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May 12, 2020

The Honorable Nicholas Walstra
The Honorable Matthew Sandor
Ohio Power Siting Board
180 East Broad Street, 12th Floor
Columbus, OH 43215-3793

Re: Motion for Waiver,
Case No. 20-0972-EL-BGN

Dear Judges Walstra and Sandor:

On May 4, 2020, Yellowbud Solar, LLC (Applicant), filed a motion for waiver of Ohio Administrative Code (Ohio Adm.Code) 4906-3-03(B), in which it requested the Ohio Power Siting Board authorize the Applicant to comply with Ohio Adm.Code 4906-3-03(B) using a three-prong alternative approach. Applicant proposed that it will host a web-based virtual public information meeting; offer a phone-based meeting; and provide project information on request and make representatives available on a one-to-one basis via phone conference, in lieu of conducting an in-person public information meeting. In its motion, Applicant averred that its request is for good cause given the current state of emergency, as the alternative approach will allow members of the public to learn about the project while staying home.

Staff of the Ohio Power Siting Board (Staff) initially notes that on March 9, 2020, the Governor of Ohio signed Executive Order 2020-01D, declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. Staff recognizes the unique nature of COVID-19 and the radically changed environment that has resulted from the response, which warrants an acknowledgment of the importance of social distancing.

This being the case, Staff does not object to the requested waiver.

Respectfully submitted,

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

cc: Parties of Record

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Summary: Correspondence Staff Response to Waiver electronically filed by Mrs. Kimberly M Naeder on behalf of OPSB