

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Cadence Solar)
Energy LLC for a Certificate of Environmental)
Compatibility and Public Need to Construct a) Case No: 20-1677-EL-BGN
Solar-Powered Electric Generation Facility in)
Union County, Ohio.)

DIRECT TESTIMONY OF

**Ryan Van Portfliet
Renewable Development Manager
Invenergy**

**on behalf of
Cadence Solar Energy LLC**

September 3, 2021

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1 **1. Please state your name, current title, and business address.**

2 My name is Ryan Van Portfliet. I am a Renewable Development Manager for Invenergy
3 LLC (“Invenergy”). My business address is One Wacker Drive, Suite 1800, Chicago,
4 Illinois 60606.

5
6 **2. Please summarize your educational and professional experience.**

7 I have a B.S. in Environmental Science and an M.B.A. from Loyola University Chicago. I
8 have worked for Invenergy since February, 2016. While at Invenergy, I have worked in a
9 project development role for projects located in North Carolina, South Carolina,
10 Tennessee, Kentucky, Florida, Georgia, Alabama, Virginia, Maryland, Delaware, West
11 Virginia, Pennsylvania, and Ohio.

12
13 **3. On whose behalf are you offering testimony?**

14 I am testifying on behalf of the Applicant in the case, Cadence Solar Energy LLC
15 (“Cadence Solar” or “Applicant”). Cadence Solar is an affiliate of Invenergy Solar Project
16 Development LLC, an affiliate of Invenergy Renewables LLC, which is in turn an affiliate
17 of Invenergy LLC (“Invenergy”).

18
19 Invenergy develops, owns, and operates power generation and energy storage facilities in
20 the Western Hemisphere, Europe, and Japan. Invenergy has a proven track record in
21 establishing and maintaining longstanding, profitable relationships with utilities, suppliers,
22 and the communities in which its projects are located. Invenergy has developed more than
23 29,000 megawatts (“MW”) of utility-scale wind, solar, natural gas, and energy storage
24 projects in the United States (“U.S.”), Central and South America, Canada, Europe, and
25 Japan. This includes more than 19,000 MW of projects in operation, almost 4,500 MW in
26 construction, and 5,300 MW contracted. Invenergy is North America’s largest independent
27 renewable power generation company. Invenergy is focusing on the development and
28 operation of solar energy projects. Invenergy’s first operational solar project is the 20-MW
29 Grand Ridge Solar facility, located adjacent to its Grand Ridge Wind facility in LaSalle
30 County, Illinois. Invenergy has 19 additional operating solar facilities in the U.S. and

1 Canada, with numerous other projects in various stages of construction and advanced
2 development.

3
4 One of Invenergy's affiliates, Hardin Solar Energy LLC, received a certificate from the
5 Ohio Power Siting Board ("Board") in Case No. 17-773-EL-BGN in February 2018 and
6 commenced construction in October 2018. Another affiliate, Vinton Solar Energy LLC,
7 received a certificate from the Board in Case No. 17-774-EL-BGN in September 2018.
8 Lastly, a third affiliate, Hardin Solar Energy II LLC, received a certificate from the Board
9 in Case No. 18-1360-EL-BGN in May 2019.

10
11 **4. What is your role with respect to the Project?**

12 In my position as Renewable Development Manager, I oversee and manage all facets of
13 project planning and development for the Cadence Solar Energy Project ("Project" or
14 "Facility"). I oversee the permitting process for the Project, and the production of the
15 various studies required to complete the Application before the Board for a certificate of
16 environmental compatibility and public need to construct a 275-MW solar-powered
17 generation facility in Union County.

18
19 **5. What is the purpose of your testimony?**

20 The purpose of my testimony is to provide a summary of the Project and a description of
21 the process that led to the joint stipulation and recommendation ("Stipulation"), which was
22 filed in the docket on September 3, 2021, and is being offered in this proceeding as Joint
23 Exhibit 1. I will sponsor the admission of the Stipulation into evidence in this case, along
24 with the Applicant's exhibits listed in the Stipulation, which include the Application and
25 supplements, certificates of service, and proofs of publication. I intend to explain the
26 background of the Stipulation and the reasons why I believe it should be adopted by the
27 Board. In addition, my testimony will confirm that the Stipulation complies with the
28 Board's three-part test for evaluating stipulations.

29
30

1 **6. Is the Application and all exhibits and appendices attached to the Application, true**
2 **and accurate to the best of your knowledge?**

3 Yes, they are.

4
5 **7. Did Cadence Solar cause the Application and notices to be served on property owners,**
6 **tenants, adjacent property owners, various local government officials, and libraries?**

7 Yes. The certificates of service were filed and have been marked as Applicant Exhibits 9
8 and 11-13.

9
10 **8. Did Cadence Solar have notices of the public information meetings, the Application,**
11 **and the hearings published in a newspaper of general circulation in Union County,**
12 **Ohio?**

13 Yes. Proofs of publication were filed and have been marked as Applicant Exhibits 10 and
14 12-13.

15
16 **9. Please provide a summary and overview of the proposed Facility.**

17 As described in detail in the Application, which was filed in this case on February 1 and 2,
18 2021, as supplemented on February 12 and March 16, 2021 (“Application”), the Project is
19 comprised of up to 275 MW of alternating current solar photovoltaic (“PV”) generation.
20 The Facility will inject up to 275 MWs into the grid via the existing American Electric
21 Power (“AEP”) Marysville 345 kilovolt (“kV”) substation. Construction of the Facility is
22 expected to begin as early as the second quarter of 2022, and commercial operation is
23 planned for the fourth quarter of 2023.

24
25 **10. Will the Facility comply with all applicable regulations?**

26 Yes, the Facility is designed to comply with all applicable state and federal regulations,
27 and the Applicant is committed to ensure the final layout adheres to all applicable
28 regulations.

29
30

1 **11. Please describe Cadence Solar’s public information program to provide the local**
2 **community information about the Project.**

3 Cadence Solar followed the Board’s public information and public notice requirements. It
4 hosted a virtual public information meeting on December 18, 2020, prior to filing the
5 Application. However, Cadence Solar went beyond these requirements to engage the local
6 community. A second public information meeting, outside of the Board’ public information
7 and public notice requirements, was held on February 28, 2021.

8
9 Cadence Solar’s community outreach has included 5,234 phone calls to residents
10 throughout Union County in order to gauge support for solar projects. Of the residents
11 reached by phone, 19.5% were supportive of solar projects, 5.4% were opposed to solar
12 projects, and 75.1% were undecided. In addition to the county-wide phone survey, there
13 was direct outreach through 682 phone calls to those who live in close proximity to the site
14 in order to provide information, answer questions and concerns, and gauge support.

15
16 In addition to these phone calls, Cadence Solar contacted neighbors of the project in person
17 through a door-to-door program. Representatives of Cadence Solar knocked on 268 doors
18 to speak with those who live in particularly close proximity to the project in order to
19 provide information and answer questions and concerns.

20
21 Outreach also included informational packets that were sent to 188 local residents and
22 community leaders to provide detailed information about the project.

23
24 In addition to these various methods of individual contact, Cadence Solar created a website,
25 www.cadencesolar.com, where FAQs have been published and updated, as well as a
26 contact portal where people could send in their questions. Each of these questions have
27 been answered with a return email or phone call within one business day.

28
29 Finally, Cadence Solar has made every effort to address concerns about the project and
30 work with the local community. In addition to the two public information meetings that
31 have been held, there have been several meetings, both in person and virtual, with

1 neighbors of the Project, in order to address their concerns and collaborate with them on
2 solutions.

3
4 **12. Did you attend the public hearing held on June 29, 2021?**

5 Yes. 21 people offered sworn testimony. 4 people testified in support of the Project, 15
6 people testified stating concerns for the Project, and 2 people testified as neutral parties.

7
8 **13. Please generally summarize the comments raised at the local public hearing.**

9 The main concerns raised by residents were the potential impact on property values and
10 how it would impact views from their home and property. Questions about what kind of
11 screening would be used were common as were questions about the construction process.
12 Some environmental concerns were also brought up, these were largely due to a lack of
13 knowledge that we have worked to address with the community. Those who spoke about
14 the benefits of the project spoke about increased economic opportunity and increased
15 revenue for the county and schools.

16
17 **14. Did you encounter any objections to the Cadence Solar Project from the officials in
18 the area?**

19 No. The Applicant has been working in Union County and meeting with landowners
20 specifically regarding the Cadence Solar Project since late 2019. Throughout this time, we
21 have formed strong relationships with local landowners, as well as county officials.

22
23 **15. Please provide the background on the process leading up to the Stipulation and the
24 evidentiary hearing.**

25 The Board's Staff ("Staff") issued a Staff Report of Investigation on June 14, 2021 ("Staff
26 Report"). The local public hearing was subsequently held on June 29, 2021. The
27 Stipulation, which was signed by the Applicant, Staff, the Board of Union County
28 Commissioners, the Union Soil and Water Conservation District, the Boards of Township
29 Trustees for York, Liberty, and Taylor Townships, and the Ohio Farm Bureau Federation
30 was filed on September 3, 2021. The evidentiary hearing was called and continued on July
31 20, 2021 and is scheduled to recommence on September 8, 2021.

1 In my opinion, Staff completed its investigation process seamlessly. The Applicant did not
2 detect any major issues or hurdles during Staff's investigation of the Application. We do
3 not have concerns with the Staff Report and our proposed Stipulation revisions related to
4 refinement and clarification of condition language.

5
6 **16. Have you reviewed the Stipulation that was filed in this docket on September 3, 2021?**
7 Yes.

8
9 **17. Are you aware that the Board must make certain determinations under Ohio Revised**
10 **Code ("R.C.") 4906.10 before issuing a certificate for the construction, operation, and**
11 **maintenance of a major utility facility?**

12 Yes. My attorney has advised me that there are eight criteria considered by the Board in
13 making its determination for the issuance of a certificate.

14
15 **18. Does the first of these criteria under R.C. 4906.10(A)(1), which requires the Board to**
16 **determine the basis of need for the facility, apply to the Board's review of this**
17 **Application?**

18 No. My attorney has advised me that R.C. 4906.10(A)(1) only applies to an electric
19 transmission line or a gas pipeline and is not applicable to this generating facility.

20
21 **19. Does the Application, as agreed to through the Stipulation, enable the Board to**
22 **determine the nature of the probable environmental impact of the facility?**

23 Yes. The Application addresses all the subject matter areas necessary for the Board to
24 determine the nature of the probable environmental impact of the Facility. The Application
25 includes detailed surveys, assessments, and reports related to probable socioeconomic
26 impacts, ecological impacts, and public services, facilities, and safety. The Application
27 narrative and exhibits, along with subsequent supplements and interrogatory responses,
28 provide the information necessary to determine the probable impacts. Lastly, the
29 Stipulation agreement expands upon the information included in the Application to confirm
30 the probable impacts from the Project.

1 **20. Does the Application, as agreed to through the Stipulation, enable the Board to**
2 **determine that the Facility represents the minimum adverse environmental impact,**
3 **considering the state of available technology and the nature and economics of the**
4 **various alternatives, and other pertinent considerations?**

5 Yes. The information included in the Application that enables the Board to determine the
6 probable adverse environmental impact shows that Project has a minimum adverse
7 environmental impact.

8
9 **21. Does the Application, as agreed to through the Stipulation, enable the Board to**
10 **determine that the Facility is consistent with regional plans for expansion of the**
11 **electric power grid of the electric systems serving this state and interconnected utility**
12 **systems that the Facility will serve the interests of electric system economy and**
13 **reliability?**

14 Yes. The regional plans for expansion of the electric power grid of the electric systems
15 serving the state are determined by PJM Interconnection, LLC (“PJM”). PJM performed
16 studies analyzing the proposed Facility, its proposed interconnection point, and the related
17 impacts on the electric power grid, as well as for compliance with PJM and North American
18 Electric Reliability Corporation (“NERC”) reliability criteria. The PJM System Impact
19 Studies and Feasibility Study, included in the Application, show that the Facility is
20 consistent with the regional plans for expansion of the electric power grid serving Ohio
21 and the interconnected utility systems, and that the proposed Facility will serve the interest
22 of the electric system’s economy and reliability.

23
24 **22. Does the Application, as agreed to through the Stipulation, enable the Board to**
25 **determine that the Facility will comply with the requirements established by the state**
26 **of Ohio for air pollution control; solid and hazardous waste, water pollution control;**
27 **permitting for a major increase in withdrawal of waters; and aeronautical**
28 **requirements?**

29 Yes. The Application addresses air pollution topics, revealing that the proposed Project
30 would not produce air pollution through emissions. The Application addresses solid and
31 hazardous waste, revealing that the proposed Project would not produce solid or hazardous

1 waste, and will not result in water pollution. Further, the Project complies with the
2 aeronautical requirements.

3
4 **23. Does the Application, as agreed to through the Stipulation, enable the Board to
5 determine that the Facility will serve the public interest, convenience, and necessity?**

6 Yes. The Application addresses public interest, convenience, and necessity through
7 discussion and analysis.

8
9 **21. Does the Application, as agreed to through the Stipulation, enable the Board to
10 determine that the Facility's impact on the viability as agricultural land of any land
11 is not applicable?**

12 Yes.

13
14 **24. Does the Application, as agreed to through the Stipulation, enable the Board to
15 determine that the Facility incorporates maximum feasible water conservation
16 practices, considering available technology and the nature and economics of the
17 various alternatives?**

18 Yes.

19
20 **25. Do you believe that the settlement was the product of serious bargaining among
21 capable, knowledgeable parties?**

22 Yes. Counsel for all parties were invited to all settlement negotiations. Representatives of
23 the parties involved in the deliberations leading to the Stipulation were aware of and
24 knowledgeable about the issues addressed in the Stipulation.

25
26 **26. Do you believe the settlement, as a package, benefits the public interest?**

27 Yes. The Stipulation ensures that the Project will represent the minimum adverse
28 environmental impact for both construction and operations, considering the state of
29 available technology, and the nature and economic of the various alternatives, as well as
30 other pertinent considerations. The construction and operation of the Facility provides
31 benefits to the public interest via the employment of 600 to 800 workers at peak

1 construction and 3 to 4 full time employees during operations. In addition to the
2 construction and operations benefits, the Project represents a just and reasonable
3 investment that balances landowner rights while addressing many of the questions and
4 concerns voiced by the community. Additionally, the Project represents an investment in
5 clean energy infrastructure, which is in the public interest as a means of mitigating the
6 effects of climate change.

7
8 The Applicant thanks the Union County Commissioners, the Trustees of York, Liberty,
9 and Taylor Townships, the Union Soil and Water Conservation District, and the Ohio Farm
10 Bureau Federation for their participation in detailed discussions that led to consensus on
11 this comprehensive settlement package.

12
13 **27. To your knowledge, does the settlement package violate any important regulatory**
14 **principle or practice?**

15 No.

16
17 **28. Why do you believe the Stipulation should be accepted?**

18 The Stipulation strikes an appropriate balance that provides a path forward for the Facility
19 to be constructed and to operate while ensuring that the Facility represents minimum
20 adverse impact, considering the state of available technology and the nature and economics
21 of the various alternatives, and other pertinent considerations.

22
23 **29. Does this conclude your testimony?**

24 Yes. However, I reserve the right to update this testimony to respond to any further
25 testimony submitted in this case.

CERTIFICATE OF SERVICE

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/s/ Christine M.T. Pirik

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Summary: Testimony - Direct Testimony of Ryan Van Portfliet electronically filed by Christine M.T. Pirik on behalf of CADENCE SOLAR ENERGY LLC