

150 E. GAY STREET, 24^{TH} Floor Columbus, OH 43215-3192 Telephone: (614) 591-5461 Facsimile: (844) 670-6009 http://www.dickinsonwright.com

CHRISTINE M.T. PIRIK CPirik@dickinsonwright.com

October 1, 2021

Ms. Tanowa Troupe, Secretary Ohio Power Siting Board Docketing Division 180 East Broad Street, 11th Floor Columbus, Ohio 43215-3797

Re: Case No. 21-277-EL-BGN - In the Matter of the Application of Border Basin I, LLC for a Certificate of Environmental Compatibility and Public Need to Construct a Solar-Powered Electric Generation Facility in Hancock County, Ohio.

Response to Fourth Data Request from Staff of the Ohio Power Siting Board

Dear Ms. Troupe:

Attached please find Border Basin I, LLC's ("Applicant") Response to the Fourth Data Request from the Staff of the Ohio Power Siting Board ("OPSB Staff"). The Applicant provided this response to OPSB Staff on October 1, 2021.

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

Respectfully submitted,

<u>/s/ Christine M.T. Pirik</u> Christine M.T. Pirik (0029759) (Counsel of Record) Terrence O'Donnell (0074213) Matthew C. McDonnell (0090164) Dickinson Wright PLLC 150 East Gay Street, Suite 2400 Columbus, Ohio 43215 Phone: (614) 591-5461 Email: cpirik@dickinsonwright.com todonnell@dickinsonwright.com

Attorneys for Border Basin I, LLC

Cc: James O'Dell Theresa White Randall Schumacher Jon Pawley Ms. Tanowa Troupe Border Basin I, LLC Case No. 21-277-EL-BGN Page 2

CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below this 1st day of October, 2021.

<u>/s/ Christine M.T. Pirik</u> Christine M.T. Pirik (0029759)

Counsel:

robert.Eubanks@OhioAGO.gov thomas.shepherd@ohioAGO.gov

Administrative Law Judge:

michael.Williams@puco.ohio.gov patricia.schabo@puco.ohio.gov

4832-6460-4669 v1 [96702-1]

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the Application of Border Basin I, LLC for a Certificate of Environmental Compatibility and Public Need to Construct a Solar-Powered Electric Generation Facility in Hancock County, Ohio.

Case No: 21-277-EL-BGN

BORDER BASIN I, LLC'S RESPONSE TO THE FOURTH DATA REQUEST FROM THE STAFF OF THE OHIO POWER SITING BOARD

On June 15, 2021, as supplemented on July 21, August 31, and September 29, 2021, Border Basin I, LLC ("Applicant"), filed an application ("Application") with the Ohio Power Siting Board ("OPSB") proposing to construct a solar-powered electric generation facility in Hancock County, Ohio ("Project" or "Facility").

On September 15, 2021, the Staff of the OPSB ("OPSB Staff") provided the Applicant with OPSB Staff's Fourth Data Request. Now comes the Applicant providing the following Response to the Fourth Data Request from the OPSB Staff.

1. Please provide information regarding the residence at 4160 Township Road 238, Arcadia, Ohio in relation to the Project Area.

<u>Response</u>: With regard to this property and the Project Area, the residence was inadvertently not included on Figure 4-1 filed with the Application on June 15, 2021. Figure 4-1 has been updated and is provided here as Attachment 1. Attachment 1 supersedes and replaces the Figure 4-1 that was filed with the Application on June 15, 2021.

The Applicant also reviewed other Application material to ensure that the residence was included and considered in relevant analysis. The Project has confirmed that the residence is included in Figure 8-1, Table 8-5, and in the acoustic assessment. See Attachment 2 hereto for a statement confirming the residence's consideration in the Acoustic Assessment.

The Applicant would also like to provide clarification regarding the transmission easement shown in Figure 4-1. This easement represents a 100-foot setback from the existing transmission line. The transmission line is not owned or operated by the Applicant.

Respectfully submitted,

/s/ Christine M.T. Pirik_

(Counsel of Record) Terrence O'Donnell (0074213) Matthew C. McDonnell (0090164) Dickinson Wright PLLC 150 East Gay Street, Suite 2400 Columbus, Ohio 43215 Phone: (614) 591-5461 Email: cpirik@dickinsonwright.com todonnell@dickinsonwright.com

Attorneys for Border Basin I, LLC

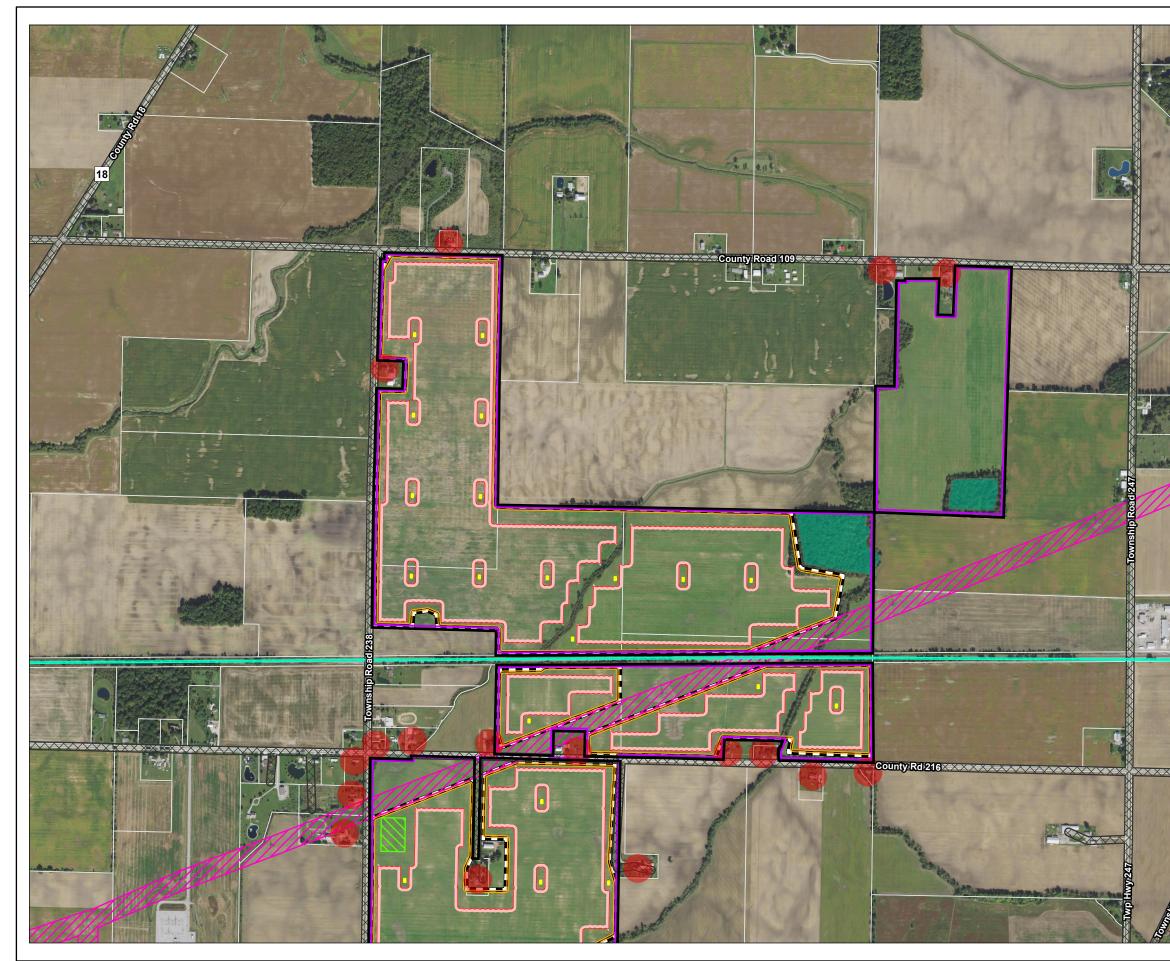
4819-1298-9949 v1 [96702-1]

Border Basin I, LLC Response to Fourth Data Request from Staff of the Ohio Power Siting Board Case No. 21-277-EL-BGN

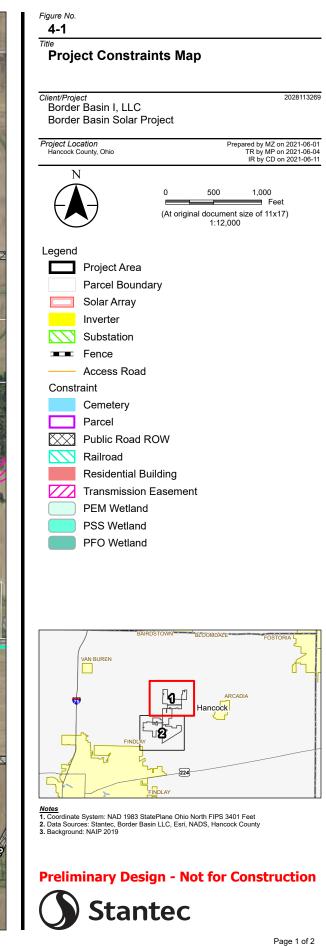
Attachment 1

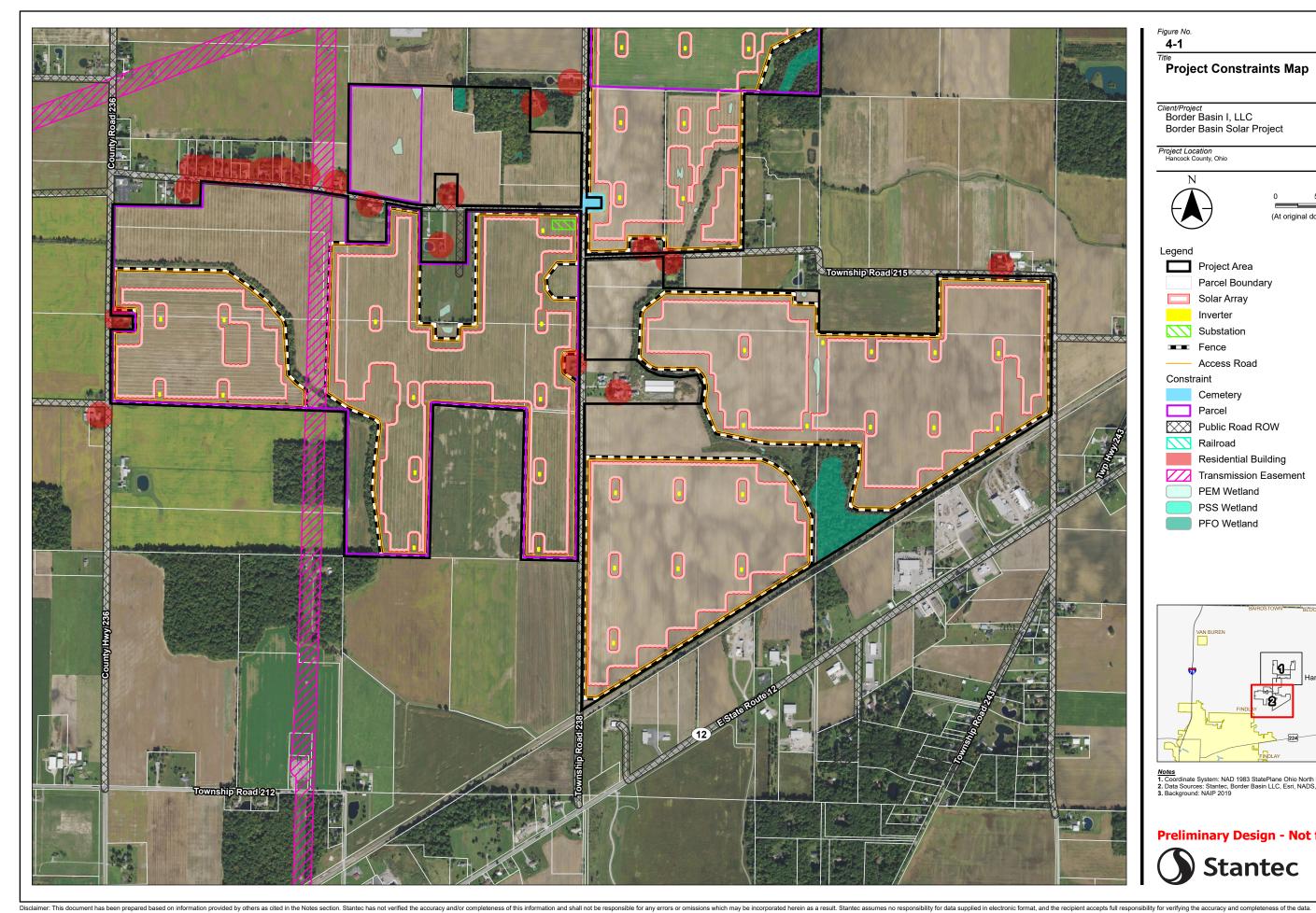
Figure 4-1 Project Constraints (This Figure supersedes and replaces Figure 4-1 filed with the Application on June 15, 2021.)

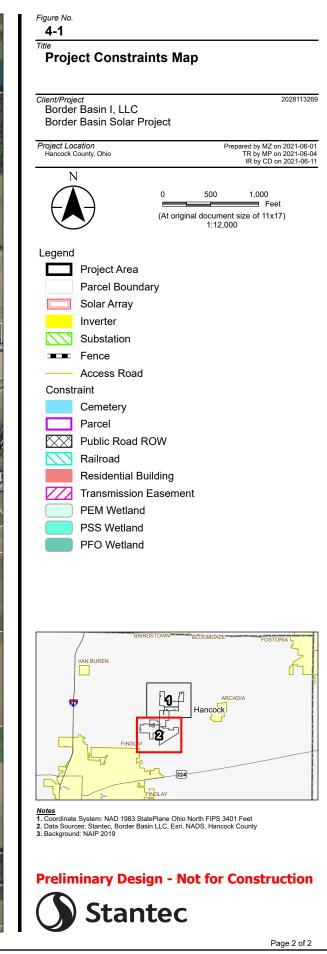




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Border Basin I, LLC Response to Fourth Data Request from Staff of the Ohio Power Siting Board Case No. 21-277-EL-BGN

Attachment 2

Acoustic Assessment Receptor Memorandum Tetra Tech September 29, 2021





To:	Ohio Power Sitting Board
From:	Tetra Tech
Subject:	Border Basin Solar Project – Acoustic Assessment Receptor
Date:	September 29, 2021

Tetra Tech prepared an acoustic assessment of the proposed Border Basin Solar Project in order to analyze potential sound impacts relative to the applicable noise regulations prescribed by the Ohio Power Sitting Board ("OPSB"). Operational sound levels were modeled in CadnaA and calculated at noise sensitive receptors within the Project study area.

A data request was issued by OPSB to confirm if the residence located at 4160 Township Road 238, Arcadia, Ohio 44804 was included in the acoustic assessment. This residence was included in the acoustic assessment as NSR 443. The results for this receptor can be found in Table A-1 in the Acoustic Assessment Report Appendix A.

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Case No(s). 21-0277-EL-BGN

Summary: Response to Fourth Data Request from Staff of the Ohio Power Siting Board electronically filed by Christine M.T. Pirik on behalf of BORDER BASIN I LLC, GALEHEAD DEVELOPMENT LLC CEO