

**THE OHIO POWER SITING BOARD**

<b>IN THE MATTER OF COLUMBIA GAS OF</b>	)	
<b>OHIO, INC.'S LETTER OF NOTIFICATION</b>	)	<b>CASE No. 19-2148-GA-BLN</b>
<b>FOR THE MARYSVILLE CONNECTOR</b>	)	
<b>PIPELINE PROJECT</b>	)	

**MOTION: MOTION OF INTERVENOR BOARD OF COUNTY COMMISSIONERS, UNION COUNTY, OHIO, TO EXTEND TIME TO REPLY TO COLUMBIA GAS OF OHIO, INC.'S MOTION FOR WAIVER WITH SUPPORTING MEMORANDUM**

NOW COMES Intervenor Board of County Commissioners, Union County, Ohio, by David Phillips, Prosecuting Attorney in and for Union County, Ohio, through Thayne D. Gray, Assistant Prosecuting Attorney, and moves the Board to extend its time to respond to the Motion for Waiver filed by Columbia Gas of Ohio, Inc. on January 24, 2023. As appears more fully in the following Memorandum in Support, the Open Meeting Act, R.C. §121.22, and the regular meeting schedule of the Board of County Commissioners have limited the opportunities for the undersigned counsel to consult with the members of the Board and for the Board to consult among themselves to determine how the Board will respond to the pending Motion for a Waiver from Columbia Gas of Ohio, Inc. Counsel expects the Board to make that determination and to provide guidance to counsel after the Board's regularly scheduled meeting on Wednesday, February 8, 2023. The Board and Counsel request an extension of the time for the Board to respond to the Motion to February, 15, 2023.

WHEREFORE, The Board of County Commissioners, Union County, Ohio, prays the Board to extend the time within which the Board can respond to the pending Motion for Waiver to February 15, 2023.

Respectfully submitted,

*/s/ Thayne D. Gray*

Thayne D. Gray           (0059041)  
Assistant Prosecuting Attorney

Counsel for Board of County Commissioners  
Union County, Ohio  
249 W. Fifth Street  
Marysville, OH 43040  
(937) 645-4190  
[tgray@unioncountyohio.gov](mailto:tgray@unioncountyohio.gov)

Memorandum in Support of Motion to Extend Time to Reply

Counsel for Columbia Gas of Ohio, Inc. sent a copy of its Motion for Waiver and contacted the undersigned late in the afternoon on Tuesday, January 24, 2023.

The Union County Board of County Commissioners meets in regular session once a week on Wednesdays. During session on Wednesday, January 25, 2023, the undersigned counsel alerted the Board to the Motion filed the day before and summarized the request and the reasons given for the request.

During session on Wednesday, February 1, 2023, counsel and the Board discussed the Motion briefly in open session. The Board requested additional information, requested that other local stakeholders be consulted, and stated its desire to discuss the Board's position on the Motion in an executive session during its meeting on February 8, 2023.

The Board of County Commissioners, Union County, Ohio, is a "public body" under Ohio's Open Meetings Act. R.C. 121.22(B)(1). The Open Meetings Act states that a "meeting" is "any prearranged discussion of the public business of the public body by majority of its members. R.C. §121.22(B)(2). Because a board of county commissioners is a three-member board (R.C. §305.01), discussions of the public business of just two members of a board of county commissioners can constitute a "meeting" under the Open Meetings Act. Consequently, the Board of County Commissioners has had little opportunity to discuss the issues presented by Columbia Gas of Ohio's Motion for a Waiver and to determine how the County will respond.

As noted above, the Board of County Commissioners will discuss this matter during its session on February 8, 2023. The undersigned counsel expects to get guidance from the Board

on how to respond to the pending Motion. For that reason, the Board, and its counsel, seek an extension of the time to respond to the pending Motion for Waiver until Wednesday, February 1, 2023.

Respectfully submitted,

**/s/ Thayne D. Gray**

Thayne D. Gray (0059041)  
Assistant Prosecuting Attorney  
Counsel for Board of County Commissioners  
Union County, Ohio  
249 W. Fifth Street  
Marysville, OH 43040  
(9370-645-4190  
[tgray@unioncountyohio.gov](mailto:tgray@unioncountyohio.gov)

Certificate of Service

The docketing information system of the Public Utilities Commission of Ohio will electronically serve notice of filing this document on the parties reference on the service list of the docket card who had electronically subscribed to the case.  
2023.

Respectfully submitted,

**/s/ Thayne D. Gray**

Thayne D. Gray (0059041)  
Assistant Prosecuting Attorney  
Counsel for Board of County Commissioners  
Union County, Ohio  
249 W. Fifth Street  
Marysville, OH 43040  
(9370-645-4190  
[tgray@unioncountyohio.gov](mailto:tgray@unioncountyohio.gov)

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**2/6/2023 3:50:41 PM**

**in**

**Case No(s). 19-2148-GA-BLN**

Summary: Motion MOTION OF INTERVENOR BOARD OF COUNTY COMMISSIONERS, UNION COUNTY, OHIO, TO EXTEND TIME TO REPLY TO COLUMBIA GAS OF OHIO, INC.'S MOTION FOR WAIVER WITH SUPPORTING MEMORANDUM electronically filed by Thayne D Gray on behalf of Board of County Commissioners, Union County, Ohio