

OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
GROVER HILL WIND, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED TO
CONSTRUCT A WIND-POWERED
ELECTRIC GENERATION FACILITY IN
PAULDING COUNTY, OHIO.

CASE NO. 20-417-EL-BGN

ENTRY

Entered in the Journal on August 30, 2021

{¶ 1} Grover Hill Wind, LLC (Grover Hill) 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} Pursuant to Ohio Adm.Code 4906-3-06, within 60 days of receipt of an application for a major utility facility, the Board Chair must either accept the application as complete and compliant with the content requirements of R.C. 4906.06 and Ohio Adm.Code Chapters 4906-1 through 4906-7 or reject the application as incomplete.

{¶ 4} On January 13, 2021, Grover Hill filed a third preapplication notification letter with the Board, consistent with Ohio Adm.Code 4906-3-03(A), regarding its proposed 150 megawatt wind-powered electric generation facility in Paulding County, Ohio (Project).

{¶ 5} On February 2, 2021, Grover Hill filed its proof of publication of the notice on January 20, 2021 and January 27, 2021 in the *Paulding Progress*, a newspaper of general circulation in Paulding County, Ohio. On the same day, the web-based public information meeting was held as scheduled.

{¶ 6} On May 3, 2021, as supplemented on June 7, 2021, Grover Hill filed its application with the Board for a certificate of environmental compatibility and public need

to construct the proposed Project. Pursuant to Ohio Adm.Code 4906-3-06, a determination of completeness of Grover Hill's application was due on July 2, 2021.

{¶ 7} On July 2, 2021, Staff filed a motion for an extension of time for its completeness review and requested an expedited ruling on the motion.

{¶ 8} By Entry issued on July 6, 2021, the administrative law judge (ALJ) granted Staff's first motion for an extension of time and set August 31, 2021, as the new date by which Staff was to make its recommendation of completeness as to Grover Hill's application.

{¶ 9} On August 27, 2021, Staff filed a motion for further extension of time for determining the application's completeness and a request for an expedited ruling on the motion. Staff states that Grover Hill has provided responses to four separate data requests made by Staff and that those responses were docketed on August 24, 2021, only one week before the date that Staff's completeness determination is presently due. Staff points out that Grover Hill's responses are voluminous, totaling around 435 pages, and that Staff needs more than one week to appropriately review the materials. Based upon its initial review, Staff believes that some of the previously identified deficiencies might still exist and, therefore, Staff wants sufficient time to work through the information. Staff believes that it can make a determination of completeness if granted an additional three weeks to complete its review. Staff requests that it be granted an extension until September 20, 2021, for consideration of a finding of completeness. Staff also represents that counsel for Grover Hill does not oppose the motion nor the request for expedited consideration.

{¶ 10} The ALJ has reviewed Staff's motion for further extension and finds it to be reasonable. Based upon the voluminous nature of the data request responses, and the date on which they were filed, Staff should be allowed additional time to ensure that the information is properly reviewed. The motion is, therefore, granted. Staff shall be afforded until September 20, 2021, to make its recommendation of completeness as to Grover Hill's application. Further, the ALJ notes that the Board has previously granted extensions of time

for Staff to determine the completeness of an application in both this case and others before the Board. Thus, this determination is consistent with previous Board rulings. See *In re Atlanta Farms Solar Project, LLC*, Case No. 19-1880-EL-BGN, Entry (Apr. 1, 2020); *In re Big Plain Solar, LLC*, Case No. 19-1823-EL-BGN, Entry (Aug. 3, 2020).

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That Staff's motion for further extension of time for determining the application's completeness and request for expedited treatment be granted, extending the deadline for Staff to make its recommendation regarding the completeness of Grover Hill's application until September 20, 2021. It is, further,

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

THE OHIO POWER SITING BOARD

/s/ David M. Hicks

By: David M. Hicks
Administrative Law Judge

JRJ/kck

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

Summary: Administrative Law Judge Entry ordering that Staff's motion for further extension of time for determining the application's completeness and request for expedited treatment be granted, extending the deadline for Staff to make its recommendation regarding the completeness of Grover Hill's application until September 20, 2021. electronically filed by Kelli C. King on behalf of David M. Hicks, Administrative Law Judge, Ohio Power Siting Board