
19 waste, and will not result in water pollution. Further, the Project complies with the  
20 aeronautical requirements.

21  
22 **23. Does the Application, as agreed to through the Stipulation, enable the Board to**  
23 **determine that the Facility will serve the public interest, convenience, and necessity?**

24 Yes. The Application addresses public interest, convenience, and necessity through  
25 discussion and analysis.

26  
27 **21. Does the Application, as agreed to through the Stipulation, enable the Board to**  
28 **determine the Facility’s impact on the viability as agricultural land?**

29 Yes. The Application identifies the agricultural land within the Project Area (866 acres)  
30 and the land use impact (710 acres) the Project will have on agricultural land. Of the  
31 agricultural land utilized for the Facility, approximately 513 acres is currently enrolled in



1 the Agricultural District Program. Once the Project is operational, these parcels will no  
2 longer be eligible for inclusion in the program. However, once the Project is  
3 decommissioned, the parcels could be re-enrolled in the program.  
4

5 **24. Does the Application, as agreed to through the Stipulation, enable the Board to**  
6 **determine that the Facility incorporates maximum feasible water conservation**  
7 **practices, considering available technology and the nature and economics of the**  
8 **various alternatives?**

9 Yes.  
10

11 **25. Do you believe that the settlement was the product of serious bargaining among**  
12 **capable, knowledgeable parties?**

13 Yes. Counsel for all parties were invited to all settlement negotiations. Representatives of  
14 the parties involved in the deliberations leading to the Stipulation were aware of and  
15 knowledgeable about the issues addressed in the Stipulation.  
16

17 **26. Do you believe the settlement, as a package, benefits the public interest?**

18 Yes. The Stipulation ensures that the Project will represent the minimum adverse  
19 environmental impact for both construction and operations, considering the state of  
20 available technology, and the nature and economic of the various alternatives, as well as  
21 other pertinent considerations. The construction and operation of the Facility then provides  
22 benefits to the public interest. The annual tax revenue alone from the Project will add an  
23 additional minimum \$700,000 to the local tax base (\$21M over the life of the Project)  
24 which will be allocated to millage recipients to include Ridgedale Local Schools, Marion  
25 township, and the county general fund. This as well as the partnerships with a local institute  
26 of higher learning and the local emergency response services that the Project has committed  
27 to will leave long lasting educational opportunities and development for residents and local  
28 entities for years to come.  
29  
30

1   **27.    To your knowledge, does the settlement package violate any important regulatory**  
2       **principle or practice?**

3       No.  
4

5   **28.    Why do you believe the Stipulation should be accepted?**

6       The Stipulation strikes an appropriate balance that provides a path forward for the Facility  
7       to be constructed and to operate while ensuring that the Facility represents minimum  
8       adverse impact, considering the state of available technology and the nature and economics  
9       of the various alternatives, and other pertinent considerations.  
10

11   **29.    Does this conclude your testimony?**

12       Yes.   However, I reserve the right to update this testimony to respond to any further  
13       testimony submitted in this case.

**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 13<sup>th</sup> day of October, 2021.

/s/ Christine M.T. Pirik

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Summary: Testimony of Sean Flannery electronically filed by Christine M.T. Pirik on behalf of Marion County Solar Project, LLC