

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
ALAMO SOLAR I, LLC, FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED.

CASE NO. 18-1578-EL-BGN

ENTRY ON REHEARING

Entered in the Journal on August 20, 2021

{¶ 1} All proceedings before the Ohio Power Siting Board (Board) are conducted according to the provisions of R.C. Chapter 4906 and Ohio Adm.Code Chapter 4906.

{¶ 2} Alamo Solar I, LLC (Alamo Solar I) is a corporation and a person under R.C. 4906.01(A).

{¶ 3} 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). In seeking a certificate, applicants must comply with the filing requirements outlined in R.C. 4906.06, as well as Ohio Adm.Code Chapters 4906-2 through 4906-4.

{¶ 4} By Opinion, Order, and Certificate dated June 24, 2021, the Board approved a revised joint stipulation and recommendation filed by numerous parties to this proceeding, as modified by the Board, and issued a certificate of environmental compatibility and public need to Alamo Solar I for the construction, operation, and maintenance of a solar-powered electric generation facility in Preble County. The Opinion, Order, and Certificate was subject to 33 conditions set forth by the Board.

{¶ 5} R.C. 4906.12 provides that R.C. 4903.02 to 4903.16 and R.C. 4903.20 to 4903.23 apply to any proceeding or order of the Board, as if the Board were the Public Utilities Commission of Ohio (Commission).

{¶ 6} Ohio Adm.Code 4906-2-32(A) states, in relevant part, that any party or affected person may file an application for rehearing, within 30 days after the issuance of a Board order, in the manner, form, and circumstances set forth in R.C. 4903.10. R.C. 4903.10

provides that any party to a Commission proceeding may apply for rehearing with respect to any matter determined by the Commission within 30 days after the entry of the order upon the journal of the Commission.

{¶ 7} Ohio Adm.Code 4906-2-32(E) provides that the administrative law judge (ALJ) may issue an order granting rehearing for the purpose of affording the Board more time to consider the issues raised in an application for rehearing.

{¶ 8} On July 23, 2021, Citizens of Preble County, LLC; Eric and Kelly Altom; Mary Bullen; Camden Holdings LLC; John and Joanna Clippinger; Joseph and Linda Deluca; Donn Kolb, as Trustee for the Donn E. Kolb Revocable Living Trust; Doris Jo Ann Kolb, as Trustee for the Doris Jo Ann Kolb Revocable Living Trust; Kenneth and Elaine Kolb; James and Carla Lay; Clint and Jill Sorrell; John and Linda Wambo; John Frederick Winter; and Michael and Patti Young filed an application for rehearing of the June 24, 2021 Opinion, Order, and Certificate.

{¶ 9} On August 2, 2021, Alamo Solar I filed a memorandum contra the application for rehearing.

{¶ 10} Pursuant to the authority set forth in Ohio Adm.Code 4906-2-32(E), the ALJ finds that the application for rehearing should be granted for the limited purpose of affording the Board additional time to consider the issues and arguments raised.

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That the application for rehearing be granted for further consideration of the matters specified in the applications for rehearing, in accordance with Paragraph 10. It is, further,

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

THE OHIO POWER SITING BOARD

/s/ Jay S. Agranoff

By: Jay S. Agranoff
Administrative Law Judge

MJA/mef

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/20/2021 12:42:44 PM

in

Case No(s). 18-1578-EL-BGN

Summary: Administrative Law Judge Entry granting the application for rehearing for further consideration. electronically filed by Ms. Mary E. Fischer on behalf of Jay S. Agranoff, Administrative Law Judge, Ohio Power Siting Board