

OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
GROVER HILL WIND, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED TO
CONSTRUCT A WIND-POWERED
ELECTRIC GENERATION FACILITY IN
PAULDING COUNTY, OHIO.

CASE NO. 20-417-EL-BGN

ENTRY

Entered in the Journal on July 6, 2021

{¶ 1} Grover Hill Wind, LLC (Grover Hill) 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 first obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 3} Pursuant to Ohio Adm.Code 4906-3-06, within 60 days of receipt of an application for a major utility facility, the Chairman of the Board must either accept the application as complete and compliant with the content requirements of R.C. 4906.06 and Ohio Adm.Code Chapters 4906-1 through 4906-7, or reject the application as incomplete.

{¶ 4} On January 13, 2021, Grover Hill filed a third preapplication notification letter with the Board, consistent with Ohio Adm.Code 4906-3-03(A), regarding its proposed 150 megawatt wind-powered electric generation facility in Paulding County, Ohio (Project). In this third preapplication letter, Grover Hill indicated that it planned to hold an additional virtual live web-based public information meeting on February 2, 2021. Grover Hill also stated it anticipated filing its application with the Board within 90 days of the February 2, 2021 public information meeting. On the same day, Grover Hill also filed notice of compliance with the service requirements for the public information meeting, as required by Ohio Adm.Code 4906-3-03(B)(2).

{¶ 5} On February 2, 2021, Grover Hill filed its proof of publication of the notice on January 20, 2021 and January 27, 2021 in the *Paulding Progress*, a newspaper of general

circulation in Paulding County, Ohio. On the same day, the web-based public information meeting was held as scheduled.

{¶ 6} On May 3, 2021, Grover Hill filed its application with the Board for a certificate of environmental compatibility and public need to construct the proposed Project. Grover Hill subsequently filed, on June 7, 2021, a supplement to the application. Pursuant to Ohio Adm.Code 4906-3-06, a determination of completeness of Grover Hill's application was due on July 2, 2021.

{¶ 7} On July 2, 2021, Staff filed a motion for an extension of time for its completeness review and requests an expedited ruling on the motion. Staff states that it is currently unable to determine that the application is complete and outlines 15 areas in which Staff believes the application, in its current state, to be deficient. Despite these deficiencies, Staff believes that it can make a determination of completeness within the next 60 days if Grover Hill is afforded an opportunity to provide the necessary information. Staff, therefore, requests that the Board extend the period for its review of the application for an additional 60 days. Staff represents that it previously notified Grover Hill of its intention to file the motion and that Grover Hill neither opposes the motion nor the requested expedited consideration.

{¶ 8} The administrative law judge (ALJ) has reviewed Staff's motion and finds it to be reasonable. Based upon Staff's outline of the information necessary for it to make determinations in the 15 areas described in its motion and memorandum in support, as well as Staff's belief that the requested 60-day extension will allow sufficient time for Grover Hill to provide such information, the ALJ finds that Staff's request should be granted. Further, the ALJ notes that the Board has previously granted extensions of time for Staff to determine the completeness of an application and, therefore, this determination is consistent with rulings in prior cases. See *In re Atlanta Farms Solar Project, LLC*, Case No. 19-1880-EL-BGN, Entry (Apr. 1, 2020); *In re Big Plain Solar, LLC*, Case No. 19-1823-EL-BGN, Entry (Aug. 3,

2020). Accordingly, Staff shall be afforded until August 31, 2021, to make its recommendation of completeness as to Grover Hill's application.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That Staff's motion for extension of time to conduct the completeness review and request for expedited ruling be granted, extending the deadline for Staff to make its recommendation regarding the completeness of Grover Hill's application until August 31, 2021. It is, further,

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

THE OHIO POWER SITING BOARD

/s/ David M. Hicks

By: David M. Hicks
Administrative Law Judge

GAP/kck

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Case No(s). 20-0417-EL-BGN

Summary: Administrative Law Judge Entry granting Staff's motion for extension of time to conduct the completeness review and request for expedited ruling, extending the deadline for Staff to make its recommendation regarding the completeness of Grover Hill's application until August 31, 2021. electronically filed by Kelli C. King on behalf of David M. Hicks, Administrative Law Judge, Ohio Power Siting Board