

BEFORE THE OHIO POWER SITING BOARD

- - -

In the Matter of the :  
Application of Angelina :  
Solar I, LLC, for a : Case No. 18-1579-EL-BGN  
Certificate of Environmental:  
Compatibility and Public :  
Need. :

- - -

PROCEEDINGS

before Ms. Patricia A. Schabo, Administrative Law  
Judge, at the Public Utilities Commission of Ohio,  
180 East Broad Street, Room 11-A, Columbus, Ohio,  
called at 10:03 a.m. on Tuesday, May 14, 2019.

- - -

ARMSTRONG & OKEY, INC.  
222 East Town Street, 2nd Floor  
Columbus, Ohio 43215-5201  
(614) 224-9481 - (800) 223-9481

- - -

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES:

Vorys, Sater, Seymour & Pease, LLP  
By Mr. Michael J. Settineri  
and Mr. MacDonald W. Taylor  
52 East Gay Street  
P.O. Box 1008  
Columbus, Ohio 43216-1008

On behalf of Angelina Solar I, LLC.

Dave Yost, Ohio Attorney General  
Public Utilities Section  
By Ms. Jodi J. Bair  
Senior Assistant Attorney General  
30 East Broad Street, 16th Floor  
Columbus, Ohio 43215

On behalf of the Staff of the Ohio Power  
Siting Board.

Frost Brown Todd, LLC  
By Mr. Yazan S. Ashrawi  
One Columbus, Suite 2300  
10 West Broad Street  
Columbus, Ohio 43215-3484

On behalf of the Eaton Community School  
District.

Van Kley & Walker, LLC  
By Mr. Jack A. Van Kley  
132 Northwoods Boulevard, Suite C-1  
Columbus, Ohio 43235

On behalf of the Concerned Citizens of  
Preble County, LLC.

Ohio Farm Bureau Federation  
By Ms. Amy M. Milam  
280 North High Street  
6th Floor  
Columbus, Ohio 43215

On behalf of the Ohio Farm Bureau  
Federation.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES: (Continued)

Preble County Prosecutor's Office  
By Mr. Martin Patrick Votel  
Prosecuting Attorney,  
and Ms. Kathryn M. West  
Assistant Prosecuting Attorney  
101 East Main Street  
Eaton, Ohio 45320

On behalf of the Preble County  
Commissioners, Preble County Engineer,  
Preble County Planning Commission, Preble  
County Soil and Water Conservation  
District, Israel Township, and Dixon  
Township.

Bricker & Eckler, LLP  
By Mr. Dylan F. Borchers  
100 South Third Street  
Columbus, Ohio 43215

On behalf of the Preble County  
Commissioners.

- - -

1 Tuesday Morning Session,  
 2 May 14, 2019.

3 - - -

4 ALJ SCHABO: The Ohio Power Siting Board  
 5 has assigned for hearing, at this time and place,  
 6 Case No. 18-1579-EL-BGN, being in The Matter of the  
 7 Application of Angelina Solar I, LLC, for a  
 8 Certificate of Environmental Compatibility and Public  
 9 Need.

10 My name is Patricia Schabo and I'm the  
 11 Administrative Law Judge assigned by the Board to  
 12 hear this case.

13 Pursuant to a May 7, 2019, Entry, we are  
 14 doing a call and continue of the evidentiary hearing  
 15 scheduled to begin today, which means we've now  
 16 opened the evidentiary record, we'll take appearances  
 17 of counsel, we'll take testimony from members of the  
 18 public who wish to provide it, and then we'll adjourn  
 19 for the day and reconvene at a later date to be set  
 20 by future entry.

21 With that said, let's start with  
 22 appearances of counsel.

23 MR. SETTINERI: Thank you, Your Honor.  
 24 On behalf of Angelina Solar I, LLC, Michael Settineri  
 25 and MacDonald Taylor with the law firm of Vorys,

1 Sater, Seymour and Pease, 52 East Gay Street,  
2 Columbus, Ohio 43215.

3 ALJ SCHABO: Thank you.

4 We'll just go around the tables.

5 Next up.

6 MS. BAIR: Yes. Thank you, Your Honor.  
7 On behalf of the Power Siting Board Staff, Jodi Bair,  
8 Assistant Attorney General for Dave Yost, 30 East  
9 Broad Street, Columbus, Ohio 43215.

10 ALJ SCHABO: Okay.

11 MR. ASHRAWI: Good morning, Your Honor.  
12 Yaz Ashrawi with the law firm of Frost Brown Todd, 10  
13 West Broad Street, Suite 2300, Columbus, Ohio 43215,  
14 on behalf of the Eaton Community School District.

15 MR. VAN KLEY: Good morning, Your Honor.  
16 I'm Jack Van Kley with the law firm of Van Kley &  
17 Walker, 132 Northwoods Boulevard, Columbus, Ohio  
18 43235. I'm representing the Concerned Citizens of  
19 Preble County and its members.

20 ALJ SCHABO: Thank you.

21 MS. MILAM: Good morning, Your Honor.  
22 Amy Milam on behalf of Ohio Farm Bureau Federation,  
23 280 North High Street, Columbus, Ohio 43215.

24 ALJ SCHABO: Thank you.

25 MR. VOTEL: Good morning, Your Honor.

1 Martin Votel, Preble County Prosecuting Attorney,  
2 accompanied by Assistant Prosecutor Kathryn West.  
3 101 East Main Street, Courthouse 1st Floor, Eaton,  
4 Ohio 45320. Our office represents the Preble County  
5 Engineer, Preble County Soil and Water, Preble County  
6 Land Use Zoning, Israel Township in Preble County,  
7 Dixon Township in Preble County, and we are  
8 co-counsel for the Board of County Commissioners.

9 ALJ SCHABO: Thank you.

10 MR. BORCHERS: Good morning, Your Honor.  
11 On behalf of the Preble County Commissioners, Dylan  
12 Borchers with the law firm of Bricker & Eckler, 100  
13 South Third Street, Columbus, Ohio 43215.

14 ALJ SCHABO: All right. Thank you very  
15 much. Is that all counsel?

16 MR. SETTINERI: Your Honor, if we can go  
17 off the record, I just have one question for you.

18 ALJ SCHABO: Sure. Let's go off the  
19 record.

20 (Discussion off the record.)

21 ALJ SCHABO: Let's go back on the record.

22 I'll note that there are 20-odd members  
23 of the public with us today. Are there any members  
24 of the public here, that are not part of the  
25 Concerned Citizens of Preble County, LLC, who would

1 like to testify?

2 (No response.)

3 ALJ SCHABO: Okay. Seeing none, I  
4 believe that's it for the day then. We'll reconvene  
5 the hearing at a future date to be established by a  
6 future entry. Until then, we are adjourned. Thank  
7 you.

8 (Thereupon, the proceedings concluded at  
9 10:07 a.m.)

10 - - -

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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, May 14, 2019, and carefully compared with my original stenographic notes.

*Carolyn M. Burke*  
Carolyn M. Burke, Registered Professional Reporter, and Notary Public in and for the State of Ohio.

My commission expires July 17, 2023.

- - -





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

**Commission of Ohio Docketing Information System on**

**5/28/2019 2:19:42 PM**

**in**

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

Summary: Transcript In the matter of the Application of Angeline Solar I, LLC, for a Certificate of Environmental Compatibility and Public Need, hearing held on May 14th, 2019. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Burke, Carolyn