

## THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION  
OF PLEASANT PRAIRIE SOLAR ENERGY,  
LLC FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY AND  
PUBLIC NEED.

CASE NO. 20-1679-EL-BGN

### ENTRY

Entered in the Journal on August 2, 2021

{¶ 1} Pleasant Prairie Solar Energy, LLC (Pleasant Prairie 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 first obtaining a certificate for the facility from the Ohio Power Siting Board (Board).

{¶ 3} On February 19, 2021, as supplemented on April 7, 2021, and April 21, 2021, Applicant filed an application with the Board for a certificate of environmental compatibility and public need to construct an up to 250 megawatt solar-powered electric generation facility in Pleasant and Prairie townships, Franklin County, Ohio (Project).

{¶ 4} By Entry dated May 11, 2021, as amended by the Entry dated June 28, 2021, a procedural schedule was established in this matter. The effective date of the application was established as May 11, 2021, the public hearing was scheduled for July 19, 2021, and the evidentiary hearing was scheduled to commence on August 16, 2021. Also, it was established that the Board would accept petitions to intervene up to 30 days following the service of the notice required by Ohio Adm.Code 4906-3-09 or by June 25, 2021, whichever is later, and established a procedural schedule directing Staff to file its report of investigation on or before July 2, 2021; parties to file a list of issues citing specific concerns about which they may be interested in pursuing cross-examination of witnesses at the evidentiary hearing by July 30, 2021; Pleasant Prairie to file all expert and factual testimony by August 2, 2021; Staff and intervenors to file all expert and factual testimony by August 9, 2021; and

any stipulation entered into by the parties to be filed by noon on August 11, 2021, along with the associated testimony supporting the stipulation.

{¶ 5} By Entry dated June 28, 2021, the petitions to intervene or notices of intervention filed by the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District (Metro Park), the Board of Township Trustees of Pleasant Township (Pleasant Township), the Board of Township Trustees of Prairie Township (Prairie Township, and collectively with Pleasant Township, the Townships), and the Ohio Farm Bureau Federation (OFBF) were granted. The June 25, 2021 petition for leave to intervene filed by No Prairie Solar, LLC (NPS) is still pending.

{¶ 6} On July 1, 2021, Staff filed its Report of Investigation.

{¶ 7} The public hearing was held, as scheduled, on July 19, 2021.

{¶ 8} On July 30, 2021, Applicant, Metro Park, Prairie Township, and NPS, each filed a notice of the list of issues about which each party may be interested in pursuing cross-examination of witnesses at the evidentiary hearing.

{¶ 9} Also, on July 30, 2021, Applicant, Staff, the Townships, Metro Park, OFBF, and NPS (collectively, the Parties) filed a joint motion and supporting memorandum to call and continue the evidentiary hearing and continue deadlines for filing parties' testimony and stipulations. Due to the impending procedural deadlines, the Parties request an expedited ruling on the motion. The Parties submit that there is good cause to call and continue the evidentiary hearing scheduled for August 16, 2021, explaining that Applicant had been preparing a proposed stipulation but refrained from presenting the proposal to all parties until after the local public hearing in order to reflect any relevant comments presented at the public hearing. The Parties further explain that since the local public hearing they have been engaged in settlement negotiations and intend to continue in further negotiations in the following week when all Parties are available. With a goal of reaching a stipulation that resolves all issues in this matter, the Parties state that they need additional time to continue

discussions. Since Applicant already published notice of the evidentiary hearing in accordance with the May 11, 2021 and June 28, 2021 Entries, calling and continuing the evidentiary hearing will preserve the publication and notice of the hearing. The Parties also highlight that testimony deadlines for each party are soon due and, therefore, they move to continue the deadlines for testimony and stipulations to a date to be determined. The Parties submit that the procedural schedule, and a future evidentiary hearing date, can be determined during the hearing scheduled for August 16, 2021, or immediately following the hearing.

{¶ 10} In accordance with Ohio Adm.Code 4906-2-7, the administrative law judge (ALJ) finds that the joint motion to call and continue the evidentiary hearing and continue deadlines for filing parties' testimony and stipulations is reasonable and should be granted to allow the Parties to continue settlement discussions. The ALJ will call the August 16, 2021 evidentiary hearing and will take appearances of counsel before adjourning for the day to reconvene at a later date. Additionally, the remaining procedural schedule deadlines previously established in the May 11, 2021 and June 28, 2021 Entries, are hereby suspended. The ALJ will establish a new procedural schedule and a date to reconvene the evidentiary hearing by subsequent entry.

{¶ 11} As noted in the June 28, 2021 Entry, the August 16, 2021 evidentiary hearing will commence at the offices of the Public Utilities Commission of Ohio (Commission), Hearing Room 11-A, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793. The parties should register at the lobby desk and then proceed to the 11th floor in order to participate in the hearing. Consistent with CDC Guidelines and the May 17, 2021 Ohio Department of Health Order, individuals who are not fully vaccinated should continue to wear a face covering and socially distance. Any accommodations necessary to ensure availability of social distancing and plexiglass dividers should be made in advance of the hearing. As pandemic restrictions are evolving, additional instructions regarding further safety requirements or accommodations for the hearing room will either be posted on the Commission/Board website or communicated to the parties.

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That the remaining procedural schedule deadlines established in the May 11, 2021 and June 28, 2021 Entries be suspended, pursuant to Paragraph 10. It is, further,

{¶ 14} ORDERED, That the August 16, 2021 evidentiary hearing still be called at 10:00 a.m., in accordance with Paragraph 10. It is, further,

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

THE OHIO POWER SITING BOARD

/s/ *David M. Hicks*

By: David M. Hicks  
Administrative Law Judge

JRJ/kck

**This foregoing document was electronically filed with the Public Utilities**

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

Summary: Administrative Law Judge Entry ordering that the remaining procedural schedule deadlines established in the May 11, 2021 and June 28, 2021 Entries be suspended, pursuant to Paragraph 10 and ordering that the August 16, 2021 evidentiary hearing still be called at 10:00 a.m., in accordance with Paragraph 10.  
electronically filed by Kelli C. King on behalf of David M. Hicks, Administrative Law Judge,  
Ohio Power Siting Board