

## 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 August 26, 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 Chapters 4906-2 and 4906-4.

{¶ 3} Nestlewood filed its application with the Board for a certificate of environmental compatibility and public need 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).

{¶ 5} On May 15, 2019, Staff filed its report of investigation pursuant to R.C. 4906.07(C).

{¶ 6} On May 16, 2019, the Ohio Farm Bureau Federation (Farm Bureau) filed a timely motion to intervene.

{¶ 7} On May 24, 2019, Nestlewood filed a notice of footprint modification to allow for a change in the location of an easement for the project. The notice sought to shift the easement corridor from a northwest-southeast route to a southwest-northeast route.

{¶ 8} The ALJ presided over a local public hearing on May 30, 2019.

{¶ 9} On June 12, 2019, Nestlewood, the Farm Bureau, and Staff filed a joint stipulation and recommendation (Stipulation).

{¶ 10} On June 13, 2019, the ALJ conducted the evidentiary hearing where the Stipulation was presented for the Board's consideration. Nestlewood presented the testimony of Lynn Gresock and of Joseph Jordan in support of the Stipulation. Staff presented the testimony of Derek F. Collins in support of the Staff Report, as well as the conditions set forth in the Stipulation.

{¶ 11} On August 23, 2019, Nestlewood, the Farm Bureau, and Staff jointly submitted a motion pursuant to Ohio Adm.Code 4906-2-07 to reopen the hearing record to allow additional testimony regarding the May 24, 2019 notice of footprint modification. In the motion, the parties state that Nestlewood provided testimony regarding the modification during the June 13, 2019 evidentiary hearing. The parties note that Nestlewood has collected additional information regarding the modification which the parties would like to include in the record for the Board's consideration. The parties also request an expedited ruling on this motion pursuant to Ohio Adm.Code 4906-2-27(C).

{¶ 12} Upon review, the ALJ finds that good cause exists to grant the parties' motion. As such, the ALJ schedules another day of hearing for the parties to provide additional information regarding the modification on August 30, 2019, at 10:00 a.m. in Hearing Room 11D at the offices of the Board, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That an additional day of hearing be scheduled for August 30, 2019, as further described in Paragraph 12. It is, further,

{¶ 15} 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**

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**in**

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

Summary: Administrative Law Judge Entry scheduling a hearing for 8/30/19 at 10:00 am for the parties to provide additional modification information electronically filed by Ms. Mary E Fischer on behalf of Anna Sanyal, Administrative Law Judge, Ohio Power Siting Board