

THE OHIO POWER SITING BOARD

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In the Matter of the :  
Application of Willowbrook :  
Solar 1, LLC, for a :  
Certificate of : Case No. 18-1024-EL-BGN  
Environmental Compatibility:  
and Public Need to :  
Construct an Electric :  
Generation Facility in :  
Highland and Brown :  
Counties, Ohio. :

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PROCEEDINGS

Before Jeff Jones, Administrative Law Judge, at  
Bright Elementary School, 6100 Fair Ridge Road,  
Cafeteria, Hillsboro, Ohio, called at 6:00 p.m. on  
Tuesday, February 19, 2019.

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PUBLIC HEARING - HILLSBORO, OHIO

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1 APPEARANCES:

2 Vorys, Sater, Seymour & Pease  
3 By Mr. Mike Settineri  
4 52 East Gay Street  
5 Columbus, Ohio 43215

6 On behalf of Willowbrook Solar 1, LLC

7 Dale Arnold, Director of Energy,  
8 Utility, and Local Government Policy  
9 Ohio Farm Bureau  
10 280 North High Street  
11 Columbus, Ohio 43215

12 On behalf of the Ohio Farm Bureau.

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Tuesday Evening Session,  
February 19th, 2019.

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ALJ JONES: Go on the record. The Ohio Power Siting Board has assigned for public hearing at this time and place, Case No. 18-1024-EL-BGN, which is captioned In the Matter of the Application of Willowbrook Solar 1, LLC, For a Certificate of Environmental Compatibility and Public Need to Construct an Electric Generation Facility in Highland and Brown Counties, Ohio.

My name is Jeff Jones. I'm the Administrative Law Judge assigned by the Ohio Power Siting Board to preside over tonight's local public hearing.

At the sign-up table outside the door when you came in this evening were two members of the Ohio Power Siting Board staff, Mr. Grant Zeto and Mr. Ashton Holderbaum.

We will be available if you have any questions concerning the application process, or any other general questions regarding the Ohio Power Siting Board you may have. Feel free to approach us at a break or at the conclusion of this evening's hearing.

1           If you have questions about the project  
2           itself, the Applicant, Willowbrook Solar, has  
3           representatives here tonight, set up in the hallway  
4           outside, to whom you can address those questions.

5           At this time I'm going to take formal  
6           appearances on behalf of the parties who have  
7           formally intervened in this case.

8           On behalf of the Applicant.

9           MR. SETTINERI: Thank you, your Honor.  
10          On behalf of Willowbrook Solar, Mike Settineri of the  
11          law firm of Vorys, Sater, Seymour & Pease, 52 East  
12          Gay Street, Columbus, Ohio 43215.

13          Also with me tonight is Doug Herling,  
14          the project manager for the Willowbrook Solar  
15          project.

16          ALJ JONES: Thank you, Mr. Settineri.

17          On behalf of the Ohio Farm Bureau  
18          Federation.

19          MR. ARNOLD: Thank you, your Honor. My  
20          name is Dale Arnold, I'm Director of Energy, Utility  
21          and Local Government Policy, with the Ohio Farm  
22          Bureau, 280 North High Street, Columbus, Ohio 43215.

23          ALJ JONES: On behalf of Mr. James  
24          Powell and Ms. Janine Powell?

25          (No response.)

1           ALJ JONES: Is their legal counsel here,  
2 Mr. Van Clay.

3           (No response.)

4           ALJ JONES: All right. I do not see him  
5 at this time. And the last intervenor is Mr. Timothy  
6 Brinker. Is he here this evening?

7           (No response.)

8           ALJ JONES: Okay. Maybe he'll come  
9 later. Thank you.

10           The subject of this evening's local  
11 public hearing is the application filed by  
12 Willowbrook Solar on September 17th, 2018, to  
13 construct a 150 megawatt solar-powered electric  
14 generating facility in Concord and White Townships in  
15 Highland County, and Eagle Township in Brown County.

16           The project would consist of a large  
17 array of solar panels and associated facilities such  
18 as access roads, up to six meteorological stations,  
19 buried electrical collection lines, invertor pads and  
20 a substation. The project would occupy up to 1,726  
21 acres within a 2,034 acre project area.

22           The Willowbrook Solar project, which is  
23 the subject of tonight's local public hearing, should  
24 not be confused with the 300 megawatt Hecate energy  
25 project which is being proposed for around the

1 Mowrystown area here in Highland County, in Case No.  
2 18-1334-EL-BGN, nor should it be confused with a case  
3 currently before the Public Utilities Commission of  
4 Ohio in Case No. 18-501-EL-FOR, involving whether or  
5 not it is reasonable and prudent for AEP Ohio to  
6 enter into a renewable energy purchase agreement for  
7 the solar power generated by the Willowbrook and  
8 Hecate solar facilities.

9 Those two cases will be decided based on  
10 the evidence presented in those records and  
11 introduced in those respective proceedings.

12 Tonight's local public hearing is only  
13 one aspect of this particular case. I would note  
14 that the adjudicatory hearing for this proceeding is  
15 scheduled to take place, I believe it's  
16 February 28th, but it's later this month, at the  
17 offices of the Ohio Power Siting Board in Columbus,  
18 Ohio.

19 The purpose of this evening's public  
20 hearing is to receive comments from those persons who  
21 have not intervened as parties to this case regarding  
22 Willowbrook's application.

23 It is not intended to be a question and  
24 answer session, but instead is your opportunity to  
25 let the Ohio Power Siting Board know what you think

1 about the proposal set forth in the application.

2 I would also note that the Board's Staff  
3 filed its Report of Investigation in this case on  
4 February 4th, 2019. This is simply a recommendation  
5 of the Board's Staff, and does not necessarily  
6 reflect what the Board's final determination will be  
7 in this case.

8 Tonight's hearing is being transcribed  
9 by a Court Reporter. If you plan to testify I'm  
10 going to ask you to please come up here by the Court  
11 Reporter to my right, your left, and speak clearly  
12 and loudly so the Court Reporter can accurately  
13 reflect your comments on the record.

14 Also, if you have prepared written  
15 comments and you want to read from that statement,  
16 that's fine, but I would ask that you leave a copy  
17 with the Court Reporter when you're finished. That  
18 would be helpful for her in recording these events.

19 When you arrived you were offered the  
20 opportunity to sign up to testify. After you  
21 finish -- or after I finish with my introduction I  
22 will begin calling witnesses forward in the order  
23 that you signed up on the sign-up sheet, and I will  
24 ask you to come up to the Court Reporter station here  
25 and testify.



1           Before you present your testimony I will  
2 ask that you take an oath or affirmation that what  
3 you're about to say is the truth.

4           I will also ask that you state your name  
5 and your address for the record, and it will be --  
6 and your testimony be considered part of the official  
7 record in this case and it will be reviewed by the  
8 Board before they make their final decision on the  
9 application.

10           Should you decide that you do not want  
11 to testify when I call your name, you can merely pass  
12 to the next witness.

13           Also, once you finish testifying, or if  
14 you are just here to observe, you may leave at any  
15 time you wish, or stay until the conclusion of the  
16 hearing.

17           At this time I will begin calling  
18 witnesses forward. And the first name that I have on  
19 my list is Mr. Randy Drewyor. And I apologize in  
20 advance if I mispronounce someone's name.

21           Mr. Drewyor, would you raise your right  
22 hand? Do you swear or affirm the testimony you're  
23 about to give in this proceeding will be the truth,  
24 the whole truth, and nothing but the truth?

25           MR. DREWYOR: I do.

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Randy Drewyor,  
presented himself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

ALJ JONES: Please give your name and  
address for the record.

THE WITNESS: Randy Drewyor, 44 North  
High Street, Mowrystown, 45155. I'm the Treasurer of  
the Bright Local School District. I have just a  
couple of brief comments.

For the record, the Bright Local School  
District covers approximately 120 square miles in  
southern Highland County. The district's total  
valuation is about \$103 million. \$92 million of the  
total is almost evenly split between residential and  
agricultural property.

Public utility personal property makes  
up about 10 million in valuation with the remaining  
\$1 million in commercial property.

With such a small amount of commercial  
activity in the district, local employment is almost  
totally dependent on agricultural, in this case  
Bright Local School District. This puts a very heavy  
financial burden on homeowners and farmers to fund

1 public education and other local services.

2 The Willowbrook project represents a  
3 very significant investment in our area. Investment  
4 that will bring construction jobs in the short-term,  
5 some long-term employment opportunities, and a  
6 revenue stream to the school district and township  
7 that will help alleviate some financial pressures on  
8 taxpayers and local government.

9 In fact, we expect that the property tax  
10 loss is about \$30,000 for the gain of 250- to 300,000  
11 in revenue. Very significant increase of revenue for  
12 the district.

13 Additionally, this project will also  
14 help satisfy a local desire for increase in the  
15 availability of electricity from a renewable source.

16 I believe this project is a win for  
17 Ohio, a win for Highland County, and a win for the  
18 taxpayers and students of the Bright Local School  
19 District.

20 ALJ JONES: Thank you. Mr. Settineri,  
21 do you have any questions?

22 MR. SETTINERI: No.

23 ALJ JONES: Are Mr. Brinker or counsel  
24 for the Powells here yet? Thank you, Mr. Drewyor.

25 Mr. Alan Heyob. I apologize. Would you

1 raise your right hand? Do you swear or affirm the  
2 testimony you're about to give in this proceeding  
3 will be the truth, the whole truth, and nothing but  
4 the truth?

5 MR. HEYOB: I do.

6 Alan Heyob,  
7 presented himself as a public witness, and being  
8 first duly sworn, testified as follows:

9 DIRECT TESTIMONY

10 ALJ JONES: Please give your name and  
11 address for the record.

12 THE WITNESS: Alan Heyob. Address is  
13 620 Route 62, Hillsboro, Ohio. I just have to just  
14 reiterate on some of the comments Mr. Drewyor made.

15 It seemed like it's a win for the  
16 community, and to invest in renewable energy and get  
17 away from the fossil fuels as much as we can  
18 possibly.

19 It's a plus for the community,  
20 especially for the school district, and anybody else  
21 concerned in the area. If anybody desires to stay  
22 there, it's just a plus for everybody involved. And  
23 that's all I have.

24 ALJ JONES: Thank you. Any questions?

25 MR. SETTINERI: None. Thank you.

1           ALJ JONES: Mr. Keith Heaton. Would you  
2 please raise your right hand. Do you swear or affirm  
3 the testimony you're about to give in this proceeding  
4 will be the truth, the whole truth, and nothing but  
5 the truth?

6           MR. HEATON: I do.

7                     Keith Heaton,  
8 presented himself as a public witness, and being  
9 first duly sworn, testified as follows:

10                    DIRECT TESTIMONY

11           ALJ JONES: Thank you. Please give your  
12 name and address for the record.

13           THE WITNESS: My name is Keith Heaton.  
14 I live at 1094 U.S. 62, Winchester, Ohio 45697.

15                    I live on a family farm owned by Lloyd  
16 and Betty Naylor, and our family farm and all of our  
17 family is certainly in favor of this process and this  
18 project.

19                    The reasons that we are is because  
20 whether we agree on the science behind climate  
21 change, we need sources of energy from renewable  
22 sources such as wind and solar.

23                    We have God given sunshine and wind  
24 which we can transform into energy. Bright Local  
25 Schools and township trustees rely mostly on property

1 taxes. Bright Local had a levy on the ballot this  
2 past November which went down to defeat.

3 The schools will have a larger tax base  
4 from which we will provide a dependable source of  
5 income for the foreseeable future. Local businesses  
6 will benefit during construction and operation of the  
7 project. The majority of the jobs needed for  
8 construction and operation will be with Ohio  
9 residents.

10 Year round ground cover means reduced  
11 erosion of the valuable topsoil and reduced  
12 agricultural runoff in the nearby watersheds.

13 As a fourth generation farmer on the  
14 same land, I would hope that the farm can stay in the  
15 family for generations to come. I believe that with  
16 the income from the solar panels, that can be  
17 possible. Signed Lloyd and Betty Naylor.

18 ALJ JONES: Thank you. Any questions?

19 MR. SETTINERI: No.

20 ALJ JONES: Thank you. Ms. Debbie  
21 Cantrell. Would you raise your right hand? Do you  
22 swear or affirm the testimony you're about to give in  
23 this proceeding will be the truth, the whole truth,  
24 and nothing but the truth?

25 MS. CANTRELL: Yes.

Debbie Cantrell,  
presented herself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

ALJ JONES: Please give your name and  
address for the record.

THE WITNESS: Debbie Cantrell, 4880  
Seamer, S-e-a-m-e-r, Road, Winchester, Ohio.

ALJ JONES: Thank you.

THE WITNESS: This is for the Roberts  
family. And we are also in favor of the solar  
project.

Our farm has been in our family for many  
generations. And my mom and I both worked in the  
educational system for many, many years, and we now  
have harvest to secure money to fund our schools.

The students have a lot of needs, new  
books. I mean, there's so many things that I know  
it's already been alluded to tonight, but this  
project would supply tax dollars to invest in the  
children in our community, and that's very important,  
in my sight anyway. And we also believe this project  
would provide a much needed boost for the economy in  
our community.

ALJ JONES: Thank you. Any questions?

1 Donna Roberts. Would you raise your  
2 right hand, please? Do you swear or affirm the  
3 testimony you're about to give in this proceeding  
4 will be the truth, the whole truth, and nothing but  
5 the truth?

6 MS. ROBERTS: I do.

7 ALJ JONES: Please give your name and  
8 address for the record.

9 THE WITNESS: Donna Roberts, 5061 Seamer  
10 Road, Winchester, Ohio 45697.

11 Donna Roberts,  
12 presented herself as a public witness, and being  
13 first duly sworn, testified as follows:

14 DIRECT TESTIMONY

15 ALJ JONES: Thank you. You may proceed.

16 THE WITNESS: I'm Debbie's mother that  
17 just read. I'm Donna Roberts. I live in Concord  
18 Township in Highland County. I am proud of being a  
19 part of this solar panel project. Not only will it  
20 benefit our township, schools, and counties, but it's  
21 a great benefit to our families. Thank you.

22 ALJ JONES: Thank you very much.

23 Ronald Roberts. Would you please raise  
24 your right hand? Do you swear or affirm the  
25 testimony you're about to give in this proceeding



1 will be the truth, the whole truth, and nothing but  
2 the truth?

3 MR. ROBERTS: I do.

4 Ronald Roberts,  
5 presented himself as a public witness, and being  
6 first duly sworn, testified as follows:

7 DIRECT TESTIMONY

8 ALJ JONES: Thank you. Please give your name and  
9 address for the record.

10 THE WITNESS: My name is Ronald Roberts,  
11 my address is 5061 Seamer Road, Winchester, Ohio.

12 Our family has lived on this farmland  
13 since the 1800s. Over those years farm prices and  
14 costs have been very unstable.

15 I believe the solar panels will give us  
16 a better stable income for our future. It will  
17 create jobs for our community, and greatly benefit  
18 our schools, state, county, and township.

19 Solar panels will help us with cleaner  
20 energy and hopefully with lower utility bills. I'm  
21 somewhat biased, but I think it's a win-win for  
22 everyone.

23 ALJ JONES: Thank you, Mr. Roberts.

24 Vicki Overstake. Would you please raise  
25 your right hand? Do you swear or affirm the

1 testimony you're about to give in this proceeding  
2 will be the truth, the whole truth, and nothing but  
3 the truth?

4 MS. OVERSTAKE: I do.

5 Vicki Overstake,  
6 presented herself as a public witness, and being  
7 first duly sworn, testified as follows:

8 DIRECT TESTIMONY

9 ALJ JONES: Please give your name and  
10 address for the record.

11 THE WITNESS: Vicki, V-i-c-k-i,  
12 Overstake, O-v-e-r-s-t-a-k-e. We live at 13898  
13 Overstake Road, Winchester, Ohio 45697. I'm speaking  
14 on behalf of the Overstake family.

15 We have a farm, a family farm, that's  
16 been in my husband's family for over a hundred years.  
17 And we have talked about this matter a lot, and we  
18 feel it's beneficial for the farm families that will  
19 be participating.

20 And also, it's going to be eco friendly.  
21 It will be jobs in our community. It will put --  
22 bear with me. It will put -- it will be safe,  
23 environmentally safe.

24 I live next to a stone quarry where we  
25 get a lot of dust and, you know, a lot of stuff. And

1 I'm not knocking the stone quarry, but, you know.  
2 And it will -- education will benefit.

3 I live in two counties, Highland and  
4 Concord Township there, and we also live in Brown  
5 County and Eagle Township, which is Eastern School  
6 District.

7 It's going to benefit both school  
8 districts, it's going to benefit our families, it's  
9 going to benefit a lot of people in the community.  
10 So our family is for the solar farms, and we will be  
11 participating.

12 ALJ JONES: Thank you Ms. Overstake.  
13 Steve Overstake. Would you please raise your right  
14 hand? Do you swear or affirm the testimony you're  
15 about to give in this proceeding will be the truth,  
16 the whole truth, and nothing but the truth?

17 MR. OVERSTAKE: I do.

18 Steve Overstake,  
19 presented himself as a public witness, and being  
20 first duly sworn, testified as follows:

21 DIRECT TESTIMONY

22 ALJ JONES: Please give your name and  
23 address.

24 THE WITNESS: Steven W. Overstake, 13898  
25 Overstake Road, Winchester, Ohio. As my wife had

1 said earlier there, we live in two counties. We pay  
2 taxes in both counties and townships, and this will  
3 benefit greatly in a very poor neighborhood as far as  
4 our roads and our school structures, both, that this  
5 is something we really need in this area to have some  
6 more income into the tax base.

7 As Mr. Ronnie Roberts had -- reiterate  
8 what he had said, that this is a win-win situation  
9 for everybody as this is solar power. It is  
10 nonpolluting. There will be no runoff from it  
11 because they will maintain a grass cover. And it's  
12 just a very -- better way to go with things as they  
13 are closing a lot of these coal power plants.

14 I don't see how they are going to  
15 replace them with anything that's going to cost less  
16 than coal. And if they have to go to natural gas or  
17 anything like that, it's going to go through the roof  
18 of how much it's going to cost.

19 This is a renewable resource that is  
20 basically they are just drawing it from the sun.  
21 Thank you.

22 ALJ JONES: Thank you. Barb Coyne.  
23 Please raise your right hand. Do you swear or affirm  
24 the testimony you're about to give in this proceeding  
25 will be the truth, the whole truth, and nothing but

1 the truth?

2 MS. COYNE: I do.

3 Barb Coyne,  
4 presented herself as a public witness, and being  
5 first duly sworn, testified as follows:

6 DIRECT TESTIMONY

7 ALJ JONES: Please give your name and  
8 address.

9 THE WITNESS: Barbara Coyne, 1139 U.S.  
10 62, Winchester, Ohio. Okay. I don't have anything  
11 written, but I think this is a very exciting  
12 opportunity for this area. It's just exciting to be  
13 able to see the solar panels. And I'm really looking  
14 forward to that.

15 The wind turbines had always fascinated  
16 me, but this is great. And it's going to benefit our  
17 family.

18 And my husband passed away a  
19 year-and-a-half ago, and we'd already been talking to  
20 Doug, and he was for this. So I want to see it  
21 through for our family so that we can keep our farm  
22 for the kids. Thank you.

23 ALJ JONES: Thank you. Vikki Raines.

24 Please raise your right hand. Do you  
25 swear or affirm the testimony you're about to give in

1 this proceeding will be the truth, the whole truth,  
2 and nothing but the truth?

3 MS. RAINES: I do.

4 Vikki Raines,  
5 presented herself as a public witness, and being  
6 first duly sworn, testified as follows:

7 DIRECT TESTIMONY

8 ALJ JONES: Thank you. Please give your  
9 name and address for the record.

10 THE WITNESS: Vikki Raines 736 U.S. 62,  
11 Hillsboro, Ohio.

12 ALJ JONES: Thank you.

13 THE WITNESS: All right. So I'm going  
14 to be the unpopular one here because I'm going to be  
15 the first one that says I'm not in favor of this.

16 The people who is in favor, that's  
17 great. You guys are making money on it, all right?  
18 What I get to look at in my back yard is a solar  
19 field, okay?

20 You guys are getting to keep your farms.  
21 That's great, but they are solar farms, it's not  
22 farmland. I live out here because I want to live in  
23 the rural area, not in a solar -- surrounded by a  
24 solar thing.

25 In the papers it mentioned that he came

1 around and talked to people that is effected. I  
2 wasn't talked to. They never came and asked us.  
3 They are talking to the people they are buying the  
4 land from.

5 And I'm not saying if I had your land I  
6 wouldn't sell, I understand why you guys did it,  
7 because it's all money. Yes, it helps the school and  
8 stuff, but I don't think you also looked at the big  
9 picture. What happens in 20 or 30 years when these  
10 solar panels start falling apart?

11 Is there a contract in place where they  
12 are not going to let them sit there and rot so you  
13 guys all live in a junkyard? Nobody has approached  
14 that subject. I don't want to live in a junkyard.

15 And they can't tell me that it doesn't  
16 drop my property value. Yeah, they can say there is  
17 no proof that it does, but you can't tell me that I  
18 can go out and get the same people to buy my place  
19 that I could if it wasn't surrounded by solar panels.

20 So no, I'm not in favor of it because  
21 it's not what I chose. The people who sold out, you  
22 guys chose to be surrounded by solar panels, I  
23 didn't. I'm not given that choice, okay?

24 I don't know why the company couldn't  
25 have used land that wasn't on 62, and covering and

1 surrounding people that didn't have a choice of  
2 anything. There's plenty of land that is not being  
3 used.

4 You're taking up farmland when farmland  
5 is already decreasing in the United States. And I  
6 know farmers have it rough sometimes, but if we're  
7 not getting our crops and stuff from us, then we'll  
8 eventually have to go somewhere else, and you don't  
9 want that, either, because then that hurts our  
10 economy, not to mention that the wildlife that it  
11 affects.

12 Nobody thinks about that, because  
13 everything in wildlife, whether we like it or not,  
14 the coyotes, the whatever, the deer, whatever, yeah,  
15 they can hurt your crops, they can hurt your animals,  
16 but it also helps with the system. The coyotes help  
17 kill the rodents, mice, the rabbits, so that it's not  
18 overpopulated.

19 I just -- and like I said, it is great  
20 for the schools, but it's also going to make our tax  
21 bill -- they start out by saying our electricity is  
22 going to go up higher. Why? Because I have to fund  
23 your project.

24 I'm not in favor of it. Why does my  
25 electric have to go up more, when they are going to



1 be able to supply the electric cheaper? That's all I  
2 got.

3 ALJ JONES: Thank you. Any questions?

4 MR. SETTINERI: No.

5 ALJ JONES: Mr. Max Greenwood. Would  
6 you please raise your right hand, sir? Do you swear  
7 or affirm the testimony you're about to give in this  
8 proceeding will be the truth, the whole truth, and  
9 nothing but the truth?

10 THE WITNESS: I do.

11 Max Greenwood,  
12 presented himself as a public witness, and being  
13 first duly sworn, testified as follows:

14 DIRECT TESTIMONY

15 ALJ JONES: Please give your name and  
16 address.

17 THE WITNESS: Maxwell Greenwood, 1139  
18 U.S. 62, Winchester, Ohio 45697. All right. That  
19 was super. The hardest part is what I was going to  
20 say after trying to follow up with that.

21 You know, I totally invite having  
22 conversations and debates around this area, and would  
23 really like to engage in that at some point with a  
24 large group, because I think it would be fun and  
25 interesting to share points of view.

1           Now I, myself, am most definitely in  
2 support of this project, as is the Greenwood family  
3 on the Coyne farm, and we're looking forward to  
4 taking the farmland through generations.

5           As far the removal of it, I could  
6 upfront be selfish and say well, that's any grand  
7 kid's problems in 40 years when all this comes down,  
8 but that is, again, a down-the-road situation.

9           Do I think that this company would be  
10 here promoting this project and working with  
11 something like renewable energy, which our country is  
12 going towards, without a plan to get rid of it? They  
13 are going to leave us high and dry later on? No,  
14 that's going to bring everything to a screeching  
15 halt.

16           Now, solar power, in general, is just  
17 like wind, just like any other technological  
18 initiative. It is new. Well, before it was new, and  
19 it's weird. Nobody wants to try it. Now it's  
20 gaining ground.

21           We know it works. This isn't a product  
22 that is still in the test phases, this is something  
23 that we can plug into our grid and sell. I think  
24 it's a fantastic thing to do.

25           And I'm just going to start rambling

1 from here. So it's great, last but not least, I mean  
2 definitely. And I'd like to chat with you  
3 afterwards.

4 When I wake up our field is going to  
5 have solar panels. I'm not going to wake up to a  
6 bunch of solar panels, I'm going to wake up to trees,  
7 a windbreak, something nice. I'm not going to have  
8 to stare at it if I didn't want to. And that's  
9 really what I've got to say.

10 ALJ JONES: Thank you, Mr. Greenwood.  
11 Thank you. Robbie Naylor. Please raise your right  
12 hand. Do you swear or affirm the testimony you're  
13 about to give in this proceeding will be the truth,  
14 the whole truth, and nothing but the truth?

15 MR. NAYLOR: I do.

16 Robbie Naylor,  
17 presented himself as a public witness, and being  
18 first duly sworn, testified as follows:

19 DIRECT TESTIMONY

20 ALJ JONES: Thank you. Please give your  
21 name and address for the record.

22 THE WITNESS: My name is Robbie Naylor,  
23 1080 Route 62, Winchester, Ohio 45697. I don't have  
24 a big speech to make, all I want to say is I am for  
25 this project. And it is good for the economy and

1 it's good for the environment. I think that's enough  
2 said. Thank you.

3 ALJ JONES: Thank you. Mr. Paul Moore.

4 MR. MOORE: I'll pass.

5 ALJ JONES: Thank you. Mr. Paul  
6 O'Connor.

7 MR. O'CONNOR: I'll pass.

8 ALJ JONES: Thank you. Ms. Becca  
9 Pollard.

10 MS. POLLARD: I'll pass.

11 ALJ JONES: Okay. Somebody is going to  
12 have to help me, Connie --

13 MS. SCHOULTHEIS: S-c-h-o-u-l-t-h-e-i-s.

14 ALJ JONES: Would you please raise your  
15 right hand. Do you swear or affirm the testimony  
16 you're about to give in this proceeding will be the  
17 truth, the whole truth, and nothing but the truth?

18 MS. SCHOULTHEIS: Yes.

19 Connie Schoultheis,  
20 presented herself as a public witness, and being  
21 first duly sworn, testified as follows:

22 DIRECT TESTIMONY

23 ALJ JONES: Thank you. Please give your name and  
24 address, and you may want to spell it for the Court  
25 Reporter.

1 THE WITNESS: My name is Connie,  
2 S-c-h-o-u-l-t-h-e-i-s, and I live at 5366 Seamer  
3 Road, S-e-a-m-e-r, and it's Winchester, Ohio.

4 This is on behalf of my husband and I,  
5 and we are in favor of the project. It is a clean  
6 renewable source of energy, something this country  
7 needs. This is something our kids, our grand kids  
8 and our great grand kids will need.

9 There's a lot of talk about leaving  
10 behind a carbon footprint. This is one way to  
11 eliminate some carbon footprint.

12 We farm for a living and we rely on the  
13 sunshine all the time. We use sunshine all the time,  
14 so why not use it for energy? We have heard the  
15 argument that this is taking good farm ground out of  
16 production. Well, it will, but at the same time this  
17 country grows way more crops than we as a country can  
18 eat or use, so I do not think the production of this  
19 ground will be missed all that much.

20 We bought our farm 33 years ago, and  
21 when we moved the only people we had to have  
22 permission to dairy farm was the Health Department.

23 We don't understand why anyone besides  
24 the people within the project and the landowners  
25 should have a say in the matter. These two groups of

1 people have come to a meeting of the minds and have  
2 an agreement they both agree on. That should be all  
3 that matters.

4 This is our future, our retirement, our  
5 decision. A couple of years ago a resident in this  
6 township was having a political discussion, and he  
7 kept coming back to, "I'm doing this for my kids."  
8 Well, that is what we are doing.

9 This is for our kids, our grand kids,  
10 and our great grand kids. Not -- not only does it  
11 give them clean renewable energy, it also secures  
12 their financial future, not to mention ours.

13 With the uncertainty of farming -- of  
14 the farming future with milk prices as low as they  
15 have been, and the tariffs on grain, this could be  
16 a -- could give us sustainable income we can rely on.

17 So yes, we are in support of the  
18 project. Even if we were not in the project, we  
19 would still be part of the project -- in favor of  
20 the -- in support of the project. Sorry about that.

21 ALJ JONES: Thank you. Mr. John  
22 Gillespie. Raise your right hand. Do you swear or  
23 affirm the testimony you're about to give in this  
24 proceeding will be the truth, the whole truth, and  
25 nothing but the truth?

1 MR. GILLESPIE: I do.

2 John Gillespie,  
3 presented himself as a public witness, and being  
4 first duly sworn, testified as follows:

5 DIRECT TESTIMONY

6 ALJ JONES: Thank you. Please give your  
7 name and address for the record.

8 THE WITNESS: My name is John Daniel  
9 Gillespie, I live at 716 Garvey Road, Winchester,  
10 Ohio, 45697. I guess where do I start off on all  
11 this?

12 Guys, friends, and neighbors in here, I  
13 love you all and I'm not -- I'm not going to agree  
14 with a lot of you. That's all right. Okay?

15 If you compare the list of the people  
16 I've heard up here saying they like it, I'm all for  
17 it, it's a benefit, the thing that I'll also compare  
18 with that is also the fact is who is getting a  
19 paycheck from this, okay?

20 You guys are more than welcome to that,  
21 I don't mind. I don't begrudge you that in the  
22 slightest, okay? I do think this project, we were  
23 targeted due to the fact that we are a financially  
24 and economically disadvantaged area.

25 I also feel that we are not a part of a

1 large metropolis area, so you're not going to get a  
2 whole lot of people fighting back on this one, so to  
3 speak. You're just going to get a bunch of ignorant  
4 old farmers.

5 Now, I look at this and I think to  
6 myself yes, there are -- you guys are going to get  
7 something out of it, and you're more than welcome to  
8 that.

9 The comments I've heard that I don't  
10 want to stare at whatever this project entails, hey,  
11 I had that same opportunity at some time. We could  
12 have bought the ground around us. I don't begrudge  
13 anybody that, because we had that same option. My  
14 relatives had the same option to buy the ground up  
15 around us. And I do not mind it.

16 What I do mind is the fact that I see no  
17 local oversight. I do not mind having this here.  
18 While I don't agree with the fact that I do not  
19 believe that the recycling has been checked out far  
20 enough, I think it is very limited as to what can be  
21 done. And I'll have to wait my 30 or 40 years, if  
22 I'm still alive. If not, my son will get that  
23 opportunity, because I will -- the farm will still be  
24 in his name, not my daughter.

25 Now, my concern is whatever happens



1 across the road, while my neighbors own it -- and I  
2 do not begrudge them that in the slightest, what  
3 happens on the other side of the road is coming to my  
4 side.

5 We're worrying about flooding, which I  
6 shouldn't be speaking for the Powells, but I know  
7 that was their comment. What we don't have is any  
8 kind of a guarantee that we're not going to have  
9 toxins brought down upon us.

10 What we're in essence doing is creating  
11 an industrial park in the middle of a rural area. So  
12 there is nothing in place to protect the neighbors.  
13 If there's something that comes down, if the water  
14 comes off from across the road, it's coming down my  
15 driveway. It's coming down my street, it's coming  
16 down the creeks.

17 It's going down into the pastures where  
18 my cattle feed, it's going into the wells, or the  
19 spring that feeds my farm, and my family. It will go  
20 on two miles down the road to 136. My father and  
21 mother-in-law's farm is down there. That's where  
22 my -- we have another herd of cattle down there, too.

23 It's all going to pass down the road. I  
24 would like to see some kind of oversight. And while  
25 I know that I'm going to hear that the oversight is

1 going to be there in Columbus, or it's going to be  
2 there in Cincinnati, or we have got a whole office  
3 set up for this, that whole office is not going to be  
4 down there seeing what's going on.

5 From what I can see from the plans, a  
6 short ways up the road is where one of the staging  
7 stations is going to be. And I'm going to assume  
8 that we're going to have repairs happening there, and  
9 I just do not see anything in place to check to make  
10 sure that we're not out there dumping oil on the  
11 ground, that we're not -- whatever you're using for a  
12 cleaning agent to clean your solar panels is not  
13 something that's going to run down through and do  
14 damage to my place. I think I'll just stop there.  
15 Is there anything else?

16 ALJ JONES: No, sir. Thank you. Nancy  
17 Bowman. Please raise your right hand. Do you swear  
18 or affirm the testimony you're about to give in this  
19 proceeding will be the truth, the whole truth, and  
20 nothing but the truth?

21 MS. BOWMAN: Yes.

22 Nancy Bowman,  
23 presented herself as a public witness, and being  
24 first duly sworn, testified as follows:

25 DIRECT TESTIMONY

1           ALJ JONES: Please give your name and  
2 address for the record.

3           THE WITNESS: Nancy Bowman, B-o-w-m-a-n,  
4 1555 Red Key Road, Winchester, 45697.

5           I can start off right now saying that we  
6 don't live on a farm, we have nobody paying us for  
7 anything. What we have is people trying to take away  
8 our value of our home.

9           The layout of this is going to  
10 completely encompass our home, all three sides.  
11 Someone mentioned earlier that there's no proof that  
12 this will hurt your home values.

13           I was in real estate in another part of  
14 the State. We have only lived in this area for about  
15 two years, and I can tell you that you won't get  
16 people buying a home next to one of these fields. It  
17 won't happen.

18           When your value of your homes go down,  
19 then what happens to your property taxes? What  
20 happens when nobody moves back into the area?

21           So, you know, I don't want to wake up  
22 looking at this stuff. I don't want to lose animals.  
23 If you do some research -- and I don't know the  
24 company that's doing this, but if you do research on  
25 the solar panels, they always say that they will put

1 a field of trees around them, and they do.

2 But the trees are not maintained.

3 Within a year you're looking at a forest of dead  
4 trees. Nobody comes out to replace them, they just  
5 don't back up what they are saying.

6 And bottom line is, we didn't move into  
7 this area with this in mind. There has to be another  
8 way. If the farmers want to sell their land, are  
9 these solar panels being put around their house  
10 within so many feet? Let them put it on their land,  
11 not up against somebody else's that completely  
12 surrounds them.

13 And if you look at the maps, we're not  
14 the only one that's being completely surrounded by  
15 it. So I hope some of you people who passed on  
16 speaking -- you know, everybody has to have their  
17 say, whether you agree with me or not. But you have  
18 got to have your say in this.

19 Don't let this run over you because  
20 we're a small community and you don't want to get up  
21 and speak. Thank you.

22 ALJ JONES: Thank you, Ms. Bowman. Amy  
23 Hamilton.

24 SPEAKER: She's going to pass.

25 ALJ JONES: Jeff Heyob. Would you

1 please raise your right hand, sir? Do you swear or  
2 affirm the testimony you're about to give in this  
3 proceeding will be the truth, the whole truth, and  
4 nothing but the truth?

5 MR. HEYOB: Yes.

6 Jeff Heyob,  
7 presented himself as a public witness, and being  
8 first duly sworn, testified as follows:

9 DIRECT TESTIMONY

10 ALJ JONES: Please give your name and  
11 address for the record.

12 THE WITNESS: I am partners with my  
13 brother, Alan Heyob, on a farm at 620 U.S. 62.

14 ALJ JONES: Thank you.

15 THE WITNESS: However, my place of  
16 residence is Beaver Creek, Ohio. Our family has  
17 operated our farm in Highland/Brown County for  
18 over 50 years. It has produced abundant crops in  
19 most of those years.

20 Some years have been lean, but our dad  
21 taught us to be diversified with multiple types of  
22 crops and dairy. We relied on Conservation Resource  
23 Program funding on several acres for a number of  
24 years to help stabilize our income.

25 CRP is intended to stabilize commodity

1 prices by taking farmland acres out of production  
2 with payments out of federal tax dollars.

3 Solar farming can also help stabilize  
4 commodity prices by diverting farmland into solar  
5 production, and relieving the CRP tax burden.

6 Solar farming will provide us with farm  
7 income stabilization while we continue to grow corn  
8 and soybeans, and pasture cattle on half of our farm.

9 Property taxes have been a continuing  
10 expense. They seem to go up with good crop prices,  
11 but never follow the bad prices down quick enough.

12 Taxes projected to be paid by the solar  
13 farm operation will be multiples above the  
14 agricultural use taxes on the land, and will be a  
15 huge asset to the local schools, the fire  
16 departments, police departments, and the community in  
17 general.

18 Solar farming conservation practices  
19 include grass planted under and around the solar  
20 panel for erosion control, and will also provide  
21 refuge for small animals and birds better than CRP  
22 and cropland.

23 We have used solar farming as a balance  
24 between the stewardship of the land and of the  
25 community. And in our contract that we signed we

1 have provisions for tree screenings along the  
2 highways to not -- to preserve the view.

3 We also have provision for a deer  
4 migration corridor to protect larger and smaller  
5 animals that will be allowed to infiltrate into the  
6 fenced in areas.

7 The contract also provides for removal,  
8 complete removal, of all the solar equipment  
9 facilities, and land put back into crop growing  
10 condition at the end of the contract term. It's all  
11 in the contract.

12 EPA provisions in the contract  
13 explicitly prohibit the spilling of any contaminant  
14 beyond water on the land.

15 So we looked over our contract pretty  
16 close. We bargained back and forth to try to get the  
17 best fit for how we felt the land needed to be  
18 managed, and the wildlife beyond our own cattle.

19 We think we have a really good deal for  
20 us, our neighboring farms, our neighboring families.  
21 Who have to drive past all this. Yes, it's going up  
22 around them. The trees are to be managed, not to let  
23 decay. We think we have got a good deal for the  
24 community for the next 30, 40 years. Thank you.

25 ALJ JONES: Mr. Jim Carr.

1 MR. CARR: Pass.

2 ALJ JONES: Let's go off the record for  
3 a second.

4 (Discussion off the record.)

5 ALJ JONES: Back on the record. At this  
6 time that concludes the sheets that people had signed  
7 up for.

8 Is there anyone in the audience that did  
9 not got a chance to sign up and would like to testify  
10 at this time.

11 MR. DOSIER: I do.

12 ALJ JONES: Will you come forward, sir?  
13 Would you raise your right hand, please? Do you  
14 swear or affirm the testimony you're about to give in  
15 this proceeding will be the truth, the whole truth,  
16 and nothing but the truth?

17 MR. DOSIER: Best of my knowledge.

18 Tom Dosier,  
19 presented himself as a public witness, and being  
20 first duly sworn, testified as follows:

21 DIRECT TESTIMONY

22 ALJ JONES: Please give your name and  
23 address for the record.

24 THE WITNESS: My name is Tom Dosier. I  
25 live at 6981 Millers Chapel, 45133. Hillsboro



1 mailing address.

2 I don't agree with this. Can anybody  
3 tell me or explain to me how this is going to make  
4 your electric rates any lower?

5 What they are doing is they are creating  
6 electricity, selling it to your electric company now,  
7 which you're going to pay for, because your electric  
8 company ain't going to take a cut in their profits.  
9 Facts of life.

10 So your rates are going to go up. This  
11 is a con all the way around as far as I can see, you  
12 know. Did anybody check this out?

13 ALJ JONES: Excuse me. This is a  
14 hearing, it's not a question and answer, it's not a  
15 debate session.

16 If you gentlemen want to talk, if you've  
17 got questions about the application, you can do that  
18 after this hearing is over. If you want to complete  
19 your testimony and what you think about this project  
20 now, please feel free to do so.

21 MR. DOSIER: Okay. Your rates are going  
22 to go up. Higher electric rates. They are selling  
23 electric to your electric company. Your electric  
24 company is going to raise your rates.

25 You're going to maintain this, you're

1 going to pay for the installation, you're going buy  
2 the solar panels, blah, blah, blah, blah. This is  
3 just a big expense. That's it.

4 ALJ JONES: Thank you, Mr. Dosier.

5 Anyone else?

6 (No response.)

7 ALJ JONES: All right. At this time I  
8 would like to thank the Bright Local School District  
9 for allowing us to use this facility. I would like  
10 to thank the folks who came in attendance this  
11 evening.

12 As I mentioned in the introduction, if  
13 you have questions about the project, I encourage you  
14 to talk to the folks at the Open Roads Renewable  
15 table outside who can address your questions.

16 If you have questions about the Power  
17 Siting Board process itself, Power Siting Board Staff  
18 and myself will be around for a little while after  
19 this evening's hearing, and we will try to address  
20 your questions about the process to the best of our  
21 ability.

22 So with that, thank you very much for  
23 your attendance tonight, and we are adjourned. Thank  
24 you.

25 (Thereupon, the hearing was adjourned at 7:00 p.m.)

CERTIFICATE

I do hereby certify that the foregoing  
is a true and correct transcript of the proceedings  
taken by me in this matter on Tuesday, February 19,  
2019, and carefully compared with my original  
stenographic notes.



*Valerie J. Grubaugh*

Valerie J. Grubaugh,  
Court Reporter and Notary  
Public in and for the State  
of Ohio.

My commission expires August 11, 2021.

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 18-1024-EL-BGN**

Summary: Transcript In the Matter of the Application of Willowbrook Solar 1, LLC, for a Certificate of Environmental Compatibility and Public Need to Construct an Electric Generation Facility in Highland and Brown Counties, Ohio, hearing held on February 19th, 2019. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Grubaugh, Valerie