

September 24, 2021

Devin Parram, Counsel of Record
Attorney for Nottingham Solar, LLC
Bricker and Eckler
100 South Third Street
Columbus, OH 43215

Application for Certificate of Environmental Compatibility and Public Need

Case: 100 MW Nottingham Solar

Case Number: 21-0270-EL-BGN

Dear Mr. Parram:

This letter is to inform you that the above referenced application, filed with the Ohio Power Siting Board (Board) on July 26, 2021 along with Nottingham Solar, LLC's data request responses, has been found to comply with Chapters 4906-01, et seq., of the Ohio Administrative Code (Ohio Adm.Code). This means the Board's staff (Staff) has received sufficient information to begin its review of this application. During the course of its investigation, the Staff may request additional information to ensure Staff can continue to conduct its review of the application, including but not limited to:

- Final concurrence from the Ohio Historic Preservation Office (OHPO) on specific avoidance or mitigation measures for impacts from the project on archaeological and historic/architecture sites as outlined in OHPO's letter to Applicant dated July 26, 2021 and further detailed in the data request responses sent to OPSB Staff on September 23, 2021.
- An updated decommissioning plan and cost estimate, and performance bond financial assurance mechanism that excludes salvage value.
- Further geotechnical exploration and engineering evaluation to confirm the soil and geologic suitability of the proposed site and associated foundations

Pursuant to Board rules, the certified application and supplements must now be filed with the Board in accordance with the provisions of Ohio Adm.Code Rules 4906-3-06 and 4906-3-07. In summary form, these rules require:

1. Serving copies of the certified application upon appropriate government officials and public agencies. In this regard, please inform these officials in writing that if they wish to intervene in the proceedings, they must file a notice of intervention with the Board within thirty days of being served a copy of the application.



Board Members
Director, Ohio Environmental Protection Agency
Director, Ohio Development Services Agency
Director, Ohio Department of Health
Director, Ohio Department of Natural Resources
Director, Ohio Department of Agriculture
Public Member
Ohio House of Representatives
Ohio Senate

2. Filing Proof of Service with the Board.

Upon completion of these requirements, you will be notified of the effective date of filing and the date and details of the public hearing.

Please be informed that under Section 4906.04 of the Ohio Revised Code (R.C.), the applicant shall not commence to construct any portion of the facility prior to obtaining a certificate from the Board.

Also be informed that to assist your company in meeting the provisions of Ohio Power Siting Board rules, the Board will serve as a clearinghouse for the distribution to and service of the application and supplements upon the following state agencies:

Public Utilities Commission of Ohio
Ohio Environmental Protection Agency
Ohio Department of Agriculture
Ohio Development Services Agency
Ohio Department of Health
Ohio Department of Natural Resources
Ohio Department of Transportation
Ohio Historical Society

Upon filing, pursuant to R.C. 4906.06(F) and Ohio Adm.Code Rule 4906-3-12, the amount of \$50,000 is an application fee.

You will receive an invoice from the Public Utilities Commission of Ohio, Finance Department.

Payment of the application fee is due within 30 days.

Please file proof of payment in the docket.

Depending on the complexity of the staff investigation, the application fee may not cover all costs associated with this case. Additional invoicing may be necessary.

If you have any questions regarding the above, please contact me at (866) 270-6772 or Ashton Holderbaum via robert.holderbaum@puco.ohio.gov or at (614) 466-0358.

Sincerely,



Power Siting Board

Mike DeWine, Governor
Jenifer French, Chair

Board Members

Director, Ohio Environmental Protection Agency
Director, Ohio Development Services Agency
Director, Ohio Department of Health
Director, Ohio Department of Natural Resources
Director, Ohio Department of Agriculture
Public Member
Ohio House of Representatives
Ohio Senate

A handwritten signature in black ink that reads "Theresa White".

Theresa White
Executive Director
Ohio Power Siting Board

cc: Lori Cuervo, Project Director, BQ Energy Development, LLC (via email)

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/24/2021 3:09:29 PM

in

Case No(s). 21-0270-EL-BGN

Summary: Correspondence electronically filed by BreAnna J. Freeman on behalf of Staff of OPSB