

## THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF  
ALAMO SOLAR I, LLC, FOR A  
CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED.

CASE NO. 18-1578-EL-BGN

### ENTRY

Entered in the Journal on October 28, 2020

{¶ 1} Alamo Solar I, LLC (Alamo 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, Alamo, a subsidiary of Blue Planet Renewable Energy, LLC, filed a pre-application notification letter with the Board regarding its proposed 89.9 megawatt (MW) solar electric generating facility in Gasper and Washington townships, Preble County, Ohio. After filing an affidavit of publication demonstrating its compliance with the notice requirements of Ohio Adm.Code 4906-3-03, and holding a public information meeting on November 13, 2018, Alamo 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 69.9 MW in Preble County, Ohio on December 10, 2018, as supplemented on January 31, 2019.<sup>1</sup>

{¶ 4} By letter dated February 8, 2019, the Board notified Applicant that its application was compliant with pertinent statutory and administrative code requirements and provided sufficient information to permit the Board to commence its review and investigation of the application. On March 20, 2019, Alamo filed its certificate of service of

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<sup>1</sup> Alamo explains that the application seeks approval for 69.9 MW which is revised since the issuance of the pre-application notification letter.

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.

{¶ 5} Pursuant to the administrative law judge (ALJ) Entry of June 10, 2019, the evidentiary hearing in this matter was scheduled for a call and continue on June 26, 2019, with the evidentiary hearing to reconvene on July 17, 2019.

{¶ 6} On July 5, 2019, Alamo filed a Joint Stipulation and Recommendation (Stipulation) executed by Alamo; the Staff of the Ohio Power Siting Board; Ohio Farm Bureau Federation; Preble County Commissioners; the Preble County Engineer; Preble County Soil and Water Conservation District; the Gasper Township Board of Trustees; the Washington Township Board of Trustees; and the Preble County Planning Commission (collectively, Signatory Parties). The Eaton Community School District; Preble Shawnee Local School District; and the Concerned Citizens of Preble County, LLC, (CCPC), consisting of Eric and Kelly Altom, Mary Bullen, Camden Holdings, LLC, John and Joanna Clippinger, Joseph and Linda DeLuca, Jason and Tonya Heggs, Donn Kolb as trustee for the Donn E. Kolb Revocable Living Trust, Doris Jo Ann Kolb as the trustee for the Doris Jo Ann Kolb Revocable Living Trust, Kenneth and Elaine Kolb, James and Carla Lay, Clint and Jill Sorrell, John and Linda Wambo, John Frederick Winter, and Michael and Patti Young (collectively, CCPC members) did not join in the Stipulation.

{¶ 7} Beginning on July 17, 2019, the ALJs conducted the adjudicatory hearing where the Stipulation was presented for the Board's consideration. On September 13, 2019, Alamo, Staff, and CCPC filed initial post-hearing briefs. Reply briefs were submitted by the same parties on September 27, 2019. To date, the Board has not issued a final order regarding Alamo's application.

{¶ 8} On July 30, 2020, the Signatory Parties filed an Amended and Restated Joint Stipulation and Recommendation (Amended Stipulation). With the Amended Stipulation, these parties also filed a joint motion to reopen the hearing record and to schedule a prehearing conference. No memoranda contra were filed in response to the joint motion.

{¶ 9} By Entry dated September 14, 2020, the ALJ granted the motion to reopen the hearing record upon finding that the Signatory Parties demonstrated good cause to reopen the record for the purpose of considering the Amended Stipulation and any testimony in support of, or in opposition to, the same.

{¶ 10} Pursuant to the Entry dated September 24, 2020, a procedural schedule was established, including the scheduling of an evidentiary hearing to commence on October 26, 2020.

{¶ 11} An evidentiary hearing was held in this matter on October 26, 2020. During the hearing, the ALJ established a briefing schedule with initial briefs due on December 9, 2020, and reply briefs due on December 23, 2020.

{¶ 12} Pursuant to this Entry, the ALJ clarifies that the briefs to be filed shall be considered as substitution initial and reply briefs and shall replace the initial and reply briefs previously filed on September 13, 2019, and September 27, 2019, respectively.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the established briefing schedule be clarified consistent with 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/Jay S. Agranoff

By: Jay S. Agranoff  
Administrative Law Judge

NJW/kck

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

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**Case No(s). 18-1578-EL-BGN**

Summary: Administrative Law Judge Entry clarifying that the briefs to be filed shall be considered as substitution initial and reply briefs and shall replace the initial and reply briefs previously filed on September 13, 2019, and September 27, 2019, respectively. electronically filed by Kelli C. King on behalf of Jay S. Agranoff, Administrative Law Judge, Public Utilities Commission of Ohio