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March 9, 2021

The Honorable Jay Agranoff  
Administrative Law Judge  
Ohio Power Siting Board  
180 East Broad Street, 12th Floor  
Columbus, OH 43215-3793

Re: Motion for Waiver,  
Case No. 20-1679-EL-BGN

Dear Judge Agranoff:

On February 19, 2021, Pleasant Prairie Solar Energy LLC ("Applicant") filed a motion for a waiver under Ohio Administrative Code ("Ohio Adm.Code") 4906-4-08(D)(2)-(4). Specifically, Applicant asks the Ohio Power Siting Board ("Board") for a waiver from Ohio Adm.Code 4906-4-08(D)(2)-(4) to allow for a reduced study area regarding the Project's impact on landmarks and recreation and scenic areas, as well as the visual impact of the Project.

The referenced sections of the Board's rules require an Applicant to provide an evaluation of certain facility impacts within ten (10) miles of the project area. According to the Applicant, good cause exists for granting a waiver from those rules to allow for a focused study area of only two (2) miles for cultural resources and review of landmarks and effects (Ohio Adm.Code 4906-4-08(D)(2)), two (2) miles for review of recreation and scenic areas and effects (Ohio Adm.Code 4906-4-08(D)(3)), and five (2) miles for the effects on general visual impacts (Ohio Adm.Code 4906-4-08(D)(4)). Applicant submits that good cause exists given that the proposed Project's low profile, together with existing vegetative and structural screening, is expected to limit impacts to within the requested study areas. Applicant further notes that the Board has granted similar requests in recent cases.

Staff of the Board ("Staff") does not oppose Applicant's motion for a waiver to allow for the use of a more focused study area rather than a ten-mile study area.

Respectfully submitted,

/s/ Kyle L. Kern

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

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Summary: Correspondence Regarding Motion for Wavier and Visual Impacts Response  
electronically filed by Mrs. Kimberly M Naeder on behalf of OPSB