

OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
ANGELINA SOLAR I, LLC, FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED.

CASE NO. 18-1579-EL-BGN

ENTRY

Entered in the Journal on April 18, 2019

{¶ 1} Angelina Solar I, LLC (Angelina 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 October 22, 2018, Angelina, a subsidiary of Open Road Renewables, LLC, filed a pre-application notification letter with the Board regarding its proposed 100 megawatt (MW) solar electric generating facility in Israel and Dixon townships, Preble County, Ohio. After filing an affidavit of publication demonstrating its compliance with the notice requirements of Ohio Adm.Code 4906-3-03, and holding a public information meeting on November 14, 2018, Angelina filed its application with the Board for a certificate of environmental compatibility and public need to construct and operate a solar-powered electric generation facility of up to 80 MW in Preble County, Ohio, on December 3, 2018.¹

{¶ 4} By Entry dated January 17, 2019, the administrative law judge (ALJ) granted motions filed by Applicant to waive certain provisions of the Board's rule requirements and a motion for protective order to keep portions of its application confidential. Staff did not file a response to either motion.

¹ Angelina explains that the application seeks approval for 80 MW, but studies panel locations which can accommodate a 100 MW project size in order to provide it with flexibility in locating panels after final engineering is complete.

{¶ 5} By letter dated February 1, 2019, the Board notified Angelina that its application was compliant with pertinent statutory and administrative code requirements and provided sufficient information to permit Staff to commence its review and investigation. And, on February 7, 2019, Angelina filed a certificate of service of its accepted and complete application and proof that it submitted its application fee to the Treasurer of the State of Ohio as required by Ohio Adm.Code 4906-3-07.

{¶ 6} Subsequently, on February 14, 2019, the ALJ issued a procedural schedule that, in part, stated that petitions to intervene in this proceeding would be accepted by the Board up to 30 days following service of the notice required by Ohio Adm.Code 4906-3-09 or by March 29, 2019, whichever is later.

{¶ 7} Prior to the expiration of the intervention deadline, the following parties filed either notices of intervention or motions to intervene: the Preble County Commissioners; Kyle Cross, the Preble County Engineer; Preble County Soil & Water Conservation District, Preble County, Ohio; the Board of Trustees of Israel Township, Preble County, Ohio; the Board of Trustees of Dixon Township, Preble County, Ohio; the Preble County Planning Commission, Preble County, Ohio; the Eaton Community School District; the Ohio Farm Bureau Federation; and Concerned Citizens of Preble County, LLC, Robert Black, Marja Brandly and Michael Irwin, Campbell Brandly Farms, LLC, Kevin and Tina Jackson, Vonderhaar Family ARC, LLC, and Vonderhaar Farms, Inc. Each of the potential intervenors states that it is entitled to intervene as a party in this proceeding under R.C. 4906.08 and Ohio Adm.Code 4906-2-12. Upon review, the ALJ finds that the motions to intervene are reasonable and should be granted.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the motions to intervene filed in this proceeding be granted as stated in Paragraph 7. It is, further,

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

THE OHIO POWER SITING BOARD

/s/Patricia A. Schabo

By: Patricia A. Schabo
Administrative Law Judge

NW/hac

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Summary: Administrative Law Judge Entry granting motions to intervene electronically filed by Heather A Chilcote on behalf of Patricia A. Schabo, Administrative Law Judge, Power Siting Board