

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the :
Application of Hecate :
Energy Highland 4 LLC for :
a Certificate of :
Environmental : Case No. 20-1288-EL-BGN
Compatibility and Public :
Need to Construct a :
Solar-Powered Electric :
Generation Facility in :
Highland County, Ohio. :

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PROCEEDINGS

before Mr. Jesse Davis and Mr. Michael Williams,
Administrative Law Judges, at the Public Utilities
Commission of Ohio, via Webex, called at 6:00 p.m. on
Tuesday, January 19, 2021.

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8 On behalf of the Applicant.

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Tuesday Evening Session,
January 19, 2021.

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ALJ DAVIS: Good evening and welcome,
everyone. My name is Jesse Davis, and with me is
Michael Williams. We are the Administrative Law
Judges in the Legal Department of the Ohio Power
Siting Board, and we've been assigned by the Board to
this proceeding. This is Case No. 20-1288-EL-BGN.

One of our duties as the assigned
Administrative Law Judges is conducting a public
hearing in this case which involves the application
filed by Hecate Energy Highland 4 LLC for a
Certificate to Construct a Solar-Powered Electric
Generation Facility in Highland County, Ohio.

Due to the COVID-19 emergency that
remains in effect under Executive Order No. 2020-01D
that was issued by the Governor of Ohio, today's
hearing is being held through Webex which enables
interested parties to offer testimony on the proposed
project by telephone or video via the internet. The
hearing is also being live streamed at
[youtube.com/user/pucohio](https://www.youtube.com/user/pucohio), so pucohio.

Before we get started with the public
hearing, I wanted to address some preliminary issues.

1 The first if you experience technical difficulties
 2 during the hearing, there are several options to
 3 address the issue. If your internet connection drops
 4 at any point, you can try to rejoin Webex via the
 5 same way you joined the first time, by video, or you
 6 can participate by phone. If those options are
 7 unsuccessful for any reason, please call the Board's
 8 Legal Department. The number is (614) 466-6843
 9 immediately for assistance.

10 Finally, if you merely wish to listen to
 11 the hearing using your phone instead of accessing via
 12 Webex on the internet, you can view the live stream
 13 on the You Tube Channel at that same URL,
 14 youtube.com/user/pucohio, and you can listen there.
 15 Or you can dial in at 1-408-418-9388 and then enter
 16 the meeting number which is 173492744.

17 More information about Webex technical
 18 help options can be obtained through the chat feature
 19 which will be available through the hearing. You can
 20 click the chat button at any time to obtain technical
 21 assistance or to ask procedural questions during the
 22 hearing.

23 But it's noteworthy the chat feature
 24 should only be used for these purposes, not for any
 25 other purpose such as to offer commentary about the

1 project or testimony that's the subject of today's
2 hearing. Please be aware that the chats are recorded
3 and should not be considered private. Chats are also
4 not part of the official record for the case.

5 As indicated by the entry of November 18,
6 2020, witnesses were to register to testify.

7 Individuals who were registered to provide testimony
8 should be ready to speak when we read their name from
9 the registration list. Individuals who are
10 commenting by video will be unmuted by a Board staff
11 member when it's time for their testimony. If you
12 are providing testimony by telephone, a Board staff
13 member will call you at the phone number you provided
14 when it's your time to testify.

15 Please bear with us as we work to queue
16 up each individual which may take some time. It also
17 may divert our attention at times from what's
18 happening in the hearing. If this happens, please be
19 patient and know that we are working to ensure
20 everyone has an opportunity to participate.

21 Consistent with the entry from
22 November 18, 2020, we ask that you keep your
23 testimony to 5 minutes in length, to avoid repetitive
24 comments. To avoid unnecessary background noise, we
25 ask that you keep your microphone on mute unless you

1 are commenting. Again, if you have any questions
2 about this process as the hearing proceeds, please
3 use the chat function.

4 Are there any questions from anyone
5 before we officially get started?

6 Okay. If not, we will proceed to the
7 formal hearing. The Ohio Power Siting Board has
8 scheduled for hearing at this time and place Case No.
9 20-1288-EL-BGN which is captioned in the Matter of
10 the Application of Hecate Energy Highland 4 LLC,
11 which I'll sometimes refer to simply as Hecate, for a
12 Certificate of Environmental Compatibility and Public
13 Need to Construct a Solar-Powered Electric Generation
14 Facility in Highland County, Ohio.

15 As I mentioned at the start, my name is
16 Jesse Davis, and with me is Michael Williams. We are
17 the Administrative Law Judges in the Board's Legal
18 Department. We will be conducting today's hearing.
19 In addition to Judge Williams and myself, there are
20 other staff members from the Board assisting with
21 various aspects of the hearing that includes Micah
22 Schmidt, Brittany Waugaman, Jill Coker -- sorry, so
23 sorry if I mispronounced your name -- Matt Butler,
24 Anna Perry, and Aubrey Barker who will be overseeing
25 the event on Webex and YouTube.

At this time we will take appearances by counsel of the parties to the case, and we will begin with the Applicant.

MS. WINTERS: This is Karen Winters. I am with the law firm of Squire Patton Boggs. The address is 41 South High Street, Columbus, Ohio 43215. And I am here on behalf of Hecate Energy Highland 4 LLC who is the Applicant in the case.

MS. GAGLIARDI: Co-counsel Daniel Gagliardi is here as well, Squire Patton Boggs, counsel for the Applicant Hecate Energy Highland 4 LLC.

ALJ WILLIAMS: Any other parties on the line? Okay.

ALJ DAVIS: Okay. With no other parties entering appearances, I would note that while counsel for the Ohio Farm Bureau Federation and Board Staff may not be participating in the proceeding, non-counsel representatives of these entities may be in attendance.

The subject of today's hearing is an application filed by Hecate for the purpose of constructing and operating the New Market solar project, a solar-powered electric generation facility. Specifically the proposed project would

1 occupy approximately 824 acres within a 1,114 acre
2 project area in Clay and Whiteoak Townships in
3 Highland County. The project will generate
4 100 megawatts. Hecate's application was filed on
5 September 2 and 3, 2020, and was supplemented on
6 October 15, 20, 23; November 10; and December 10,
7 2020.

8 I would also note that the Board Staff
9 filed a Report of Investigation on January 4, 2021.
10 This report is a recommendation from the Board's
11 Staff and does not necessarily reflect what the
12 Board's final determination in this case will be.

13 The purpose of today's public hearing is
14 to receive testimony regarding Hecate's application
15 from entities and persons in the local community who
16 are affected by the proposed project but who are not
17 parties to the case.

18 The public hearing is not a question and
19 answer session but is an opportunity to let the Board
20 know what you think about the proposed project.
21 Today's public hearing is only one aspect of the
22 process in this case. An evidentiary hearing is
23 scheduled to begin on Monday, January 25, 2021,
24 through Webex. The purpose of the evidentiary
25 hearing is for the parties in this case, including

1 the Applicant, the Intervenor which is the Ohio Farm
2 Bureau Federation, and the Board Staff to provide
3 testimony and other evidence regarding the project.

4 Tonight's hearing is being transcribed by
5 a court reporter which is Karen Gibson from Armstrong
6 & Okey. If you plan to testify, please speak clearly
7 so that the court reporter can accurately reflect
8 your comments on the record. Please make sure that
9 you verbally respond to all questions asked in order
10 that they can be properly transcribed. And I would
11 reiterate please be calm and speak slowly. It very
12 much helps the court reporter.

13 After I finish this introduction, Judge
14 Williams and I will begin calling individuals on the
15 registration list to testify about the proposed
16 project. Each person who registered to testify will
17 be permitted to speak once about the project. We
18 will ask you to take an oath or affirmation that what
19 you are about to say is the truth. Your testimony
20 will then be considered part of the official record
21 in the case, and it will be reviewed by the Board
22 before a final decision is made on the application.

23 Additionally, counsel for the parties in
24 the case, as well as Judge Williams and myself, will
25 be permitted to ask you questions about your

1 testimony. Should you decide that you do not want to
2 testify when I call your name from the registration
3 list, you may pass to the next witness. Also once
4 you've finished testifying or if you are merely here
5 to observe, you may leave the hearing any time you
6 wish.

7 Any individual who wishes to supplement
8 their testimony with an exhibit for the Board's
9 consideration, please provide a copy of the document
10 along with a reference to Case No. 20-1288-EL-BGN to
11 the Board no later than January 22, 2021, by
12 electronic mail at contactopsb@puco.ohio.gov or by
13 mail to Ohio Power Siting Board, 180 East Broad
14 Street, Attention Docketing Division, Columbus, Ohio
15 43215.

16 For those of you not testifying but who
17 wishes to file a public comment regarding the
18 proposed project can do so in writing on the Board's
19 website by e-mail at contactopsb@puco.gov or by mail
20 at the address Ohio Power Siting Board, 180 East
21 Broad Street, Attention Docketing Division, Columbus,
22 Ohio 43215 and written comments should reference Case
23 No. 20-1288-EL-BGN.

24 The Board appreciates your participation
25 in tonight's hearing, and we want everyone who is

1 registered to testify to have the opportunity to do
2 so.

3 At this time we are going to begin
4 testimony. Judge Williams will call our first
5 witness.

6 ALJ WILLIAMS: Thank you, Judge Davis.
7 Excellent job and I will let you catch your breath
8 while I call our first witnesses. I will note from
9 the witness list that was published in the case as
10 amended earlier today on January 19, there have been
11 three changes so I will highlight these in the
12 beginning in case it impacts your preparedness
13 thinking you have another person ahead of you. Mayor
14 John Cranley will not be testifying tonight nor will
15 Sharon Dodson who was listed as witness No. 6, I
16 believe, nor will Witness Ron DeLyons who I believe
17 was listed as witness No. 8.

18 So with those changes, I will begin, and
19 I will call Daniel Shirey, please.

20 MR. SCHMIDT: Mr. Shirey, you've been
21 promoted. Please enable your audio and video.

22 MR. SHIREY: Can you hear me?

23 ALJ WILLIAMS: I can hear you. I can't
24 see you, sir.

25 MR. SHIREY: Okay. How about now?

1 ALJ WILLIAMS: Perfect. I am going to
2 begin by swearing you in. Would you raise your right
3 hand.

4 (Witness sworn.)

5 ALJ WILLIAMS: Could you please state and
6 spell your name.

7 MR. SHIREY: My name is Daniel L. Shirey.
8 That's S-H-I-R-E-Y.

9 ALJ WILLIAMS: Could you please provide
10 your address including the township.

11 MR. SHIREY: My address is 2602 Tick
12 Ridge Koenig Hill Road, that's in Otway, Ohio 45657
13 and that's in Brushcreek Township.

14 ALJ WILLIAMS: And do you live in the
15 project area?

16 MR. SHIREY: I do not live in the project
17 area.

18 ALJ WILLIAMS: Okay. Thank you, sir.
19 Please proceed with your testimony.

20 MR. SHIREY: Okay. You have to excuse
21 me. I got the phone in my ear because I can't hear
22 through the computer for some reason.

23 ALJ WILLIAMS: I hear you loud and clear.
24 You are not the first one to take part, but it's
25 coming through very clearly.

1 MR. SHIREY: Okay. Good. Good evening.
2 Again, my name is Dan Shirey. Although I do not live
3 in the project area, I do represent electrical
4 workers in the area that also live in the area. And
5 I do hope that the project will be done by those
6 electrical workers that I represent.

7 You know, in addition to them, there are
8 probably 100 good paying construction jobs. I
9 believe this project would estimate, you know, a lot
10 of tax revenue for the local communities. I believe
11 it would be good for the economy. And I also believe
12 that this is one step toward energy independence that
13 would be good for national security. I urge the
14 Board to permit this project.

15 And in summation on behalf of IBEW, I
16 lend my full support on all the positive impacts that
17 it would create on the community, environment, and
18 also the nation. Thank you for your time.

19 ALJ WILLIAMS: Mr. Shirey, before you go,
20 I want to make sure there are no questions from the
21 parties who are at tonight's hearing, so I will open
22 it up. Does Applicant have any questions?

23 MS. WINTERS: No questions here, your
24 Honor.

25 ALJ WILLIAMS: Thank you, Ms. Winters.

1 Mr. Shirey, thank you for your testimony
2 and you are free to stay on or to leave. That's your
3 choice, okay? Thank you, sir.

4 Our next witness is Karla Bolser.

5 MR. SCHMIDT: Ms. Bolser, you've been
6 promoted. If you can enable your audio and video.

7 ALJ WILLIAMS: Can we go off the record,
8 Karen?

9 (Discussion off the record.)

10 ALJ WILLIAMS: Karen, can we go back on?
11 Thank you.

12 We called Karla Bolser before we took a
13 brief break from the record, and Ms. Bolser is having
14 some technical issues it appears, so staff is going
15 to reach out to her via phone, and we will put her
16 back in line as soon as she's available.

17 Our next scheduled witness is Ms. Mary
18 Davidson.

19 MR. SCHMIDT: Judge Williams, we heard
20 from Mary Davidson that she is unable to connect for
21 the next two hours due to a prior commitment, so we
22 can skip over her and move down the list.

23 ALJ WILLIAMS: Make a note here. Okay.
24 Our next scheduled witness is Trevor Neal.

25 MR. SCHMIDT: I had Mr. Neal on Webex

1 earlier, but he seems to have dropped off. It seems
2 like we are on a roll tonight.

3 ALJ WILLIAMS: Can someone from staff
4 reach out to Mr. Neal as well and make sure if he
5 inadvertently dropped off that we make every effort
6 to include him tonight.

7 Our next scheduled witness is Dale
8 Davidson.

9 MR. SCHMIDT: Mr. Davidson, you've been
10 promoted. Can you enable your audio and video?

11 MR. DAVIDSON: Yes. My audio is on.
12 Let's see here. Get my video going here. Oops.
13 There. How does that work? There we go.

14 ALJ WILLIAMS: Good evening,
15 Mr. Davidson.

16 MR. DAVIDSON: Hey, good evening.

17 ALJ WILLIAMS: As we begin, I am going to
18 go ahead and swear you in. Would you raise your
19 right hand.

20 (Witness sworn.)

21 ALJ WILLIAMS: Thank you. As we begin, I
22 am going to ask you to state and spell your name for
23 the record, please.

24 MR. DAVIDSON: Dale Davidson, D-A-L-E
25 D-A-V-I-D-S-O-N.

1 ALJ WILLIAMS: And could you please give
2 your address including your township.

3 MR. DAVIDSON: My home address is 8770
4 Maltbie Road, Centerville, Ohio 45458, Washington
5 Township.

6 ALJ WILLIAMS: Do you live within the
7 project area?

8 MR. DAVIDSON: I don't live within the
9 project area.

10 ALJ WILLIAMS: Thank you, sir. Please
11 proceed with your testimony.

12 MR. DAVIDSON: I am on behalf of
13 Davidson -- are you still there?

14 ALJ WILLIAMS: I lost you a bit there.
15 Could you start over, sir?

16 MR. DAVIDSON: Oh, sure. I was calling
17 to testify on behalf of the Davidson Property Trust
18 with my sister and parents. The adjoining
19 property -- we have an adjoining property, farm
20 property that's been in the generation -- family for
21 three, going on four generations. So that's why I am
22 calling.

23 We actively have the farm -- farmland
24 farmed, and we actively -- the property -- wildlife
25 we use for it. So I wanted to make some comments,

1 probably have more comments than I probably have time
2 for so stick with the most important ones and submit
3 some written ones. Basically --

4 ALJ WILLIAMS: Karen, are you getting any
5 of this?

6 I'm so sorry, Mr. Davidson.
7 Mr. Davidson, we're having some real connectivity
8 issues.

9 Micah, should we contemplate going to the
10 phone?

11 MR. SCHMIDT: We can definitely do that.

12 Mr. Davidson, up at the top of the -- up
13 at the top of your Webex window you will see some
14 tabs that say "File, Edit, Share, View" and then
15 there's a tab that says "Audio & Video."

16 MR. DAVIDSON: Yes.

17 MR. SCHMIDT: If you click Audio & Video.

18 MR. DAVIDSON: Audio & Video. Okay.
19 Yes.

20 MR. SCHMIDT: If you click that, there is
21 a place where you can put in your phone number.

22 MR. DAVIDSON: Put my phone number.

23 MR. SCHMIDT: Yeah. Put in your phone
24 number and then hit the switch button and Webex will
25 actually call you.

1 MR. DAVIDSON: Okay. Hit the switch
2 button.

3 ALJ WILLIAMS: Mr. Davidson.

4 MR. DAVIDSON: Are we on?

5 ALJ WILLIAMS: Yes. Loud and clear, sir.

6 MR. DAVIDSON: Is that much better?

7 ALJ WILLIAMS: This is dramatically
8 better. You were very, very muffled. In fact, I
9 don't know how much of your testimony really came
10 through. As much as I don't want to put you through
11 it, if you want to begin your testimony anew, that
12 would probably be the best way to clean up the
13 record.

14 MR. DAVIDSON: Okay. All right. Yeah.
15 I was stating, you know, we don't -- I don't actively
16 live on the property, but I am calling to represent
17 the Davidson Property Trust, my sister, and my
18 parents. We own land that adjoins the proposed
19 project. It's land that's been in the family for
20 three, going on four generations. So that's why
21 we're calling about it.

22 In general, we are basically against the
23 project for several different reasons and being that
24 I think there is a lot of negatives that come out of
25 permits and, you know, try to go through most of

1 them, probably run out of time, but in general,
2 we -- the project effectively permanently changes the
3 landscape, the agricultural heritage of the area, and
4 basically changes it for all intents and purposes
5 effectively their commercial use for our lifetimes
6 and generations and probably for permanently.

7 I know if anybody has ever driven through
8 and examined the similar project going up nearby at
9 the Brown County line can see what change it has had.
10 I know not only is it an eyesore but also there is a
11 lot of other negatives that go along with it. And I
12 know we had planned on building and living and
13 retiring down there but now probably won't if this
14 project goes because it is not something we want to
15 be -- have to see and look at and deal with everyday.

16 A few things, one was the developer
17 provided a lot of rosy statements and claims and
18 benefits of the project, while most of them which
19 could probably be debated and refuted.
20 Unfortunately, there has never really been an open
21 dialogue or chance to do that. It seems like
22 anything you ever hear from the developer, officials,
23 or media, it's all rosy and all the positives, and
24 they never really talk about the consequences of the
25 project.

1 The biggest No. 1 thing is farmland is in
2 short supply, productive farmland, especially short
3 supply for our younger farmers. You know, it's hard
4 to buy. There's nothing available to buy and there's
5 hardly any available to rent.

6 Between the projects that's been approved
7 in Highland County and the very nearby Brown County
8 border, there's already upwards of five -- from my
9 understanding and research I have gathered 5 to 6
10 thousand acres of farmland, of productive farms and
11 productive farmlands that's been taken out of
12 commission.

13 And then southern Ohio that even goes up
14 greater. This project will just add another 1,100 or
15 so acres being taken out for that. And, you know,
16 our concern is when does it stop, you know? And when
17 do we lose so much farmland?

18 Nearly all the jobs that will be created
19 by this are all going to be very stress temporary
20 jobs. Once the thing is built and constructed they
21 are gone, and the few remaining permanent jobs that
22 will remain which are pretty minimal, I think, isn't
23 really much of a gain because I am not sure anybody
24 has really evaluated, but by taking that farmland
25 out, you lose revenue and taxes from businesses such

1 as feed and further -- fertilizer, seed companies,
2 implement, fuel companies, and the lost revenue and
3 taxes from those businesses and services are losses
4 that have to be considered. It's -- you know,
5 anything I've ever seen and anything that's ever been
6 presented has never really talked about that.

7 Again, I will just reemphasize the open
8 landscape will be changed. You have a prison like
9 fence that's going to go around all those properties.
10 That changes the openness including changes to rural
11 agriculture and landscape. One concern we have that
12 fencing will definitely restrict the natural movement
13 and interfere with the wildlife, particularly the
14 bigger wildlife, deer, foxes, coyotes, and
15 realistically could cause a change, an increase in
16 density for these species and neighboring farms and
17 farmland could result in more nuisances and damage to
18 their farm and crops by those wildlives.

19 Really this needs to be really looked at
20 hard, whether it's, you know, a study by Department
21 of Wildlife or some other appropriate organization,
22 to see what kind of impacts that will have.

23 I am not sure really my order of comments
24 here. You know, I know one thing, OPSB is supposed
25 to show that there is a need for the project. Well,

1 we have a hard time believing there is a need when
2 the Hillcrest, the Highland County project which they
3 are supposed to be building, has already been
4 approved, and it's been stalled. So if there is
5 really a need, why isn't that one being constructed
6 first before approval for the others?

7 I suppose it has something to do with
8 saying, well, we got different customers for these.
9 Cincinnati, I understand, is buying electricity. If
10 there is really a need, you know, there could be a
11 way they could talk to AEP, whoever was behind the
12 other project, and buy it there. So I don't see that
13 there is a real need.

14 And it feels like they are trying to push
15 these two projects by the community before the other
16 one is actually built so they really see what it's
17 like. That's another comment.

18 I request that if the project moves
19 forward, that there is a decommissioning plan
20 submitted and a bond to hold the counties and parties
21 or the owner responsible in the event sometime this
22 is abandoned or defunct. I know it's all intents and
23 purposes. I hope it would be the intent of the
24 company to always operate as long as they can. But
25 the life of the panels are what? 20, 30 years?

1 Nobody can have a future ball and predict the future.
 2 You know, the bottom may fall out of solar, and other
 3 technology may come along and make it obsolete. My
 4 understanding glass panels would be hazardous
 5 materials to dispose of and not recyclable so there's
 6 costs associated with that, and we want to make sure
 7 there is assurance that, you know, plan's in place,
 8 no -- to make sure, you know, everything is taken
 9 care of and put back in use, and it doesn't fall back
 10 on the taxpayers some day to have to take care of
 11 that.

12 One other thing, you know, there is going
 13 to be added cost. If they ever try to put that
 14 farmland back together, it's going to take a lot
 15 greater resources to get it back to the same
 16 productive -- productivity and the time it's going to
 17 take to do that and that's going to be added costs.

18 I just say it seems like there's been
 19 very limited opportunity for the citizens and
 20 landowners and neighbors to provide direct feedback
 21 and COVID has been a big part of that. It just seems
 22 like anything you hear from the officials and media
 23 has all been positives and no real talk about what
 24 are the negatives and there are additional ones I am
 25 not going to get into.

1 But one thing I'll read that I read a
2 statement in the local newspaper, I am not going to
3 put any labels on the fellow, but he said it is just
4 another crop on which land -- as far as I'm
5 concerned, to him it is just their crop. Well, any
6 farmer or anybody that's been closely associated with
7 farming, we have family that's been farmers for
8 decades, will tell you that's so far from the truth.
9 Farming is using land and resources to grow crops.
10 Solar projects are not farms. They are just simply a
11 collector of sunlight, and they are generating
12 electricity. That can be done anywhere. Farmland
13 and farming can't be done anywhere. It needs to be
14 done on a productive farm.

15 So we're really -- like I said, it's a
16 little disappointing the number of people that are
17 able to participate, and I think people would be more
18 likely to direct participate in person than trying to
19 do it over Webex and phone calls and things like
20 that. So I would think it would be prudent to wait
21 until COVID passes and delay this decision making
22 until more people are readily available to attend.

23 I still have other concerns like the
24 glare problem from solar panels. There is a claim
25 made it's no worse than a glare off a pond. Well, it

1 is worse. I've driven around Route 286 where the
2 Hillcrest project is and been blinded by glare off
3 the panels. I saw spots for 3 miles. Ponds are not
4 vertical. Ponds are hundreds of acres. So to make
5 that comparison is like crazy.

6 There is still issues with privacy
7 sequestering. I read -- saw a really good article
8 from research -- a couple different articles about --
9 talking about pros and cons of solar fields. And
10 there was a really good article by Rod Heiniger. He
11 is a North Carolina State professor and extension
12 specialist. He talked about not -- farmland not
13 being a good use to control land. And in his
14 synopsis, of course, you guys are experts and have
15 studied this, but for the general laymen, this is
16 short and simple, the thing's talking about how it
17 would change production of -- the productivity of the
18 land is pretty much permanently, and the loss of
19 those productivity and the changes in the communities
20 will make it unlikely that land will probably ever be
21 farmed again and basically talks about how the
22 farmland is not a good use for solar panels. You can
23 make the argument, oh, it's flat. You got sun -- sun
24 exposure and all that but there's all the issues
25 about how much sunlight is really getting captured

1 versus sunlight going down to create noxious weeds
2 and components.

3 And but anyhow there's just too many what
4 ifs and, you know, it's intrusive -- intrusion on our
5 agricultural -- rural agricultural community and it
6 just -- you know, we don't need more loss of
7 productive farmland, things where people in the
8 community already make a living off of, and it's
9 going to affect a lot of their businesses. So I
10 guess that's most of it. So I'm surprised I said
11 that all in 5 minutes. Maybe I talked too fast.

12 ALJ WILLIAMS: You did very well, sir. I
13 don't know what your time was. You were covering all
14 new ground the entire time. I took a lot of notes
15 from what you were saying. And, frankly, we have a
16 relatively scant list of witnesses. I don't want you
17 to feel you were denied more time. If you have more
18 in your notes, please continue.

19 MR. DAVIDSON: No. For the most part
20 that's it. I mean, I just know I have had
21 discussions with neighbors and relatives that farm
22 down there and some of the claims they say, oh, it's
23 a big plus. There is certainly negative against that
24 and it's just a permanent loss of farmland for all
25 intents and purposes in my parents' generation, my

1 generation, and my boys' generation, and effectively
2 nobody knows. I don't know if anybody -- any studies
3 how much -- how they have ever actually tried to
4 reclaim farmland because it's all new territory.

5 If you look what's been done in the
6 neighboring projects with thousands and thousands of
7 tons of rock for roadways, they are flooding the
8 fields. Those fields can sour. These fields have
9 been groomed and developed for productive farming,
10 and now they are going to be lost. So it will take a
11 very long time, even if it is attempted to put them
12 back, to ever get there again. So I think that's it
13 in a nutshell.

14 ALJ WILLIAMS: Mr. Davidson, I do thank
15 you for your patience as we worked through the start
16 of your technology issues. Your testimony was very
17 clear. Before I let you go, I want to ensure that
18 there aren't any questions from any of the parties at
19 this meeting?

20 MS. WINTERS: No questions here, your
21 Honor.

22 ALJ WILLIAMS: Thank you.

23 Mr. Davidson, again, thank you for your
24 participation. You are welcome to stay and listen to
25 the rest of the proceeding this evening, and I

1 appreciate your time and testimony.

2 All right. Thank you, sir.

3 MR. DAVIDSON: Thank you.

4 ALJ WILLIAMS: I understand that we have
5 some of our earlier witnesses maybe available now. I
6 believe Mary Davidson has checked in. Micah, can you
7 admit Ms. Davidson.

8 UNIDENTIFIED SPEAKER: Your Honor, I have
9 telephone witness Ms. Davidson on the line. Go
10 ahead, Ms. Davidson.

11 ALJ WILLIAMS: Thank you. Good evening,
12 Ms. Davidson.

13 MS. DAVIDSON: Hi.

14 ALJ WILLIAMS: Ms. Davidson --

15 MS. DAVIDSON: This is Mary Davidson.

16 ALJ WILLIAMS: -- I understand you are
17 participating by phone. I don't know if you have any
18 visual of me, but we'll begin. I will ask you to
19 raise your right hand and let me know when you have
20 done so.

21 MS. DAVIDSON: I'm ready.

22 (Witness sworn.)

23 ALJ WILLIAMS: Thank you, Ms. Davidson.
24 I'll begin by getting some background information.
25 Could you please state and spell your name for the

1 record.

2 MS. DAVIDSON: My first name is Mary,
3 M-A-R-Y, last name is Davidson, D-A-V-I-D-S-O-N. The
4 address I live at is 721 Bellaire Avenue, Dayton,
5 Ohio 45420, but I'm calling in regard to the property
6 in Clay and Whiteoak Township in Highland County
7 because we own a farm down there.

8 ALJ WILLIAMS: Is the farm -- is your
9 farm within the project area, ma'am?

10 MS. DAVIDSON: Pardon?

11 ALJ WILLIAMS: Is your farm --

12 MS. DAVIDSON: Yes.

13 ALJ WILLIAMS: It is, okay. Thank you.
14 Please proceed with your testimony.

15 MS. DAVIDSON: Okay. I am against this
16 solar project because, well, No. 1 is that the using
17 up so much farmland that it's taking up from people
18 that is farming things that they should be able to
19 do -- need to do to live and also that's producing
20 food for people which is important because the less
21 food we get produced the more critical it is and
22 there is other ways of producing power than the solar
23 that's discussed. And also going down the road and
24 looking at fields of corn, soybeans, grains, and
25 whatever is really a nice scenery than the solar

1 things which are ugly, ugly.

2 And it's just a very debatable thing that
3 I think that you're working against people rather
4 than with them by putting these in. There is so many
5 acres you are taking up that people are having to
6 find other work to save their livelihood and it
7 just -- you are taking away from producing food, and
8 the wildlife, taking away from their food, as well as
9 hunting, and just all that is in consideration and
10 which I don't think has been taken into consideration
11 but maybe it has but I don't think so.

12 And another thing, it's going to have to
13 be proved to me that when these are over, that they
14 will be put back in order, they are supposed to be
15 for farming, that I can't -- nobody can make me
16 believe this is -- unless it's proven to me that we
17 are going to have good farmland like we did have
18 before.

19 And besides what is going to be done with
20 all this solar paraphernalia that's out there now?
21 Is it going to be put in one big pile or what? We
22 are going to have to deal with that too. So in my
23 opinion I say that we should stop and think what is
24 happening, and I am totally against the solar. Thank
25 you for having me.

1 ALJ WILLIAMS: Ms. Davidson, before
2 you -- Ms. Davidson, can you hear me?

3 MS. DAVIDSON: Yes.

4 ALJ WILLIAMS: Before you sign off I want
5 to make sure there are no questions from my Co-Bench
6 or from the parties in the case, so I'll open it up.
7 Anything from the Applicant?

8 MS. WINTERS: No questions here, your
9 Honor.

10 ALJ WILLIAMS: Thank you, Ms. Winter.
11 And, Mr. Davis, I am not seeing you
12 frantically wave as well.

13 So with that, Ms. Davidson, I want to
14 thank you for your testimony this evening, and you're
15 welcome to stay on the line and listen. We
16 appreciate your participation.

17 MS. DAVIDSON: Thank you for having me.

18 ALJ WILLIAMS: Thank you.

19 I believe we've circled back around, and
20 I believe that Ms. Bolser has now been found
21 telephonically.

22 Karen, let's go off.

23 (Discussion off the record.)

24 ALJ WILLIAMS: Let's go back on.

25 Calling Ms. Karla Bolser.

1 MS. COKER: Your Honor.

2 ALJ WILLIAMS: Yes.

3 MS. COKER: We have Karla on the phone.
4 It's a telephone witness.

5 ALJ WILLIAMS: Okay. Ms. Bolser, can you
6 hear me?

7 MS. BOLSER: I can.

8 ALJ WILLIAMS: Great. I can hear you
9 loud and clear as well, so as we begin, I am going to
10 ask you to raise your right hand so we can swear you
11 in. Let me know when you have done that, please.

12 MS. BOLSER: I'm ready.

13 (Witness sworn.)

14 ALJ WILLIAMS: Thank you. Would you
15 please begin by stating your -- stating and spelling
16 your name for the record.

17 MS. BOLSER: My name is Karla Bolser and
18 last the last name -- it's K-A-R-L-A, last name is B
19 as in boy O-L-S-E-R.

20 ALJ WILLIAMS: And could you please
21 provide your address including your township.

22 MS. BOLSER: 3028 Gath North Road,
23 Sardinia, Ohio 45171 and we reside in Clinton
24 Township.

25 ALJ WILLIAMS: Are you within the project

1 area?

2 MS. BOLSER: That's kind of a tricky
3 question. We are very close.

4 ALJ WILLIAMS: Okay. That's fair enough.

5 MS. BOLSER: It depends on the grid.

6 ALJ WILLIAMS: So okay. Thank you.
7 Please proceed with your testimony.

8 MR. BOLSER: Thank you so much. I
9 appreciate your time. I just wanted -- like the
10 previous speakers I want to say some statements
11 regarding how we came to find -- find out about the
12 proposed project and some thoughts that we have.

13 With the proposed New Market I and II at
14 1,116 acres along with the Highland County solar farm
15 at 3,500 acres, this will consume our entire
16 neighborhood. We would have those -- the New Market
17 solar fields on one side of us, the Highland County
18 solar farm on the other side of us. I don't feel
19 this is fair to the residents of this area to be
20 surrounded by solar fields and not be able to do
21 anything about it.

22 We don't understand how one company can
23 come in and be allowed to take over such a vast
24 amount of property. I feel these companies are
25 preying on the rural counties that do not have zoning

1 laws that you would find in larger cities and this
 2 should be illegal. As the state of Ohio employees of
 3 the Ohio Power Siting Board, you should be able to
 4 take that into consideration of how these projects
 5 impact all lives in the state of Ohio and how each of
 6 these projects will affect them. There cannot be
 7 such a great need to develop so many in such close
 8 proximity. Or is this even a consideration when
 9 those -- when you are making those choices?

10 Only notifying the residents of this
 11 proposed project that are physically touching the
 12 property sites and eliminating all other Highland
 13 County residents being informed or having a say I
 14 feel is unjust and a violation of our rights.

15 Posting an ad in a small town newspaper
 16 should not justify that notification. When
 17 notifications were sent out of the 3,500 acre solar
 18 farm, we were all sent certified letters, and
 19 everybody was notified if you live within so many
 20 feet of it.

21 Now, with the New Market only landowners
 22 that actually physically touch the affected
 23 properties have been notified and given opportunity
 24 to speak. I just happened to stumble upon it. Any
 25 one human being who is in view of the proposed site

1 or must commute through this site daily from their
 2 home should be given the notification and ability to
 3 represent themselves and their families. We are the
 4 ones that have to live every day with the ongoing
 5 noise and disruption to our community due to the
 6 construction, then the ongoing care and maintenance
 7 of the facility, not to mention the continuous noise
 8 that will come from the substations.

9 Per the response to the Board's Staff
 10 first data request updated noise modeling
 11 electronically filed by Karen Winters on behalf of
 12 Hecate on 11-10, my property is within that half mile
 13 circle of the project site which is their Attachment
 14 2 on that report. This exhibit shows the sound
 15 levels in excess of ambient noise levels resulting in
 16 operations barely exceed the site boundaries. By
 17 Terracon stating the levels barely exceed the limits,
 18 they are acknowledging that they do exceed the
 19 limits, and even though it may not be significant,
 20 that will be an impact on our community. I believe
 21 all residents within that half mile circle around the
 22 site should be kept informed of any and all
 23 construction and variations to this project.

24 And then who gives the permission of who
 25 can ride on our county roads and how will they be

1 repaired once all this construction traffic is going
2 up and down our country roads every day all day?

3 It's been mentioned multiple times the
4 jobs to complete these projects would come from
5 Highland County. They would reach actively to employ
6 thousands in Highland County. But in the case study
7 Cincinnati's path to a 100 megawatt solar deal by the
8 Assistant City Manager of the City of Cincinnati, it
9 states in conjunction with Cincinnati State and the
10 IBEW Local 212, the City will implement a workforce
11 skill and hiring program or project labor agreement
12 aimed at putting Cincinnati residents to work on the
13 project. How is that going to benefit Highland
14 County's poverty level?

15 I would like to thank you for your time
16 and hope that my concerns are taken into
17 consideration as how this will impact our quality of
18 life in this county.

19 ALJ WILLIAMS: Ms. Bolster, thank you for
20 your testimony. Before I let you go, I want to make
21 sure there are no questions from the parties who are
22 here. Anything from the Applicant?

23 MS. WINTERS: No questions, your Honor.

24 ALJ WILLIAMS: Thank you, Ms. Winters.

25 I don't see any -- anybody else reaching

1 for a microphone. Ms. Bolser, again, thank you for
2 your time and testimony this evening.

3 MS. BOLSER: Thank you so much. I
4 appreciate it.

5 ALJ WILLIAMS: Thank you.

6 Let's go back off for just a second,
7 Karen.

8 (Discussion off the record.)

9 ALJ WILLIAMS: Karen, back on.

10 Our next witness is Doug Carraher.

11 MR. SCHMIDT: You've been promoted. If
12 you can unmute your audio and enable your video.

13 MR. CARRAHER: Hello.

14 ALJ WILLIAMS: Mr. Carraher?

15 MR. CARRAHER: Yes.

16 ALJ WILLIAMS: Excellent. I can see and
17 hear you. I am going to begin by swearing you in.

18 If you would raise your right hand, please.

19 MR. CARRAHER: Give me one second. I
20 have got to get my phone out of it.

21 ALJ WILLIAMS: Take your time.

22 (Witness sworn.)

23 ALJ WILLIAMS: Thank you. Could you
24 begin by stating and spelling your name for the
25 record, please.

1 MR. CARRAHER: D-O-U-G C-A-R-R-A-H-E-R.

2 ALJ WILLIAMS: Thank you, Mr. Carraher.
3 And could you please provide your address including
4 your township.

5 MR. CARRAHER: 2220 West New Market Road,
6 Sardinia, Ohio, Clay Township.

7 ALJ WILLIAMS: You live within the
8 project area?

9 MR. CARRAHER: I am just like Ms. Bolser,
10 within a half a mile.

11 ALJ WILLIAMS: Thank you. Please proceed
12 with your testimony.

13 MR. CARRAHER: Thank you, Judge Williams.
14 Thank you, Judge Davis. Thank you to the Ohio Power
15 Siting Board for hearing us tonight. I ask of you to
16 have a favorable response to granting a permit for
17 this project. It will provide meaningful employment
18 to a large amount of people while under construction.

19 This project will retire yearly cropping
20 practices with fertilizer, herbicides, and pesticides
21 applications and be planted in cover crops with the
22 solar panels. After construction, the truck traffic
23 will be greatly reduced. If we have 1,100 acres of
24 cropland and it makes 200 bushels per acre of corn,
25 it's 220 semi loads in and out. That amount of truck

1 traffic will be greatly reduced once construction is
2 over.

3 This site will bring much needed tax
4 revenue to the county. At the current state and
5 county mandates, it will generate 900,000 per year in
6 tax revenue versus the current tax revenue of
7 approximately 2,500. Our county needs the tax
8 revenue. We have never had an opportunity like this
9 in Highland County. There's a 29 percent child
10 poverty rate in Highland County just published by the
11 Census Bureau. Highland County ranks 80th in the
12 state as far as poverty and income. This tax revenue
13 is the greatest opportunity, and I think that we need
14 to have this project happen.

15 I thank you for your time. I thank you
16 for hearing me out today.

17 ALJ WILLIAMS: Mr. Carraher, thank you
18 for your testimony. Before I let you go, I want to
19 make sure there are no questions from the parties
20 that are here. Anything from the Applicant?

21 MS. WINTERS: Sorry, your Honor. Nothing
22 here. Thank you.

23 ALJ WILLIAMS: Thank you.

24 Mr. Carraher, thank you for your
25 testimony this evening.

1 MR. CARRAHER: Thank you, your Honor.

2 ALJ WILLIAMS: For purposes of the
3 record, Karen, I understand that Mr. Neal has
4 withdrawn his request to testify this evening. So I
5 believe our next witness is Ms. Angie Wright, and I
6 will turn it over to you, Judge Davis.

7 ALJ DAVIS: Thank you, Judge Williams.

8 Do we have Ms. Wright on the line?

9 MR. SCHMIDT: Ms. Wright, you've been
10 promoted. If you can enable your audio and video.

11 MS. WRIGHT: Can you hear me?

12 ALJ DAVIS: You have a bit of an echo.
13 Can you say it again?

14 MS. WRIGHT: Yes. Can you hear me?

15 ALJ DAVIS: You are cutting out a little
16 bit.

17 MS. WRIGHT: How about now?

18 ALJ DAVIS: Okay. Okay. Great. Thank
19 you. Sorry about that. Thank you, Ms. Wright. Can
20 we begin by having you raise your right hand.

21 MS. WRIGHT: Yes.

22 (Witness sworn.)

23 ALJ DAVIS: Thank you. Please state and
24 spell your name for the record.

25 MS. WRIGHT: Angie, A-N-G-I-E, Wright,

1 W-R-I-G-H-T.

2 ALJ DAVIS: Thank you. Could you please
3 provide your address including the township.

4 MS. WRIGHT: 7192 Pondlick Road, Seaman,
5 Ohio 45679. I live in Concord Township.

6 ALJ DAVIS: Thank you. And do you reside
7 or work within the project area?

8 MR. WRIGHT: I work within the project
9 area.

10 ALJ DAVIS: Thank you. Please proceed
11 with your testimony.

12 MS. WRIGHT: I am personally in favor of
13 the solar project. I, like a lot of people, still
14 have concerns about these projects, especially when
15 you see the one being built by another company in the
16 area. These projects are still very new to the
17 people living in this area and are terribly slow at
18 adjusting to change.

19 I have researched, listened, and driven
20 by completed projects that my concerns have changed
21 to encouragement and support. I honestly believe
22 this is to be a benefit to our community.

23 I am currently serving on the Board of
24 Education in the Bright Local School District. Since
25 my tenure on the Board, we have tried to pass several

1 school levies which have failed. The last levy to
2 pass in our district ended at the end of last year.
3 So we are now not collecting any money from our
4 taxpayers except property tax. With no commercial
5 activity in our district it is impossible for our
6 school district to raise the kind of money this
7 project will, especially if our taxpayers are
8 unwilling to pass a levy. The money that will be
9 generated from -- for our district and the county --

10 ALJ DAVIS: I'm sorry, Ms. Wright. We
11 lost you. I think we've lost audio.

12 ALJ WILLIAMS: Karen, let's go off.

13 (Discussion off the record.)

14 ALJ WILLIAMS: Karen, can you put us back
15 on, please.

16 Judge Davis, please go ahead.

17 ALJ DAVIS: Hello, Ms. Wright. Can you
18 say something, please?

19 MS. WRIGHT: Yes. Can you hear me?

20 ALJ DAVIS: Yes. Okay. Excellent. So
21 we lost you.

22 Karen, could you perhaps let us know
23 where she was when we lost her?

24 ALJ WILLIAMS: I think maybe just in a
25 general sense you had just talked about the lack of

1 commercial activity in the area, so if you want to
2 pick up generally there, that would probably get us
3 back where we were.

4 MS. WRIGHT: Okay. With no commercial
5 activity in our district, it is impossible for our
6 school district to raise the kind of money that this
7 project will produce, especially if our taxpayers are
8 unwilling to pass a levy. The money that will be
9 generated for our district and the county cannot be
10 denied. We are talking about thousands of dollars
11 that would not be raised otherwise. These projects
12 are going to be essential for our district and
13 benefit our students' education.

14 For the reasons I have stated above, I
15 support the project as a community member and a
16 school board member. Thank you.

17 ALJ DAVIS: Thank you, Ms. Wright. Can
18 I -- hold on. Before I let you go, I just want to
19 make sure, do we have any questions for Ms. Wright
20 from the parties?

21 MS. WINTERS: No questions from me, your
22 Honor.

23 ALJ DAVIS: Thank you.

24 Thank you for your testimony, Ms. Wright.
25 If that is all, you may -- free to stay on the line

1 and listen, or you are free to go.

2 MS. WRIGHT: Thank you.

3 ALJ DAVIS: You're welcome.

4 So I believe our next witness is Michael
5 Forrester? Do we have him on the line?

6 MR. SCHMIDT: Mr. Forrester, you've been
7 promoted. If you can enable your audio and video.

8 MR. FORRESTER: Yes. Can you guys hear
9 me?

10 ALJ DAVIS: You are a little quiet.

11 MR. FORRESTER: Okay. Let's see, does
12 that help at all? Can I speak a little louder?

13 ALJ DAVIS: Yeah, that's fine. Thank
14 you. So we will start off could you please raise
15 your right hand.

16 (Witness sworn.)

17 ALJ DAVIS: Thank you. Can you please
18 state and spell your name for the record.

19 MR. FORRESTER: Yes. My name is Michael
20 Forrester, M-I-C-H-A-E-L F-O-R-R-E-S-T-E-R.

21 ALJ DAVIS: Thank you. And can you
22 please provide your address including the township.

23 MR. FORRESTER: Yes. My address is 37
24 Hartweg Avenue, Fort Thomas, Kentucky, and -- 41075
25 in Campbell County. I am representing the City of

Cincinnati at 801 Plum Street in Hamilton County,
Ohio.

ALJ DAVIS: Thank you. And so do you
reside or work within the project area?

MR. FORRESTER: I do not.

ALJ DAVIS: Thank you. You can proceed
with your testimony.

MR. FORRESTER: Great. Hello, everyone.
My name is Michael Forrester. I'm the Director of
the Office of Environment and Sustainability for the
City of Cincinnati.

I will keep my comments brief, but I want
to speak to the public interest and the many public
benefits that this array will bring. First of all, I
want to speak to the significant local community
impact. Both projects here will pay over \$900,000
annually for the 35-year life of the project to
support the local school districts and local
governments. That's over \$31 million invested in the
local community over the life of this project.

Approximately 130 jobs will be created
during peak construction. 80 percent of the workers
will be required to be from Ohio. These locally
created jobs will have a significant future
opportunity when looking at the 4,500 megawatts of

1 solar that are currently pending approval by the Ohio
2 Power Siting Board. This project here is helping to
3 grow a workforce in Ohio that has a lot of work that
4 is lined up and ready to go.

5 Second of all, I want to talk about the
6 use of this solar array. The City of Cincinnati is
7 the primary off-taker for this array. The City has
8 pledged to be 100 percent renewable by 2035, and the
9 New Market solar projects are a key part to meeting
10 the pledge to our Cincinnati residents.

11 The City of Cincinnati has been working
12 on this project to search local renewables to -- to
13 its electricity load since 2017. We have launched a
14 competitive bid to build local renewable generation
15 for the City of Cincinnati and have required that all
16 responders must be in Ohio and within 100 miles of
17 City Hall to support local economic development and
18 to grow the local jobs market in the greater
19 Cincinnati area so that our region can benefit from
20 the jobs solar development will bring.

21 We've received over 15 different
22 applications, and we selected this project to move
23 forward. It's important to know that this project
24 directly serves Ohioans. The first 35 megawatts is
25 slated to support the City of Cincinnati government

1 and provide 25 percent of its overall electricity
2 load. The electricity -- the electrons produced will
3 provide electricity for Cincinnati police and fire,
4 but it will also serve the Greater Cincinnati Water
5 Works and the Metropolitan Sewer District. GCWW and
6 MSD operate a regional service which provides water
7 for over 1.1 million people in Hamilton, Butler, and
8 Warren Counties.

9 Because this solar produced is a fixed
10 price over time, this protects our ratepayers and our
11 residents against summer swings in electricity
12 pricing. We essentially have locked into a long-term
13 electricity price hedge for our residents.

14 Also the renewable energy credits that
15 are produced from that array will be retired on the
16 City's behalf to ensure that we are credited with the
17 carbon reductions that that array provides.

18 The second 65 megawatts will be providing
19 15 percent of the electricity for the Cincinnati
20 electric aggregation program. The aggregation
21 program is a bulk buying program where we pool the
22 buying power of our residents and our small build --
23 our small businesses to select a lower rate than is
24 available from the utility.

25 The aggregation program serves between 70

1 and 80 thousand residents and small business accounts
 2 and consumes between 750 and 800 thousand
 3 megawatt-hours annually. Our aggregation program has
 4 been 100 percent green energy since 2012. We have
 5 traditionally purchased renewable energy credits from
 6 wind resources located in Texas and Oklahoma. I am
 7 very excited to be able to provide a locally-sourced
 8 green energy to our residents for they have been
 9 requesting this for years.

10 We can go into the climate impacts. We
 11 can go into the impact of climate change from the
 12 City of Cincinnati which are real and severely
 13 impacting our City budget, but on that I will pause
 14 and throw it open for questions.

15 ALJ DAVIS: Thank you, Mr. Forrester.

16 Do any of the parties have any questions?
 17 Or Judge Williams?

18 MS. WINTERS: No questions here, your
 19 Honor.

20 ALJ DAVIS: Thank you.

21 ALJ WILLIAMS: Also none for me, thank
 22 you, Judge Davis.

23 ALJ DAVIS: Uh-huh. Well, since no one
 24 has any questions, thank you for your testimony and
 25 your time, Mr. Forrester.

1 MR. FORRESTER: Thank you very much.

2 ALJ DAVIS: You are free to go, and you
3 may stick around, of course, if you want to listen to
4 the rest.

5 So our next witness should be Elizabeth
6 Burkard.

7 MR. SCHMIDT: Ms. Burkard, you've been
8 promoted. Please enable your audio and video.

9 MS. BURKARD: Can you hear me?

10 ALJ DAVIS: Yes. Thank you. Good
11 evening.

12 MS. BURKARD: Good evening.

13 ALJ DAVIS: Could you start off by
14 raising your right hand.

15 MS. BURKARD: Sure.

16 (Witness sworn.)

17 ALJ DAVIS: Thank you. Could you please
18 state and spell your name for the record.

19 MS. BURKARD: Elizabeth Burkard, that's
20 E-L-I-Z-A-B-E-T-H B-U-R-K-A-R-D.

21 ALJ DAVIS: Thank you. Could you please
22 provide your address and including the township or
23 municipality.

24 MS. BURKARD: 7045 Prouty Drive and
25 that's is Hillsboro and I reside in Liberty Township.

1 ALJ DAVIS: Thank you. Do you reside or
2 work within the project area?

3 MS. BURKARD: I do not personally live
4 there, but I was born and raised in the project area,
5 and I have family that live in the project area.

6 ALJ DAVIS: Thank you. Please proceed
7 with your testimony.

8 MS. BURKARD: Okay. So as I stated, my
9 name is Elizabeth Burkard, and I'm speaking on behalf
10 of my family, the Halky family and the Ire family,
11 with more than 200 years of combined service to
12 agriculture in Highland County. Both the Halky
13 family and Ire family are pillars in that farming
14 community and are in favor of the Highland solar
15 farm.

16 One of the biggest benefits of the
17 Highland solar farm is the creation of jobs,
18 something this area is in desperate need of.
19 Highland County's current unemployment rate is
20 5.5 percent according to the Ohio Department of Job
21 and Family Services. We are in the top 30 out of 88
22 counties in the state of Ohio regarding our rate of
23 unemployment. We have individuals seeking jobs that
24 are unable to secure employment. With the high
25 unemployment rate, growth and social cohesion are

1 threatened.

2 According to Hecate Energy, they claim to
3 fill nearly 300 construction jobs during the first 12
4 to 18 months of the project. In addition, operations
5 and maintenance will create additional jobs which
6 Hecate states they will seek to locally source.
7 Solar power and careers in solar energy are the
8 future. We can embrace this project or another
9 county will.

10 Safety and health are other concerns
11 regarding solar technology. According to Hecate the
12 panels they are going to use contain the same
13 materials that are used in many household products
14 such as windows. This project's impact on the soil
15 will be limited to the placement of the steel poles
16 in the ground. Hecate will maintain drainage and
17 perhaps improve it. Studies conducted have also
18 indicated that the project will not have adverse
19 effects on wildlife. Because the creation of solar
20 energy is through the physical process of natural
21 sunlight as opposed to a combustion process, solar
22 energy does not produce emissions into the air during
23 operation. I am more concerned with the toxic
24 chemicals, sprays, fertilizers, weedkillers, et
25 cetera, that's placed on our farmland and around our

1 homes that we currently breath in on a daily basis.

2 I hope others will consider the benefits
3 too before making their decision regarding the
4 Highland solar farm. Thank you for your time.

5 ALJ DAVIS: Thank you very much.
6 Ms. Burkard, if I could have you stick around for one
7 second. Do any of the parties have any questions?

8 MS. WINTERS: No questions here, your
9 Honor.

10 ALJ DAVIS: Judge Williams?

11 ALJ WILLIAMS: No, thank you, Judge
12 Davis.

13 ALJ DAVIS: Thank you. With that you are
14 free to go, Ms. Burkard. Thank you for your
15 testimony.

16 MS. BURKARD: Thank you.

17 ALJ DAVIS: So I believe our next witness
18 should be Jeff Rowley. Pardon me if I have
19 mispronounced that name.

20 MR. SCHMIDT: Mr. Rowley.

21 MR. ROWLEY: Can you hear me?

22 MR. SCHMIDT: We can.

23 MR. ROWLEY: Okay.

24 ALJ DAVIS: Hello. Thank you for your
25 time. Good evening. If I could begin by asking you

1 to raise your right hand and please let me know when
2 you have done so.

3 MR. ROWLEY: I've done so.

4 (Witness sworn.)

5 ALJ DAVIS: Thank you. Could you please
6 state and spell your name for the record.

7 MR. ROWLEY: It's Jeff Rowley, that's
8 J-E-F-F, last name Rowley, R-O-W-L-E-Y.

9 ALJ DAVIS: Thank you. Could you please
10 provide your address including the municipality or
11 township.

12 MR. ROWLEY: I live at 6864 Dawson Road,
13 Lynchburg, Ohio 45142 and that's Dodson Township.

14 ALJ DAVIS: Thank you. And do you reside
15 or work within the project area?

16 MR. ROWLEY: I work for the Bright Local
17 School District.

18 ALJ DAVIS: Thank you. You can proceed
19 with your testimony.

20 MR. ROWLEY: Okay. I'm on behalf of the
21 Board of Education here, whatever. They've asked me
22 basically to speak to the positive financial impact
23 that this project will have on our school district.

24 The Bright Local School District is a
25 small district in southern Highland County. We have

1 685 students distributed over 120 square miles. The
 2 real estate valuation in our district consists of
 3 less than 1 percent commercial real property with the
 4 rest split equally between residential and
 5 agriculture. Market values have shown marginal
 6 increases in the last year of just over 1/2 percent
 7 and median incomes have shown little to no growth in
 8 our district. The current state funding formula has
 9 our district basically -- basic funding held stable
 10 at what it was in December of 2019.

11 We as a district work very hard to be
 12 good stewards of the taxpayers' money. Our newest
 13 facility, the elementary building, was put into
 14 operation about 20 years ago and portions of our high
 15 school junior high building dates back to 1938. Both
 16 buildings are well maintained but are in need of
 17 material upgrades in HVAC systems and controls.

18 The difficulty we are running into is
 19 that our primary revenue sources, property taxes and
 20 state funding, are both driven by three primary
 21 factors, property values, median incomes, and student
 22 enrollment, all of which have shown little growth
 23 while on the other hand cost of services and
 24 materials have continued to increase with a projected
 25 inflation rate for 2021 of 2.24 percent.

1 This makes the job providing a good,
2 quality education equally to all students in our
3 district even more difficult. If you could look at
4 our last filed five-year forecast as required by ODE,
5 our district is looking at losing a combined \$927,000
6 from our available cash balance over the next five
7 years.

8 Now, obviously we as a school district
9 cannot speak to the desires and needs of the
10 landowners and taxpayers affected by this project.
11 We can only speak to the bottom line for the Bright
12 Local School District students and the Staff we
13 employ. This project has a potential to provide an
14 additional gross revenue source for approximately
15 \$380,000 annually that we do not currently have and
16 in the end that could be a huge benefit to the Bright
17 Local School District.

18 And with that I thank you for your time.

19 ALJ DAVIS: Thank you very much,
20 Mr. Rowley. If I could have you stick around for one
21 second. Do we have any questions from the parties or
22 the Bench?

23 MS. WINTERS: No questions here, your
24 Honor.

25 ALJ WILLIAMS: Nothing, Judge Davis,

1 thank you.

2 ALJ DAVIS: Thank you.

3 With that, Mr. Rowley, you are free to
4 go. Thank you very much for your time.

5 So I believe our next witness should be
6 Jim Bailey.

7 MR. SCHMIDT: Mr. Bailey, you've been
8 promoted. If you can enable your audio and video.

9 MR. BAILEY: Good evening.

10 ALJ DAVIS: Hello. I can hear you. I
11 can't see you but.

12 Okay. There we are. Hello. Good
13 evening. Welcome. We'll start here. Could I have
14 you raise your right hand?

15 MS. BAILEY: Yes, sir.

16 ALJ DAVIS: Thank you.

17 (Witness sworn.)

18 ALJ DAVIS: Thank you. Please state and
19 spell your name for the record.

20 MR. BAILEY: My name is James Bailey,
21 J-A-M-E-S, Bailey, B-A-I-L-E-Y.

22 ALJ DAVIS: Thank you. Could you please
23 provide your address including the township.

24 MR. BAILEY: I reside at 2307 Donnington
25 Lane in Cincinnati, Ohio, Anderson Township, 45244.

1 ALJ DAVIS: Thank you. And do you reside
2 or work within the project area?

3 MR. BAILEY: I have employees that work
4 within the area, and I own farmland in the nearby
5 area.

6 ALJ DAVIS: Thank you. You can proceed
7 with your testimony.

8 MR. BAILEY: Yes, sir. I appreciate the
9 opportunity to speak this evening. Again, my name is
10 Jim Bailey. I was born and raised in Highland County
11 very close to the New -- New Market -- proposed New
12 Market solar project. I currently live in
13 Cincinnati. As I indicated, I still own property and
14 farmland nearby in Hammer and New Market Township.

15 I'm speaking this evening in support of
16 the New Market solar project from an employment
17 perspective. For the past 33 years, I have worked
18 for a large landscape and construction company. We
19 are currently working on a similar site, as you are
20 all aware of, called the Hillcrest solar project
21 nearby in Brown County, Ohio.

22 The Hillcrest solar project has provided
23 crucial revenue for our company. More importantly it
24 has helped us keep our employees working during this
25 ongoing pandemic. We have had between 15 and 20

1 employees working on the Hillcrest site daily. Most
2 of these employees live locally in Brown, Adams, and
3 Highland County. Their incomes help sport local
4 economy in these areas.

5 I would believe that the New Market solar
6 project would provide the same employment
7 opportunities; and, therefore, I am in support of the
8 project for the opportunities that it creates. Thank
9 you.

10 ALJ DAVIS: Thank you very much,
11 Mr. Bailey. If I could have you stick around for one
12 second, do we have any questions from the parties?

13 MS. WINTERS: No questions here, your
14 Honor.

15 ALJ DAVIS: Thank you. The Bench?

16 ALJ WILLIAMS: No, thank you, Mr. Davis.

17 ALJ DAVIS: Thank you.

18 Okay. With that, Mr. Bailey, you are --
19 thank you for your testimony and you are free to go.

20 MR. BAILEY: Thank you.

21 ALJ DAVIS: Thank you. So I believe our
22 last witness would be Charles Carraher.

23 MR. SCHMIDT: Mr. Carraher, you've been
24 promoted. If you can enable your audio and video.

25 MR. CARRAHER: Can you hear me now?

1 ALJ DAVIS: Yes, we can. We can hear
2 you, and we can see you. Welcome. Good evening. To
3 start off could we ask you to raise your right hand.
4 Thank you.

5 (Witness sworn.)

6 ALJ DAVIS: Could you please state and
7 spell your name for the record.

8 MR. CARRAHER: My name is Charles
9 Carraher, C-H-A-R-L-E-S C-A-R-R-A-H-E-R.

10 ALJ DAVIS: Thank you. Could you please
11 provide your address including the township.

12 MR. CARRAHER: 2756 Fender Road,
13 Hillsboro, Ohio, Violet Township.

14 ALJ DAVIS: Thank you. Do you reside or
15 work within the project area?

16 MR. CARRAHER: I reside close to it but
17 work in the area, yes.

18 ALJ DAVIS: Thank you. You can proceed
19 with your testimony.

20 MR. CARRAHER: Mine's really pretty
21 simple. The last six or so people who have spoke
22 have pretty well said it. I am definitely for it. I
23 believe it brings a lot of extra work into the area
24 for our people in our community. It's kind of hard
25 to pass up tax revenue that the schools and stuff

1 would receive.

2 So that being said, it's very simple for
3 me to say, yes, I am for it. The people ahead of me
4 have pretty well said it, so I'm pretty well done.
5 Thank you.

6 ALJ DAVIS: Thank you. And if I could
7 ask you to stick around for one second, do we have
8 any questions for the witness?

9 MS. WINTERS: No questions here, your
10 Honor.

11 ALJ DAVIS: Thank you.

12 And with that, Mr. Carraher, you are free
13 to go. Thank you very much for your time and your
14 testimony.

15 I believe that that's all 15 of our
16 listed witnesses including those who withdrew.

17 ALJ WILLIAMS: Judge Davis, I'm not sure
18 if I said it earlier or not, but we did hear from Mr.
19 Neal, Mr. Trevor Neal, who had indicated he no longer
20 desires to testify. So I think you are correct. I
21 think we heard from everybody who registered.

22 ALJ DAVIS: Okay. Thank you, Judge
23 Williams.

24 So with that that concludes the testimony
25 from everyone who registered. The Board appreciates

your participation in the public hearing. I also thank all those who witnessed the public hearing via Webex or over the phone.

And with that this concludes today's public hearing. We are adjourned.

(Thereupon, at 7:18 p.m., the hearing was adjourned.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Tuesday, January 19, 2021, and carefully compared with my original stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-7028)

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in

Case No(s). 20-1288-EL-BGN

Summary: Transcript In the Matter of the Application of Hecate Energy Highland 4 LLC for a Certificate of Environmental Compatibility and Public Need to Construct a Solar-Powered Electric Generation Facility in Highland County, Ohio. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.