

**BEFORE
THE OHIO POWER SITING BOARD**

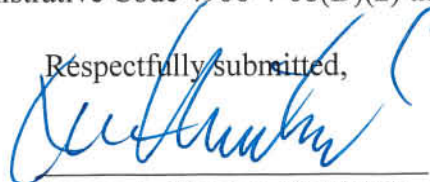
In the Matter of the Application of)	
Hecate Energy Highland LLC for a)	Case No. 18-1334-EL-BGN
Certificate of Environmental)	
Compatibility and Public Need to)	
Construct a Solar-Powered Electric)	
Generating Facility in Highland)	
County, Ohio)	

SUPPLEMENTAL MOTION FOR WAIVER

Pursuant to Section 4906.06(A)(6) of the Revised Code and Ohio Administrative Code 4906-4-01(B), Hecate Energy Highland LLC ("Hecate") moves the Ohio Power Siting Board ("the Board") to grant a waiver from Ohio Administrative Code 4906-4-08(D)(2) through (4). On October 9, 2018, Hecate filed an application to construct a solar powered electric generating facility to be located in Highland County, Ohio. Hecate previously sought a waiver from Ohio Administrative Code 4906-4-08(A)(1)(c) (manufacturers' safety manuals or similar documents and any manufacturer recommended setbacks). That motion for waiver is still pending before the Board. Hecate is filing this supplement to its original motion to request a partial waiver from the requirements of Ohio Administrative Code 4906-4-08(D)(2) through (4) as well. A memorandum in support of the requested waiver for Ohio Administrative Code 4906-4-08(D)(2) through (4) is attached hereto.

WHEREFORE, Hecate respectfully requests that the Board grant this additional request for waiver from the requirements of Ohio Administrative Code 4906-4-08(D)(2) through (4).

Respectfully submitted,



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**MEMORANDUM IN SUPPORT OF
SUPPLEMENTAL MOTION FOR WAIVER**

I. INTRODUCTION

Hecate Energy Highland LLC (“Hecate”) is proposing to construct a 300-megawatt solar-powered electric generation facility which will be located to the northwest of Mowrystown, Ohio in Highland County, Ohio (the “Project”). In support of its application to construct the Project, Hecate sought a waiver from Ohio Administrative Code 4906-4-08(A)(1)(c) to allow Hecate to provide manufacturers’ safety manuals or similar documents and any manufacturer recommended setbacks to the Board as part of the detailed engineering drawings of the final Project design pursuant to Ohio Administrative Code 4906-3-14(C) as opposed to including these in the application.

Hecate also seeks a partial waiver from the requirements of Ohio Administrative Code 4906-4-08(D)(2) through (4) with respect to evaluation of impacts to landmarks, identification of and evaluation of impacts to recreation and scenic areas, and visual impacts outside of a five-mile radius of the Project.

As more fully explained below, good cause exists to grant this supplemental request for waiver. Hecate’s application still provides all information necessary for the Board and its Staff to conduct the required review and make the determinations required by R.C. 4906.10.

II. REQUESTED WAIVER FROM OHIO ADMIN. CODE 4906-4-08(D)(2)-(4)

Ohio Administrative Code 4906-4-08(D)(2) requires the applicant to provide an evaluation of the impact of the proposed facility on the preservation and continued meaningfulness of mapped cultural and archaeological landmarks within a ten-mile radius and describe plans to avoid or mitigate any adverse impact. Ohio Administrative Code 4906-4-08(D)(3) requires the applicant to describe and evaluate impacts to the identified recreation and scenic areas within a ten-mile radius

of the project area. Ohio Administrative Code 4906-4-08(D)(4) requires the applicant to evaluate the visual impact of the proposed facility within a ten-mile radius from the project area.

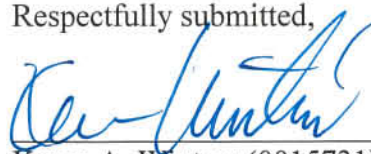
As a part of its application, Hecate evaluated the impact of the Project on the preservation and continued meaningfulness of the registered cultural landmarks, scenic and recreation areas, and visibility and viewshed within a five-mile radius (as opposed to a ten-mile radius) of the project area in the Cultural Resources Report (Exhibit I) and Viewshed Analysis Report (Exhibit J). Because of the Project's low-to-ground profile and coverage by vegetation and existing structures, visibility of the planned components are anticipated to be limited to the immediate vicinity of the Project and at most, not more than a five-mile radius. The Cultural Resources Report provides information on the lack of impact to landmarks outside of a five-mile radius, noting while resources within five miles are discussed, visual impacts are only anticipated within one mile of the project based on topography, vegetation and distance. Moreover, the Viewshed Analysis Report considers effects within a five-mile radius but suggests that LiDAR mapping indicated it would be unlikely that the Project would even be visible outside of a two-mile radius.

Accordingly, for good cause shown, Hecate respectfully requests that the Board grant a waiver from Ohio Administrative Code 4906-4-08(D)(2) through(4) and allow Hecate to provide its evaluation of the impact of the proposed facility on the preservation and continued meaningfulness of mapped cultural and archaeological landmarks within a five-mile radius instead of a ten-mile radius given the nature of this solar Project.

III. CONCLUSION

As good cause exists for granting the waiver, Hecate respectfully requests that the Board grant the waiver from Ohio Administrative Code 4906-4-08(D)(2) through (4).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Karen A. Winters", is positioned above a horizontal line.

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Summary: Motion for Waiver and Memorandum in Support (Supplemental) electronically filed by Ms. Karen A. Winters on behalf of Hecate Energy Highland LLC