

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of	:	
Grover Hill Wind, LLC for a Certificate	:	
of Environmental Compatibility and	:	Case No. 20-417-EL-BGN
Public Need to Construct a Wind-	:	
Powered Electric Generation Facility in	:	
Paulding County, Ohio.	:	

**MOTION FOR FURTHER EXTENSION OF TIME FOR DETERMINING
THE APPLICATION’S COMPLETENESS, AND
REQUEST FOR EXPEDITED TREATMENT
SUBMITTED ON BEHALF OF THE STAFF OF
THE OHIO POWER SITING BOARD**

The Staff of the Ohio Power Siting Board (“Staff”) respectfully moves the Board for an order finding that the Application filed by Grover Hill Wind, LLC (“Applicant”) on May 3, 2021, supplemented on June 7, 2021, be extended for an addition period of three (3) weeks days for consideration of a finding of a complete application pursuant to Ohio Admin. Code 4906-3-11(A). Staff also requests, pursuant to Ohio Admin. Code 4906-2-27(C) that the Ohio Power Siting Board (“Board”) expedite its ruling on this Motion. Applicant’s counsel has indicated that the Applicant neither opposes the motion, nor does it object to expedited consideration.

Grounds for this Motion are more particularly set forth in the accompanying Memorandum in Support.

Respectfully submitted,

Dave Yost
Ohio Attorney General

John H. Jones
Section Chief

/s/ Werner L. Margard III

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*On Behalf of the Staff of
The Ohio Power Siting Board*

MEMORANDUM IN SUPPORT

On May 3, 2021 Grover Hill Wind, LLC (“Applicant”) filed its Application for a Certificate of Environmental Compatibility and Public Need to Construct a Wind-Powered Electric Generation Facility in Paulding County, Ohio (“Facility”). The Applicant filed a Supplement to the Application on June 7, 2021.

Pursuant to Ohio Admin. Code 4906-3-06(A), the chairman shall, within sixty (60) days of receipt of an application, either accept the application as complete and complying with the requirements of Ohio Rev. Code §4906.06, or reject it as incomplete. The original date on which that sixty (60) day review period expired was on July 2, 2021.

On that date, Staff filed a motion stating that the Application is incomplete in a number of specified respects, identifying 15 what it termed “deficiencies” in the information that it had been provided. That motion was granted by Entry dated July 6, 2021, extending the deadline for Staff to make its recommendation regarding the completeness of the Application until August 31, 2021.

In response to those itemized deficiencies, the Applicant has now provided responses to four separate data request sets from Staff. Those responses were provided, and docketed, on August 24, 2021, one week before Staff’s completeness determination is presently due.

The Applicant’s responses are voluminous, numbering some 435 pages. In and of itself, Staff requires additional time to give appropriate attention and review to this material. Moreover, Staff’s preliminary review suggests that some of its previously identified deficiencies may still exist. For example, Staff believes that the information

provided may not have identified evidence of coordination with the United States Fish and Wildlife Service regarding whether any actions are necessary to avoid impacts to federal or state listed and protected species or other species which may be impacted.

With additional time to review the information provided by the Applicant, and cooperation to address any remaining deficiencies, Staff reasonably believes that it can make a determination of completeness if granted an additional three (3) weeks to complete its review. Specifically, Staff requests that it be granted an extension until September, 20, 2021 for consideration of a finding of a complete application pursuant to Ohio Admin. Code 4906-3-11(A).

Pursuant to Rule 4906-2-27(C) of the Ohio Administrative Code, Staff requests an expedited ruling on this Motion. Staff's counsel has notified the Applicant and the Applicant does not oppose the expedited request.

Respectfully submitted,

Dave Yost
Ohio Attorney General

John H. Jones
Section Chief

/s/ Werner L. Margard III

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*On Behalf of the Staff of
The Ohio Power Siting Board*

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Motion for Further Extension of Time for Determining the Application's Completeness, and Request for Expedited Treatment**, submitted on behalf of the Staff of the Ohio Power Siting Board, was served via electronic mail upon the following parties of record, this 27th day of August, 2021.

/s/ Werner L. Margard III

Werner L. Margard III

Assistant Attorney General

Parties of Record:

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

Summary: Motion for Further Extension of Time for Determining the Application's Completeness, and Request for Expedited Treatment Submitted on Behalf of the Staff of the Ohio Power Siting Board electronically filed by Mrs. Kimberly M. Naeder on behalf of OPSB