

OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
NESTLEWOOD SOLAR I LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED TO
CONSTRUCT AN ELECTRIC GENERATING
FACILITY IN BROWN AND CLERMONT
COUNTIES, OHIO.

CASE NO. 18-1546-EL-BGN

ENTRY

Entered in the Journal on April 18, 2019

{¶ 1} Nestlewood Solar I LLC (Nestlewood) is a person as defined in R.C. 4906.01.

{¶ 2} Pursuant to R.C. 4906.04, no person shall construct a major utility facility without first having obtained a certificate from the Ohio Power Siting Board (Board). In seeking a certificate, applicants must comply with the filing requirements outlined in R.C. 4906.04, as well as Ohio Adm.Code 4906-2-01 and 4906-4-01.

{¶ 3} Nestlewood filed its application with the Board for a certificate of environmental compatibility and public need for the Project on December 14, 2018. Pursuant to Ohio Adm.Code 4906-3-06, the Board notified Nestlewood that its application was compliant and provided sufficient information to permit Staff to commence its review and investigation.

{¶ 4} By Entry dated March 13, 2019, the administrative law judge (ALJ) set the effective date of the application as March 11, 2019, pursuant to Ohio Adm.Code 4906-3-08(A). The ALJ also scheduled a public hearing on May 31, 2019, at Hamersville, Ohio 45130, pursuant to R.C. 4906.07(A). Lastly, the ALJ scheduled an evidentiary hearing on June 10, 2019, at the offices of the Public Utilities Commission of Ohio.

{¶ 5} By Entry dated March 18, 2019, the ALJ rescheduled the evidentiary hearing to June 13, 2019.

{¶ 6} Due to internal scheduling issues, the ALJ now reschedules the public hearing to May 30, 2019, at 6:00 p.m., at Hamersville Elementary and Middle School, 1950 State Route 125, Hamersville, Ohio 45130.

{¶ 7} In accordance with Ohio Adm.Code 4906-3-09, Nestlewood should re-issue public notices of the application and hearings. Pursuant to the same rule, in addition to other required information, that notice shall include a statement that the public hearing in this case shall consist of two parts:

- (a) A local public hearing, pursuant to R.C. 4906.08(C), where the Board shall accept written or oral testimony from any person on May 30, 2019, at 6:00 p.m., at Hamersville Elementary and Middle School, 1950 State Route 125, Hamersville, Ohio 45130.
- (b) An evidentiary hearing commencing on June 13, 2019, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 8} Further, under R.C. 4906.06(C) and Ohio Adm.Code 4906-03-09, the re-issued initial notice shall include the following language:

Petitions to intervene in the adjudicatory hearing are due not later than May 17, 2019. However, the Board strongly encourages interested persons who wish to intervene in the adjudicatory hearing to file their petitions as soon as possible. Petitions should be addressed to Docketing Division, the Ohio Power Siting Board, 180 East Broad Street, Columbus, Ohio 43215-3793 and cite the above-listed case number.

{¶ 9} Finally, in all other respects, such as the procedural schedule and the intervention deadline, the March 13, 2019 Entry remains in full force and effect.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That public hearing in this matter be rescheduled at the times and places designated in Paragraph 6. It is, further,

{¶ 12} ORDERED, That notices of the application and hearings be re-issued by Nestlewood in accordance with Paragraphs 7 and 8. It is, further,

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

THE OHIO POWER SITING BOARD

/s/Anna Sanyal

By: Anna Sanyal
Administrative Law Judge

JRJ/mef

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/18/2019 3:50:50 PM

in

Case No(s). 18-1546-EL-BGN

Summary: Administrative Law Judge Entry rescheduling the public hearing to 5/30/19, the evidentiary hearing to 6/13/19, and ordering the re-issuance of notices accordingly electronically filed by Ms. Mary E Fischer on behalf of Anna Sanyal, Administrative Law Judge, Ohio Power Siting Board