

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
HARDIN SOLAR ENERGY II LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED TO
CONSTRUCT A SOLAR-POWERED
ELECTRIC GENERATION FACILITY IN
HARDIN COUNTY, OHIO.

CASE NO. 18-1360-EL-BGN

IN THE MATTER OF THE APPLICATION OF
HARDIN SOLAR ENERGY III LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED TO
CONSTRUCT A SOLAR-POWERED
ELECTRIC GENERATION FACILITY IN
HARDIN COUNTY, OHIO.

CASE NO. 20-1678-EL-BGN

ENTRY

Entered in the Journal on March 18, 2021

I. SUMMARY

{¶ 1} The Ohio Power Siting Board grants the request to transfer 20 megawatts and a portion of the certificated project area held by Hardin Solar Energy II LLC to Hardin Solar Energy III LLC, in accordance with R.C. 4906.04.

II. DISCUSSION

{¶ 2} Hardin Solar Energy II LLC (Hardin Solar II) and Hardin Solar Energy III LLC (Hardin Solar III) are persons as defined in R.C. 4906.01. Hardin Solar II and Hardin Solar III are wholly-owned indirect subsidiaries of Invenergy LLC (Invenergy).

{¶ 3} On February 15, 2018, in Case No. 17-773-EL-BGN, the Ohio Power Siting Board (Board) issued a certificate to construct and operate a 150 megawatt (MW) solar-powered electric generation facility in Hardin County, Ohio, to Hardin Solar I Energy LLC (Hardin Solar I).

{¶ 4} On May 16, 2019, in Case No. 18-1360-EL-BGN, the Board issued a certificate to construct and operate a 170 MW solar-powered electric generation facility in Hardin

County, Ohio, to Hardin Solar II. On that date, the Board also approved the request to transfer the Hardin Solar I certificate to Hardin Solar II and merge the certificates.

{¶ 5} Subsequently, on April 16, 2020, the Board granted a request to transfer a portion of the Hardin Solar II project area to Hardin Solar I.

{¶ 6} Hardin Solar III filed an application with the Board on February 12, 2021, in Case No. 20-1678-EL-BGN, requesting authority to construct and operate a 300 MW solar-powered electric generation facility.

{¶ 7} On March 1, 2021, in accordance with R.C. 4906.04, Hardin Solar II and Hardin Solar III (Joint Applicants) filed a request to transfer 20 MW and a portion of the certificated project area held by Hardin Solar II to Hardin Solar III. In their application, Joint Applicants explain that each phase of the Hardin Solar Energy Center project is planned to have separate procurement and construction contracts, separate offtake agreements, and separate construction and term financing. Specific to this request, Joint Applicants state that Invenergy has secured a power purchase agreement (PPA) with a commercial customer for 150 MW of the overall 170-MW certificate currently held by Hardin Solar II. As such, the 150 MW subject to the PPA is required to be separated from the remaining 20 MW, as well as the project area associated with the additional capacity. Further, Joint Applicants claim that due to financing requirements, lenders are requiring separate and distinct certificates for Hardin Solar II and Hardin Solar III. Ultimately, Joint Applicants aver that transferring the 20 MW and associated portion of the project area from Hardin Solar II to Hardin Solar III will enable these two phases of the Hardin Solar Energy Center to be constructed in the most effective and efficient manner possible.

{¶ 8} According to the Joint Applicants, Hardin Solar III agrees to abide with all of the terms, conditions, and any modifications contained in the certificates for the solar-powered electric generation facilities granted in Case Nos. 17-773-EL-BGN and 18-1360-EL-BGN.

{¶ 9} R.C. 4906.04 provides that a certificate may be transferred, subject to the approval of the Board, to a person that agrees to comply with the terms, conditions, and modifications contained in the certificate.

{¶ 10} Upon consideration of the request to transfer 20 MW and a portion of the certificated project area from Hardin Solar II to Hardin Solar III, the Board finds that the request is reasonable and should be granted in accordance with R.C. 4906.04. Accordingly, Hardin Solar III shall abide by all conditions granted in the certificate for Hardin Solar I and Hardin Solar II, in addition to any future conditions the Board may set for the construction and operation of Hardin Solar III, in the event its application is approved by the Board in Case No. 20-1678-EL-BGN.

III. ORDER

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That the request to transfer 20 MW and a portion of the certificated project area from Hardin Solar II to Hardin Solar III be granted in accordance with Paragraph 10. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served upon all parties of record.

BOARD MEMBERS:

Approving:

M. Beth Trombold, Acting Chair
Public Utilities Commission of Ohio

Matt McClellan, Designee for Lydia Mihalik, Director
Ohio Development Services Agency

Brittney Colvin, Designee for Mary Mertz, Director
Ohio Department of Natural Resources

W. Gene Phillips, Designee for Stephanie McCloud, Director
Ohio Department of Health

Drew Bergman, Designee for Laurie Stevenson, Director
Ohio Environmental Protection Agency

Sarah Huffman, Designee for Dorothy Pelanda, Director
Ohio Department of Agriculture

Greg Murphy, Public Member

MJA/kck

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in

Case No(s). 18-1360-EL-BGN, 20-1678-EL-BGN

Summary: Entry granting the request to transfer 20 megawatts and a portion of the certificated project area held by Hardin Solar Energy II LLC to Hardin Solar Energy III LLC, in accordance with R.C. 4906.04. electronically filed by Ms. Mary E Fischer on behalf of Ohio Power Siting Board