

**BEFORE  
THE OHIO POWER SITING BOARD**

<b>In the Matter of the Application of</b>	)	
<b>Kingwood Solar I LLC for a Certificate</b>	)	<b>Case No. 21-0117-EL-BGN</b>
<b>of Environmental Compatibility and</b>	)	
<b>Public Need</b>	)	

**MEMORANDUM IN OPPOSITION - REQUEST TO CONSOLIDATE WITNESS  
EXAMINATION AND PRESENTATION OF TESTIMONY**

Citizens for Greene Acres, Inc. (“CGA”) and fourteen (14) named adjacent landowner petitioners filed a joint Petition for Leave to Intervene and Memorandum in Support of Petition for Leave to Intervene (the “Joint Petition”) on June 25, 2021. In the Joint Petition, the joint petitioners made claims about the impact of the Kingwood Solar project on the “Petitioner’s homes and properties” and that the “Petitioners will present evidence about” the issues listed in the Joint Petition. *See* Joint Petition at 4. In all statements, it is clear that the interests of each of the individual petitioners and the interests of CGA are aligned. Nowhere does the Joint Petition differentiate between the fourteen adjacent landowners and CGA. The Joint Petition also alleges that all fourteen landowner petitioners are members of CGA. The joint petitioners are represented by the same counsel.

Given these facts and if leave to intervene is granted, the Board should order the fifteen petitioners to consolidate their examination of witnesses and presentation of testimony in this proceeding. OAC § 4906-2-12(D)(2) provides that the Board may “[r]equire intervenors with substantially similar interests to consolidate their examination of witnesses or presentation of testimony.” The fifteen signatories to the Joint Petition are jointly represented and filed a single petition. They have substantially similar interests. Therefore, if the Board grants leave to intervene, the Board should order the fifteen petitioners to consolidate their examination of witnesses and

presentation of testimony in this proceeding.

Respectfully submitted,

/s/ Michael J. Settineri

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## **CERTIFICATE OF SERVICE**

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**7/12/2021 4:29:12 PM**

**in**

**Case No(s). 21-0117-EL-BGN**

Summary: Memorandum Memorandum in Opposition - Request to Consolidate Witness Examination and Presentation of Testimony electronically filed by Mr. Michael J. Settineri on behalf of Kingwood Solar I LLC