

OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
ROSS COUNTY SOLAR LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED.

CASE NO. 20-1380-EL-BGN

ENTRY

Entered in the Journal on April 21, 2021

{¶ 1} Ross County Solar, LLC (RCS 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). In seeking a certificate, applicants must comply with the filing requirements outlined in R.C. 4906.04, as well as Ohio Adm.Code Chapters 4906-2 through 4906-4.

{¶ 3} On September 14, 2020, Applicant filed a pre-application notification letter with the Board regarding a proposed solar-powered electric generating facility in Buckskin and Paint townships, Ross County, Ohio.

{¶ 4} On October 30, 2020, RCS filed an 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 120 megawatts in Ross County, Ohio.

{¶ 5} On January 20, 2021, the administrative law judge (ALJ) established a procedural schedule in the case. Among other findings, that Entry established the following deadlines (1) April 14, 2021, for RCS to file its expert and factual testimony, (2) April 21, 2021, for intervenors and the Board Staff to file their respective factual and expert testimony, and (3) April 22, 2021, at noon for the filing any stipulations. An evidentiary hearing was scheduled to begin on April 27, 2020.

{¶ 6} RCS filed its direct testimonies on April 14, 2021.

{¶ 7} A prehearing conference was held on April 19, 2021.

{¶ 8} On April 20, 2021, RCS, the Board Staff, the Boards of Trustees of Buckskin and Paint townships, and the Ohio Farm Bureau Federation (collectively, Joint Parties) filed a joint motion to continue the established deadlines and a request for expedited ruling. Specifically, Joint Parties request that the April 21, 2021 deadline for Board Staff and intervenors to file their respective testimony and the April 22, 2021 deadline for the filing of any stipulation be extended. Additionally, they request that the April 27, 2021 evidentiary hearing be called and continued.

{¶ 9} In support for their motion, Joint Parties state that they are engaged in discussions regarding a possible stipulation in this proceeding, but those discussions will likely not be completed until the end of April. In order to allow time for continued negotiations, Joint Parties propose that the deadline for filing a stipulation be extended until May 7, 2021. Additionally, Joint Parties request that the case be called as scheduled on April 27, 2021, and continued to the week of May 17, 2021, so that negotiations of a potential stipulation may continue. Joint Parties represent that they will work towards identifying specific dates for the testimony filing and hearing and will inform the administrative law judges of the proposed dates on April 27, 2021, during the call and continue session.

{¶ 10} For good cause shown, the ALJ finds that the joint motion and request for expedited ruling should be granted. The evidentiary hearing previously scheduled for April 27, 2021, at 10:00 a.m., shall now be called and continued on that date. At that time, the parties should be prepared to provide an update regarding the status of their settlement negotiations and provide proposed dates for the filing of Staff and intervenor testimony, the filing of any potential stipulation and supporting testimony, and the scheduling of the evidentiary hearing.

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That the joint motion to continue deadlines and the request for expedited ruling be granted in accordance with Paragraph 10. It is, further,

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

THE OHIO POWER SITING BOARD

/s/Jay S. Agranoff

By: Jay S. Agranoff
Administrative Law Judge

JRJ/mef

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Commission of Ohio Docketing Information System on

4/21/2021 11:47:27 AM

in

Case No(s). 20-1380-EL-BGN

Summary: Administrative Law Judge Entry granting the joint motion to continue deadlines as detailed herein. electronically filed by Ms. Mary E Fischer on behalf of Jay S. Agranoff, Administrative Law Judge, Ohio Power Siting Board