

September 3, 2021

Ms. Tanowa Troupe
Ohio Power Siting Board
Docketing Division
180 East Broad Street, 11th Floor
Columbus, Ohio 43215-3793

Re: Case No. 20-1605-EL-BGN- In the Matter of the Application Birch Solar I, LLC for a Certificate of Environmental Compatibility and Public Need to Construct a Solar-Powered Electric Generation Facility in Allen and Auglaize Counties, Ohio.

Proof of Publication and Service of Procedural Schedule and Accepted, Complete Application

Dear Ms. Troupe:

In accordance with Ohio Administrative Code Rule 4906-3-09(A)(1), Birch Solar I, LLC (“Applicant”) published and served notice of the application and the procedural schedule for this matter. Attached please find a copy of the proof of the publication attesting that notice of the accepted, complete application was published in the *Wapakoneta Daily News* and *Lima News*, newspapers of general circulation in Auglaize and Allen Counties, Ohio on August 21 and August 27, 2021, respectively. In addition, in accordance with Ohio Administrative Code Rule 4906-3-09(A)(1), written notice was also served on August 18, 2021.

We are available, at your convenience, to answer any questions you may have.

Respectfully submitted,

/s/ Christine M.T. Pirik

Christine M.T. Pirik (0029759)

(Counsel of Record)

Matthew C. McDonnell (0090164)

Dickinson Wright PLLC

150 East Gay Street, Suite 2400

Columbus, Ohio 43215

Phone: (614) 591-5461

Email: cpirik@dickinsonwright.com

mmcdonnell@dickinsonwright.com

Attorneys for Birch Solar I, LLC

cc: James O’Dell
Theresa White
Randall Schumacher
Jonathan Pawley

4849-7527-2185 [92234-1]

Notice of Proposed Major Utility Facility

Birch Solar I, LLC (Birch Solar), a wholly-owned subsidiary of Lightsource bp, is proposing to construct the Birch Solar Project, a solar-powered generation facility located in Shawnee Township, Allen County, Ohio, and Logan Township, Auglaize County, Ohio. The facility will have a maximum total project generating capacity of up to 300 megawatts. The purpose of the facility is to generate electricity to PJM.

Birch Solar filed its application with the Ohio Power Siting Board (OPSB) for a certificate to construct, operate, and maintain the proposed facility in OPSB Case No. 20-1605-EL-BGN. A copy of the application is available on the OPSB website at <http://dis.puc.state.oh.us/CaseRecord.aspx?CaseNo=20-1605&x=14&y=14> and Birch Solar's website at <https://birchsolarfarm.com/>. The application is currently pending.

On August 13, 2021, the OPSB established the procedural schedule in this case. The public will be given an opportunity to comment on the proposed facility. The public hearing in Birch Solar's OPSB case shall consist of two parts and will be held in person:

- (1) A local public hearing, pursuant to R.C. 4906.08(C), where the Board shall accept written or oral testimony from any person at the Allen County Fairgrounds Youth Activities Building, 2750 Harding Highway, Lima, Ohio 45804 on November 4, 2021, at 6:00 p.m.
- (2) An evidentiary hearing commencing at the offices of the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793, Hearing Room 11-C on November 30, 2021, at 10:00 a.m.

Consistent with CDC Guidelines and the May 17, 2021 Ohio Department of Health Order, unless otherwise specified by the facility, individuals who are not fully vaccinated should continue to wear a face covering and socially distance. Please contact the legal department at 614-466-6843 to ask any questions or request accommodations related to health protocols.

Public comments can be provided in writing on the OPSB's website at <https://opsb.ohio.gov/wps/portal/gov/opsb/help-center/contact-us>, by electronic mail to contactOPSB@puc.state.oh.us, or by mail to the OPSB 180 E. Broad St., Columbus, OH 43215. Written comments should reference Case No. 20-1605-EL-BGN.

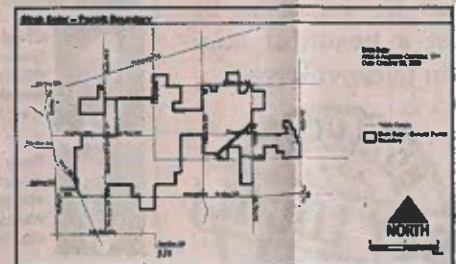
The following officials have received electronic copies of the accepted complete application to the application filed with the OPSB: Auglaize County Commissioners; Auglaize County Engineer; Auglaize County Regional Planning Commission; Logan Township Trustees; Shawnee Township Trustees; Duchouquet Township Trustees; Allen County Commissioners; Allen County Economic Development. Auglaize County and Allen County Commissioners received hard copies of the Application and supplements to the Application. In addition, the following libraries were sent an electronic copy of the application, as well as notices to post regarding the application: Lima Public Library, 650 West Markt St., Lima, Ohio 45801 and Auglaize County Libraries, 203 S. Perry St., Wapakoneta, Ohio, 45895. A copy of the application is also available for inspection at the OPSB offices, 180 E. Broad St., 11th floor, Columbus, OH 43215, 1-866-270-6772, and is available on the OPSB website at <http://dis.puc.state.oh.us/CaseRecord.aspx?CaseNo=20-1605&x=0&y=0> and Birch Solar's website at www.birchsolarfarm.com.

In reviewing an application to construct, operate, and maintain a generation facility, such as the facility proposed by Birch Solar, the OPSB considers the following criteria set forth in Ohio Revised Code (R.C.) 4906.10(A): (1) The nature of the probable environmental impact; (2) That the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations; (3) That the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability; (4) That the facility will comply with R.C. 3704, 3734, and 6111 and all rules and standards adopted under those chapters and under R.C. 1501.33, 1501.34, and 4561.32; (5) That the facility will serve the public interest, convenience, and necessity; (6) In addition to the provisions contained in R.C. 4906.10(A)(1) to (6) and rules adopted under those divisions, what its impact will be on the viability as agricultural land of any land in an existing agricultural district established under R.C. 929 that is located within the site and alternative site of the proposed major utility facility; and (7) That the facility incorporates maximum feasible water conservation practices as determined by the OPSB, considering available technology and the nature and economics of the various alternatives.

R.C. 4906.07(C) provides that the chairperson of the OPSB shall cause each application filed with the OPSB to be investigated and shall, not less than 15 days prior to the date any application is set for hearing submit a written report to the OPSB and to the applicant. A copy of such report shall be made available to any person upon request. Such report shall set forth the nature of the investigation, and shall contain recommended findings with regard to R.C. 4906.10(A) and shall become part of the record and served upon all parties to the proceeding.

In accordance with R.C. 4906.08(C), the OPSB shall accept written or oral testimony from any person at the public hearing, but the right to call and examine witnesses shall be reserved for parties. However, the OPSB may adopt rules to exclude repetitive, immaterial, or irrelevant testimony. Petitions to intervene in the adjudicatory hearing will be accepted by the OPSB up to 30 days following publication of the notice required by R.C. 4906.06(C) and Ohio Adm. Code 4906-3-09, or by October 1, 2021, whichever is later. However, the OPSB strongly encourages interested persons who wish to intervene in the adjudicatory hearing to file their petitions as soon as possible. Petitions should be addressed to Docketing Division, the Ohio Power Siting Board, 180 E. Broad St., Columbus, OH 43215-3793 and cite Case No. 20-1605-EL-BGN.

The following map shows the proposed layout of the Birch Solar facility. An online version of the map and a link to additional detailed maps can be found here: www.birchsolarfarm.com.



AFPP
Birch Solar - Nov. 4 hearing

Affidavit of Publication

STATE OF OHIO }
COUNTY OF AUGLAIZE } SS
COUNTY }

being duly sworn, says:

That she is Amy Jump of the Wapakoneta Daily News, a daily newspaper of general circulation, printed and published in Wapakoneta, Auglaize County, Ohio; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

August 21, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Amy Jump

Subscribed to and sworn to me this 21st day of August 2021.

Rebecca S. Short, Business Manager, Auglaize County, Ohio
My commission expires: August 14, 2023

00003843 00025894

Jeffrey Braun
Dickinson Wright
2600 W. Big Beaver Rd.
Troy, MI 48064



REBECCA S. SHORT
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires Aug. 14, 2023

AFFP

Affidavit of Publication

STATE OF OHIO } SS
COUNTY OF ALLEN }

Diana Sleppy, being duly sworn, says:

That she is Customer Service/Sales of the LIMA NEWS, a daily newspaper of general circulation, printed and published in LIMA, ALLEN County, OHIO; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

Aug 27, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Diana Sleppy

Subscribed to and sworn to me this 27th day of Aug 2021

Teresa S. Ketrung

Teresa S. Ketrung, ALLEN County, OHIO

My commission expires: April 1, 2024

\$ 2,175.60



Teresa S. Ketrung
Notary Public-State of Ohio
My Comm. Exp 4-1-24

50029073 70250359 614-744-2574

Dickinson Wright PLLC
April Popp
150 E. Gay Street Suite 2400
Suite 2400
Columbus, OH 43215

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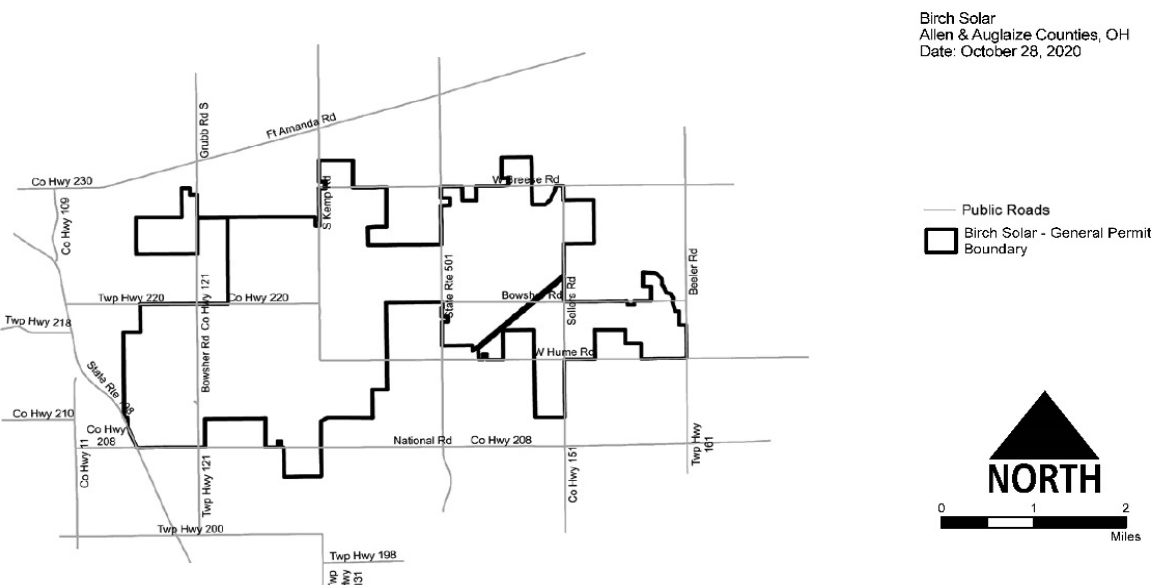
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The following map shows the proposed layout of the Birch Solar facility. An online version of the map and a link to additional detailed maps can be found here: www.birchsolarfarm.com.

Birch Solar – Permit Boundary



LIMA MUNICIPAL COURT RECORDS

- AUG. 19**
Robert D. Helms, 29, of 6800 Sandusky Rd, Lima, found guilty of DUS. Sentence: 30 days jail. 20 days suspended. \$200 fine.
- AUG. 20**
Kory D. Inglis, 27, of 1475 Edgewood Dr Apt 8G, Lima, found guilty of obstructing official business. Sentence: 90 days jail. 86 days suspended. \$150 fine.
Derrick M. Jones, 41, of 215 S Cole St, Lima, found guilty of use/poss/sale/drug para. Sentence: 7 days jail. 0 days suspended. \$150 fine; found guilty of criminal trespass. Sentence: 30 days jail. 23 days suspended. \$200 fine; found guilty of criminal trespass. Sentence: 30 days jail. 23 days suspended. \$200 fine; found guilty of criminal trespass. Sentence: 30 days jail. 0 days suspended. \$200 fine.
Jeffrey L. Williams, 58, of 758 E 4th St Apt A8, Lima, found guilty of use/poss/sale/drug para. Sentence: 30 days jail. 30 days suspended. \$150 fine; found guilty of no OL. Sentence: 180 days jail. 180 days suspended. \$150 fine; found guilty of no OL. Sentence: 20 days jail. 0 days suspended. \$150 fine.
- AUG. 23**
Gregory A. Brown, 59, of 719 Holly St, Lima, found guilty of OVI. Sentence: 6 days jail. 0 days suspended. \$500 fine.
Jerome T. Fisher, 30, of 3926 Emma Pkwy, Lima, found guilty of OVI. Sentence: 3 days jail. 3 days suspended. \$400 fine.
Samuel L. Fowler II, 39, of 543 Hope St, Lima, pleaded no contest and found guilty of interference with custody. Sentence: 90 days jail. 90 days suspended. \$150 fine.
Anthony M. Houston, 55, of 803 W Vine St, Lima, found guilty of theft. Sentence: 180 days jail. 135 days suspended. \$150 fine; Anthony M. Houston, 55, of 803 W Vine St, Lima, found guilty of obstructing official business. Sentence: 90 days jail. 45 days suspended. \$150 fine.
Jacob A. Michael, 45, of 2320 Becker Rd, Delphos, found guilty of OVI. Sentence: 90 days jail. 84 days suspended. \$500 fine.
Derrick A. Romero, 27, of 330 S. Broadway St, Spencerville, found guilty of DUS-OVI susp. Sentence: 3 days jail. 0 days suspended. \$250 fine.
- AUG. 24**
Berannda Coffman, 20, of 658 S Elizabeth St, Lima, found guilty of OVI. Sentence: 5 days jail. 5 days suspended. \$500 fine.
Quanisha M. Hodges, 28, of 1550 W. Wayne St, Lima, pleaded no contest and found guilty of misconduct at an emergency. Sentence: 30 days jail. 30 days suspended. \$300 fine; pleaded no contest and found guilty of physical control. Sentence: 30 days jail. 27 days suspended. \$300 fine.
Michael A. Lee, 21, of 1909 FRail Rd, Lima, found guilty of DUS. Sentence: 30 days jail. 15 days suspended. \$200 fine.
Cailyn M. Lutz, 29, of 4 Techwood Place, Lima, found guilty of endangering children. Sentence: 180 days jail. 180 days suspended.
- \$200 fine.
Harvey Smith, 18, of 927 W State St, Lima, found guilty of obstructing official business. Sentence: 30 days jail. 30 days suspended. \$200 fine.
Cody A. Spellman, 26, of 234 E 4Th St, Delphos, found guilty of criminal trespass. Sentence: 10 days jail. 10 days suspended. \$150 fine.
Rose M. Bay, 44, of 4005 N 100 W Lot 11, Decatur, In, pleaded guilty to no OL. Sentence: 180 days jail. 150 days suspended. \$150 fine; pleaded guilty to resisting arrest. Sentence: 30 days jail. 0 days suspended. \$150 fine; pleaded guilty to use/poss/sale/drug para. Sentence: 10 days jail. 0 days suspended. \$50 fine.
Christopher A. Gessel, 46, of 520 Linden St, Lima, found guilty of DUS-FRA. Sentence: 10 days jail. 0 days suspended. \$150 fine.
Nicholas T. Huizenga, 32, of 118 E Main St Apt. 2, Pandora, pleaded no contest and found guilty of physical control. Sentence: 30 days jail. 30 days suspended. \$1000 fine.
Cantrell Island III, 43, of 623 Prospect Ave, Lima, found guilty of no OL. Sentence: 20 days jail. 20 days suspended. \$150 fine.
Fernando J. Johnson, 36, of 323 S Baxter St, Lima, pleaded no contest and found guilty of criminal trespass. Sentence: 30 days jail. 30 days suspended. \$150 fine.
Kyajisia D. Lewis, 19, of 9 Elmview Ct, Lima, found guilty of OVI. Sentence: 5 days jail. 5 days suspended. \$500 fine.
Ciara C. McCoy, 24, of 1111 Bikini Dr, Lima, found guilty of physical control. Sentence: 90 days jail. 90 days suspended. \$750 fine.
Carrie A. Newbold, 42, of 4155 Odema Dr Apt E, Lima, pleaded no contest and found guilty of OVI. Sentence: 10 days jail. 10 days suspended. \$500 fine.
Tashela Williams, 27, of 2210 Lake Circle Dr, Apt 8, Lima, found guilty of no OL. Sentence: 7 days jail. 0 days suspended. \$250 fine.
Linda F. Wolfe, 50, of 654 S Elizabeth St, Lima, found guilty of DUS. Sentence: 10 days jail. 10 days suspended. \$150 fine.
- AUG. 25**
Ecco Burkner, 36, of 402 S Baxter St, Lima, found guilty of no OL. Sentence: 60 days jail. 46 days suspended. \$200 fine.
Matthew A. Hefner, 30, of 885 Yorkshire Dr, Lima, found guilty of OVI. Sentence: 120 days jail. 110 days suspended. \$750 fine.
Scott A. May, 60, of 2250 E Brees Rd, Cridersville, found guilty of OVI. Sentence: 180 days jail. 166 days suspended. \$750 fine.
Mary L. Murray, 68, of 119 Emerald Lane, Lima, found guilty of theft. Sentence: 60 days jail. 30 days suspended. \$150 fine; found guilty of theft. Sentence: 60 days jail. 30 days suspended. \$200 fine.
Amanda R. Rodriguez, 36, of 325 Maple Lane, Lima, found guilty of resisting arrest. Sentence: 30 days jail. 30 days suspended. \$250 fine; found guilty of OVI. Sentence: 30 days jail. 30 days suspended. \$500 fine.

POLICE CALLS

- LIMA POLICE**
800 block of West Wayne Street, Lima — A theft was reported Wednesday.
500 block of Brower Road, Lima — Police investigated a stabbing on Wednesday.
900 block of Florence Avenue, Lima — A breaking-and-entering incident was investigated Wednesday.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/3/2021 9:27:41 AM

in

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

Summary: Proof of Pub and Service of Procedural Schedule and Accepted, Complete Application electronically filed by Christine M.T. Pirik on behalf of Birch Solar 1, LLC