

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 August 21, 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} By Entry issued February 14, 2019, the ALJ issued an original procedural schedule, which was altered by subsequent Entries such that the evidentiary hearing was called-and-continued on the original hearing date and eventually 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). By Entry issued the same day, the ALJ issued a procedural schedule establishing new deadlines for filing testimony and an evidentiary hearing date of July 31, 2019.

{¶ 8} The hearing reconvened as scheduled on July 31, 2019, carried over to August 1, 2019, and convened again on August 12, 2019. At the conclusion of testimony on August 12, 2019, counsel for Angelina requested the opportunity to file rebuttal testimony. No party objected. Accordingly, the ALJ instructed that rebuttal testimony should be filed no later than August 23, 2019, and indicated that a hearing date would be set by future entry.

{¶ 9} The ALJ finds that the hearing will reconvene for the purpose of taking rebuttal testimony on Tuesday, September 10, 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.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That rebuttal testimony be filed no later than August 23, 2019, as ordered on August 12, 2019, and restated in Paragraph 8. It is, further,

{¶ 12} ORDERED, That hearing be scheduled for September 10, 2019, at 10:00 a.m., as stated in Paragraph 9. 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/ Patricia A. Schabo

By: Patricia A. Schabo
Administrative Law Judge

JRJ/hac

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Summary: Administrative Law Judge Entry ordering rebuttal testimony be filed by August 23, 2019 and scheduling hearing electronically filed by Heather A Chilcote on behalf of Patricia A. Schabo, Administrative Law Judge, Power Siting Board