

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of Pleasant Prairie Solar)	
Energy, LLC for a Certificate of)	Case No. 20-1679-GA-BGN
Environmental Compatibility and Public)	
Need for the Construction of a Solar-)	
Powered Electric Generation Facility in)	
Franklin County, Ohio)	

**PETITION FOR LEAVE TO INTERVENE
OF
NO PRAIRIE SOLAR, LLC**

No Prairie Solar, LLC (No Prairie Solar) respectfully files a petition to the Ohio Power Siting Board (Board) for leave to intervene with the full powers and rights granted to intervening parties under R.C. 4906.08(A)(3) and Ohio Adm. Code 4906-2-12(A)(2).

Pleasant Prairie Solar Energy, LLC (Applicant) filed a pre-application notification letter with the Board concerning its intent to file an application for a certificate of environmental compatibility and public need concerning the Pleasant Prairie Solar project (Project) on November 25, 2020. Applicant filed their Application on February 19, 2021. The Board invited interested parties to intervene by June 25, 2021.

Respectfully submitted,

/s/ Kimberly W. Bojko
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MEMORANDUM IN SUPPORT

No Prairie Solar is a limited liability company organized under Ohio law, for the purpose of protecting its members' interests in regards to Applicants proposed Project. Members include seventy-five individuals who own property nearby or adjacent to the proposed Project.

R.C. 4906.08(A)(3) and Ohio Adm. Code 4906-2-12(B) permit an interested party to intervene in a proceeding before the Board upon a showing of good cause. The Board may consider the following factors in deciding whether to permit intervention:

- (a) The nature and extent of the person's interests.
- (b) The extent to which the person's interest is represented by existing parties.
- (c) The person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding.
- (d) Whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice an existing party.¹

First, No Prairie Solar has a direct, real, and substantial interest in the outcome of this case. No Prairie Solar's purpose is to advocate for its members in order to address the problems posed by the Project proposed by the Applicant, including the participation in this proceeding at the Board. No Prairie Solar has more than seventy-five members

¹ Ohio Adm. Code 4906-2-12(B)(1).

who will be directly and adversely affected by the Project, which will be constructed and operated near their homes and properties. Several members of No Prairie Solar own property which is adjacent to the Project on one or more sides.

The Project will have serious adverse impacts on the members' homes and properties. The members will present evidence about a variety of issues which Applicant failed to address in its Application. These issues, include, but are not limited to, the following:

- The members' views of hundreds of acres of solar panels and fences surrounding the Petitioners' properties and on the public roads near the members' properties will spoil their visual and aesthetic enjoyment of living and working there. The Application does not provide adequate or sufficiently detailed commitments for planting vegetation barriers between the solar project structures and equipment and members' properties to minimize visual impacts.
- The Application does not provide vegetative barriers in the setbacks between the Project Area and neighboring properties that are adequate to protect the aesthetic enjoyment of the neighbors' properties. In addition, while the application calls for planting some vegetation inside and outside of the Project Area, it fails to provide for adequate measures to sustain the vegetation or keep it alive.
- The Application fails to adequately evaluate and protect against daily and seasonal changes to observed glare from the solar arrays.
- The Application fails to identify the specific locations for the solar

panels, night lights, and other Project components, leaving this task to follow the certificate's issuance. This failure deprives the Board and the members of the opportunity to determine whether the night lights will be an annoyance to the members, and whether the Project's components will be in the line of sight from the members' lands and homes.

- The setbacks proposed between the neighboring properties (including the members' properties) and the Project's fences and components are too short to protect the neighboring properties.
- The Application does not sufficiently provide for the identification, protection, and repair of drainage tiles that are damaged by the Project's construction.

Second, no other parties in this proceeding will adequately represent No Prairie Solar's direct, real, and substantial interest in the resolution of these issues. Additionally, as stated above, the members of No Prairie Solar have a unique interest in this proceeding, which may be adversely affected by the outcome of this proceeding and which cannot be adequately represented by any other party.

Finally, No Prairie Solar's participation in this proceeding will contribute to a just and expeditious resolution of the issues involved and will not unduly delay the proceeding or prejudice any party. No Prairie Solar's intervention, as well as the perspective, experience and knowledge it brings, will assist the Board in reaching its decision in this matter that best serves the interests of all parties, including adjacent property and homeowners.

No Prairie Solar has a real and substantial interest in this proceeding, which may be adversely affected by the outcome herein, and which cannot be adequately represented by any

other party. Accordingly, No Prairie Solar satisfies the standard for intervention set forth herein. For the foregoing reasons, No Prairie Solar respectfully requests that the Board grant its timely petition for leave to intervene for good cause shown and make it a full party of record in this proceeding.

Respectfully submitted,

/s/ Kimberly W. Bojko

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Counsel for No Prairie Solar, LLC

CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned hereby certifies that a copy of the foregoing document also is being served via electronic mail on June 25, 2021 upon the parties of record.

/s/ Kimberly W. Bojko _____
Kimberly W. Bojko

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 20-1679-EL-BGN

Summary: Petition for Leave to Intervene of No Prairie Solar, LLC electronically filed by Mrs. Kimberly W. Bojko on behalf of No Prairie Solar, LLC