

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
WESSINGTON SPRINGS WIND ENERGY
CENTER FOR CERTIFICATION AS AN
ELIGIBLE OHIO RENEWABLE ENERGY
RESOURCE GENERATING FACILITY.

CASE NO. 21-110-EL-REN

ENTRY

Entered in the Journal on June 28, 2021

{¶ 1} R.C. 4928.64 and 4928.645 contain the renewable energy resource requirements for electric utility and electric services companies providing electric retail generation in Ohio. R.C. 4928.01(A)(37) defines the types of renewable energy resource generating facilities that qualify in meeting the statutory mandates. Pursuant to Ohio Adm.Code 4901:1-40-04(F), any entity that desires to be designated an eligible renewable energy resource generating facility for the state of Ohio shall file an application for certification that demonstrates the facility satisfies the requirements of R.C. 4928.64 and 4928.645.

{¶ 2} On January 29, 2021, NextEra Energy (Applicant) filed an application for certification of the Wessington Springs Wind Energy Center (Facility), a 51 megawatt facility comprised of 34 General Electric wind turbines, located in Wessington Springs, South Dakota, as an eligible Ohio renewable energy resource generating facility, as defined in R.C. 4928.01.

{¶ 3} Ohio Adm.Code 4901:1-40-04(D)(2) provides for automatic approval of an application for certification as an eligible Ohio renewable energy resource generating facility unless the Commission suspends the application within 30 days. This application was suspended by attorney examiner Entry on February 4, 2021, to allow Staff additional time to review the application and obtain additional information from Applicant.

{¶ 4} Staff filed Applicant's responses to Staff questions concerning the application on February 22, 2021.

{¶ 5} On March 1, 2021, Staff filed a report of its review of the application, indicating that the Facility satisfies the statutory requirements for certification as a renewable energy facility, and recommending that the application be approved.

{¶ 6} On April 7, 2021, Carbon Solutions Group, LLC (CSG) filed a motion to intervene out of time, a motion to consolidate, and a motion to establish a procedural schedule in the case, along with a supporting memorandum.

{¶ 7} On April 20, 2021, the attorney examiner scheduled by Entry a prehearing conference in the case to address the coming procedural steps in the case.

{¶ 8} On April 30, 2021, the prehearing conference was held as scheduled. In attendance were representatives of Staff, the Heartland Consumers Power District (HCPD), and CSG. At the prehearing conference, the CSG and Staff proposed briefing the issues raised in this case in lieu of an evidentiary hearing.

{¶ 9} On May 5, 2021, Staff filed a memorandum contra CSG's motions to consolidate and intervene in the case.

{¶ 10} On May 11, 2021, CSG filed a reply memorandum to Staff's memorandum contra CSG's motions.

{¶ 11} On May 13, 2021, Blue Delta Energy, LLC (Blue Delta) filed a motion to intervene out of time in the case and an accompanying memorandum in support of its motion and in opposition to CSG's motions to intervene and to consolidate.

{¶ 12} On May 21, 2021, HCPD filed a motion to intervene out of time in the case and a memorandum in support of its motion and in opposition to CSG's motions to intervene and to consolidate.

{¶ 13} On June 23, 2021, 3Degrees Group, Inc. (3DG) filed a motion to intervene out of time in the case.

{¶ 14} On June 3, 2021, the attorney examiner issued an Entry granting the motions to intervene filed by HCPD, Blue Delta, and CSG, denying CSG's motion to consolidate, and setting a deadline of June 25, 2021 for the filing of any stipulation of facts in the case.

{¶ 15} On June 25, 2021, HCPD, CSG, Blue Delta, Staff, and 3DG filed a joint motion for extension of time to file a stipulation of facts in the case.

{¶ 16} At this time, the attorney examiner finds there is good cause to grant the parties' joint motion for an extension of time to file a stipulation of facts in the case. As such, the deadline to file any stipulation of facts in the case shall now be July 15, 2021.

{¶ 17} It is, therefore,

{¶ 18} ORDERED, That the parties file any stipulation of facts by July 15, 2021. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Jesse M. Davis

By: Jesse M. Davis
Attorney Examiner

SJP/kck

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in

Case No(s). 21-0110-EL-REN

Summary: Attorney Examiner Entry ordering that the parties file any stipulation of facts by July 15, 2021. electronically filed by Kelli C. King on behalf of Jesse M. Davis, Attorney Examiner, Public Utilities Commission of Ohio