

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application of Birch )  
Solar 1, LLC, for a Certificate of Environmental )  
Compatibility and Public Need to Construct a )  
Solar-Powered Electric Generation )  
Facility in Allen and Auglaize Counties, Ohio )

Case No. 20-1605-EL-BGN

---

NOTICE OF INTERVENTION AS A PARTY BY  
THE BOARD OF TOWNSHIP TRUSTEES OF  
LOGAN TOWNSHIP, AUGLAIZE COUNTY, OHIO

---

The Board of Township Trustees of Logan Township Auglaize County, Ohio (“the Logan Township Trustees”) submit this notice of intervention in this proceeding pursuant to Section 4906.08 of the Ohio Revised Code and Section 4906-2-12 of the Ohio Administrative Code. Notice of the completed application of Birch Solar 1, LLC, for a Certificate of Environmental Compatibility and Public Need for an up to 300 MW solar-powered electric generation facility, was served upon the Trustees on or about July 28, 2021.

In accordance with Section 4906-2-12 of the Ohio Administrative Code, the Logan Township Trustees state as follows:

- The Logan Township Trustees are the duly elected officials authorized to act for Auglaize County, Ohio, and have taken the necessary action to authorize intervention in this proceeding (see attached Resolution labeled as Exhibit “A”);
- A portion of the proposed facility is in Logan Township, Auglaize County, Ohio, and therefore in the jurisdiction of the Logan Township Trustees;
- The Logan Township Trustees intend to intervene as the elected governing authority of Logan Township, Auglaize County, Ohio, as set forth in Exhibit “A” of this Notice;

- The Logan Township Trustees' interests cannot be represented adequately by another party, and the Logan Township Trustees' participation will contribute to a just and expeditious resolution, and will not unduly delay proceedings or unjustly prejudice any other party.

Respectfully submitted,



Edwin A. Pierce (0023846)  
Auglaize County Prosecuting Attorney  
201 Willipie Street, Suite 309  
Wapakoneta, Ohio 45895  
Phone: 419-739-6785  
Email: [epierce@auglaizecounty.org](mailto:epierce@auglaizecounty.org)  
Fax: 419-739-6786  
*Attorney for the  
Logan Township Trustees*

### **CERTIFICATE OF SERVICE**

The undersigned hereby certified that a copy of the foregoing Notice was served via email to the counsel of record indicated below this 18<sup>th</sup> day of August, 2021.

[cpririk@dickinsonwright.com](mailto:cpririk@dickinsonwright.com)  
[todonnell@dickinsonwright.com](mailto:todonnell@dickinsonwright.com)  
[mmcdonnell@dickinsonwright.com](mailto:mmcdonnell@dickinsonwright.com)  
[Jodi.Bair@ohioattorneygeneral.gov](mailto:Jodi.Bair@ohioattorneygeneral.gov)  
[Kyle.kern@ohioattorneygeneral.gov](mailto:Kyle.kern@ohioattorneygeneral.gov)  
[jvankley@vankleywalker.com](mailto:jvankley@vankleywalker.com)  
[docketing@puco.ohio.gov](mailto:docketing@puco.ohio.gov)



Edwin A. Pierce (0023846)  
Auglaize County Prosecuting Attorney

IN THE MATTER OF AUTHORIZING THE INTERVENTION IN THE MATTER OF THE APPLICATION OF BIRCH SOLAR 1, LLC FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION OF THE BIRCH SOLAR PROJECT, BEFORE THE OHIO POWER SITING BOARD, CASE NO. 20-1605-EL-BGN ON BEHALF OF THE BOARD OF TOWNSHIP TRUSTEES OF LOGAN TOWNSHIP, AUGLAIZE COUNTY, OHIO.

The Board of Township Trustees of Logan Township, Auglaize County, Ohio, met in regular session on the 9th day of August, 2021 at the office of the Township with the following members present:

Mr. Krites

Mr. Lochard

Mr. Kellerman

Mr. Kellerman moved the adoption of the following Resolution:

**WHEREAS**, the Power Siting Board issued its letters deeming the application "complete" as provided in Ohio Administrative Code 4906-2-12; and,

**WHEREAS**, the members of the Board of Township Trustees of Logan Township, Auglaize County, Ohio, have been served with a letter dated July 27, 2021 from counsel for Birch Solar 1, LLC with a copy of its application *In the Matter of Application Birch Solar 1, LLC for a Certificate of Environmental Compatibility and Public Need*, Ohio Power Siting Board Case No. 20-1605-EL-BGN by First Class Mail; and,

**WHEREAS**, Birch Solar 1, LLC has provided notice of its Application *In the Matter of Application Birch Solar 1, LLC for a Certificate of Environmental Compatibility and Public Need*, Ohio Power Siting Board Case No. 20-1605-EL-BGN to the Lima Public Library and the Auglaize County Libraries; and,

**WHEREAS**, the proposed Birch Solar Project is partially within Auglaize and Allen Counties, as stated in the Birch Solar 1, LLC's application; and,

**WHEREAS**, , the proposed Birch Solar Project partially located within Auglaize County is located solely in Logan Township, A, as stated in the Birch Solar 1, LLC's application; and,

**WHEREAS**, the Board of Township Trustees of Logan Township, Auglaize County, Ohio, is in part, the public agency with the responsibility for leadership and guidance for the residents of the Township regarding land use planning, not only to protect the existing community and support existing business and industry but also to attract new economic investment; and,

**WHEREAS**, the Board of Township Trustees of Logan Township, Auglaize County, Ohio, is entitled to receive service of a copy of Birch Solar 1, LLC's application in Case No. 20-1605-EL-BGN under Ohio Revised Code; and,

**WHEREAS**, the Board of Township Trustees of Logan Township, Auglaize County, Ohio is entitled to be a party upon filing a notice of intervention as a party under Ohio Revised Code §4906.08.

**NOW, THEREFORE**, be it resolved by the Board of Township Trustees of Logan Township, Auglaize County, Ohio, that:


1. Board of Township Trustees of Logan Township, Auglaize County, Ohio, shall intervene in Ohio Power Siting Board Case No. 20-1605-EL-BGN, involving the Birch Solar 1, LLC's application *In the Matter of Application Birch Solar 1, LLC for a Certificate of Environmental Compatibility and Public Need*.
2. The then current president or other member of this Board, as designated from time to time, is authorized to sign documents as may be necessary and appropriate for the prompt and efficient presentation of the Logan Township's position.
3. The Board finds and determines that all of its formal actions concerning and relating to adopting this Resolution occurred in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Ohio Revised Code §121.22.

Mr. Lochard seconded the motion and the roll being called upon the adoption of the motion, the vote resulted as follows:

Dennis Krites,	yes
Anthony Lochard,	yes
Sam Kellerman,	yes

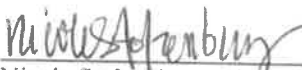
**IT IS SO RESOLVED.**

Adopted this 9th day of August 2021.

  
\_\_\_\_\_  
Nicole Stolzenburg, Fiscal Officer  
Logan Township  
Auglaize County, Ohio

### **CERTIFICATION**

I hereby certify that this is a true and complete copy of the Resolution adopted by the Board of Trustees of Logan Township, Auglaize County, Ohio at its meeting held on August 9, 2021, as was recorded in the minutes of the Board.

  
\_\_\_\_\_  
Nicole Stolzenburg, Fiscal Officer,  
Logan Township, Auglaize County, Ohio

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

**Commission of Ohio Docketing Information System on**

**8/19/2021 12:11:30 PM**

**in**

**Case No(s). 20-1605-EL-BGN**

Summary: Notice Notice of Intervention electronically filed by Mr. Edwin A Pierce on behalf of Board of Township Trustees of Logan Township, Auglaize County, Ohio