

THE 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 June 19, 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. Subsequently, on December 3, 2018, and having completed steps mandated by Ohio law, 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.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.

{¶ 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

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.

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} Pursuant to subsequent Entries, the ALJ issued a procedural schedule, granted various notices and motions to intervene by affected governmental entities and a group of concerned citizens, granted a motion filed by Angelina to call and continue the original evidentiary hearing, established a date to reconvene the hearing, and granted a motion filed by Staff to continue the hearing. As a result of those entries, the evidentiary hearing was scheduled to reconvene on June 19, 2019.

{¶ 7} On June 14, 2019, however, Angelina filed a motion to continue the evidentiary hearing as well as a joint stipulation and recommendation (Stipulation). Citing to the Stipulation, which was entered into by most but not all parties, Angelina requested that the June 19, 2019 hearing be continued, that a status conference be conducted in order to discuss new procedural dates, and that an expedited ruling be issued. By Entry issued June 14, 2019, the ALJ granted Angelina's motion and accompanying requests.

{¶ 8} As contemplated by the Entry, the ALJ conducted a telephonic status conference with counsel for the parties on June 19, 2019. Pursuant to discussions during the conference, the ALJ finds that the following procedural schedule should be established:

- (a) Testimony in support of the Stipulation should be filed by June 28, 2019.
- (b) Testimony in opposition to the Stipulation should be filed by July 12, 2019.
- (c) The evidentiary hearing shall recommence on July 31, 2019, at 10:00 a.m., in Hearing Room 11-A, at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the evidentiary hearing will recommence on July 31, 2019, as stated in Paragraph 8. It is, further,

{¶ 11} ORDERED, That the parties observe the filing dates set forth in Paragraph 8. It is, further,

{¶ 12} 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

JRJ/hac

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

Summary: Administrative Law Judge Entry setting procedural schedule and ordering evidentiary hearing to recommence on July 31, 2019 electronically filed by Heather A Chilcote on behalf of Patricia A. Schabo, Administrative Law Judge, Power Siting Board