

**BEFORE  
THE OHIO POWER SITING BOARD**

|  |   |                                |
|--|---|--------------------------------|
| <b>In the Matter of the Application of</b>     | ) |                                |
| <b>Angelina Solar I, LLC for a Certificate</b> | ) | <b>Case No. 18-1579-EL-BGN</b> |
| <b>of Environmental Compatibility and</b>      | ) |                                |
| <b>Public Need.</b>                            | ) |                                |

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**MOTION TO CALL AND CONTINUE THE EVIDENTIARY HEARING  
AND MEMORANDUM IN SUPPORT  
AND  
REQUEST FOR EXPEDITED RULING**

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Pursuant to Rule 4906-2-07 of the Ohio Administrative Code, Angelina Solar I, LLC (“Angelina Solar”) respectfully requests that the evidentiary hearing in this proceeding be called on May 14, 2019, but then continued so that the parties can engage in settlement discussions. Angelina Solar is not seeking a specific date to reconvene due to certain conflicts of other party’s counsel and instead requests that a specific date be proposed to the Administrative Law Judge after further discussions can take place regarding the parties’ availability and witnesses’ availability. Based on discussions with some parties, Angelina Solar would expect the hearing to continue in mid-June (perhaps June 18, 2019).

Also, pursuant to Rule 4906-2-27(C) of the Ohio Administrative Code, Angelina Solar requests an expedited ruling on this Motion. Counsel for Angelina Solar has contacted counsel for all other parties, and no party objects to the granting of this “call and continue” motion or the issuance of a ruling without the filing of memoranda. Good cause exists for granting this Motion

and ruling on an expedited basis, as set forth in the accompanying Memorandum in Support.

Respectfully submitted,

/s/ MacDonald W. Taylor

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**MEMORANDUM IN SUPPORT OF  
MOTION TO CALL AND CONTINUE THE EVIDENTIARY HEARING  
AND  
REQUEST FOR EXPEDITED RULING**

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To allow time for settlement discussions between the parties on the issues presented in the Staff Report of Investigation filed on April 15, and the issues lists filed on April 24, Angelina Solar I, LLC asks that the evidentiary hearing be called on May 14 and continued to a date in June 2019 (based on additional discussions by the parties that same day about their availability and their witnesses' availability in June 2019).

There is good cause for a "call and continue." First and foremost, the call and continue will allow Angelina Solar and other parties the opportunity to discuss settlement terms designed to resolve some or all issues in this proceeding. Second, the current case schedule, if not changed, provides very little time to allow for settlement discussions and does not provide time to finalize and file any stipulation (i.e., issues lists filed April 24, local public hearing on April 30, Angelina Solar testimony filed on May 3, and intervenor and Staff testimony to be filed on May 10). Third, calling the evidentiary hearing will preserve the publication of notice of the hearing. Angelina Solar published notice of the evidentiary hearing in accordance with the requirements of the Administrative Law Judge's Entry issued February 14, 2019, and filed proof of the publication on March 15, 2019, March 27, 2019, and April 26, 2019. Fourth, no prior continuance has been requested and there will be no harm by granting this request.

Prior to the filing of this Motion, Angelina Solar contacted the other parties in this proceeding. No party opposes the "call and continue" motion. Additionally, no party objects to

an expedited ruling on the motion, given the few business days remaining before May 14, 2019. Thus, good cause exists to grant the motion and to do so on an expedited basis.

At this time, Angelina Solar does not propose a specific date for resuming the evidentiary hearing because of the various schedule conflicts for multiple parties in this proceeding known to the undersigned counsel. Angelina Solar proposes that the parties check with their witnesses and, after the hearing is called on May 14, 2019 and recessed, the parties meet that day to discuss their availability and their witnesses' availability. The parties can then share with the Administrative Law Judge the available dates to which the hearing can be continued. Angelina Solar proposes that the parties be prepared to discuss a date for resuming the hearing in June 2019 (possibly June 18), as Angelina Solar is not proposing an extended continuance period.

WHEREFORE, for the above reasons, Angelina Solar requests that the Administrative Law Judge grant, on an expedited basis, its motion to call the May 14, 2019 evidentiary hearing and continue it, with the date upon which the hearing will continue to be established at a later time.

Respectfully submitted,

/s/ MacDonald W. Taylor

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**CERTIFICATE OF SERVICE**

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on the 3rd day of May 2019 upon all persons/entities listed below:

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**Case No(s). 18-1579-EL-BGN**

Summary: Motion to Call and Continue the Evidentiary Hearing and Memorandum in Support and Request for Expedited Ruling electronically filed by Mr. MacDonald W Taylor on behalf of Angelina Solar I, LLC