

**BEFORE
THE OHIO SITING BOARD**

**In the matter of the Application of Birch)
Solar 1, LLC for a Certificate of)
Environmental Compatibility and Public)
Need to Construct a Solar-Powered Electric)
Generation Facility in Allen and Auglaize)
Counties, Ohio.)**

Case No. 20-1605-EL-BGN

Petition for Leave to Intervene of the Allen Auglaize Coalition for Reasonable Energy

In accordance with Section 4906-2-12 of the Ohio Administrative Code (“OAC”), the Allen Auglaize Coalition for Reasonable Energy (the “Coalition”) petitions for leave to intervene in the above docket as a full party of record. As set forth in the accompanying memorandum in support, the Coalition has a real and substantial interest in this matter that is not represented by existing parties. The Coalition’s involvement will contribute to a just and expeditious resolution of the issues involved in the proceeding and will not unduly delay the proceedings or unjustly prejudice an existing party.

Respectfully Submitted, this 1st day of October, 2021.

/s/Eric L. Christensen

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¹ Motion to admit *pro hac vice* will be filed as soon as possible

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Need to Construct a Solar-Powered Electric
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Counties, Ohio.**)

Case No. 20-1605-EL-BGN

**Memorandum in Support of Petition for Leave to Intervene
of the Allen Auglaize Coalition for Reasonable Energy**

In accordance with Section 4906-2-12 of the OAC, Allen Auglaize Coalition for Reasonable Energy (the “Coalition”) petitions for leave to intervene in this proceeding as a full party of record in support of the application. The Coalition sets forth below the facts satisfying each element required by OAC Section 4906-2-12. The Coalition’s Petition for Leave to Intervene should therefore be granted.

I. The Coalition has a real and substantial interest in this matter that is not represented by existing parties.

The Coalition is an informal² grassroots coalition of individuals and landowners who reside in Allen and Auglaize Counties, Ohio. The Coalition was formed to advocate for the approval of the Birch Solar 1 project (the “Project”) by advocating on behalf of the Project with the community, by educating and engaging with the community to inform and to dispel misperceptions and misapprehensions about solar energy and the Birch Solar project, and to engage with the Ohio Power Siting Board in support of the project. The Coalition aims to secure advantageous outcomes for the community financially, environmentally, and socially.

² The Coalition will be organized into a formal legal entity in the near future.

All members of the Coalition are residents of Allen or Auglaize Counties where Birch Solar would be located, and therefore have a direct interest in ensuring that the project is constructed in a manner that maximizes community benefits. These benefits include local energy security and environmental sustainability, which the Project's approximately 600,000 megawatt-hours of renewable energy delivered to the local grid will help ensure. Coalition members also have an interest in securing the additional economic and social benefits the Project would bring to the surrounding communities, including substantial new taxes for schools and other local services, new jobs, and new business revenues.

The Coalition's participation ensures that the perspective of local citizens who support the Birch Solar project will be represented. This perspective cannot be provided by another existing party. Those parties include only opponents of the project, the Project sponsor, and particularized interests such as the Ohio Farm Bureau. The Coalition's mission is, of course, exactly the opposite of project opponents. The Coalition's perspective as a representative of broader community interests is also distinct from the Project sponsor, who by necessity must be focused on the Project's bottom line rather than community benefits. And the community interests the Coalition represents are distinct from the specialized interests represented by the Ohio Farm Bureau. Likewise, the government entities who have intervened represent only the specific interests of the localities they represent and, in addition, their positions may be skewed by loud but ill-informed Project opponents.

II. The Coalition's involvement will contribute to a just and expeditious resolution of the issues involved in the proceeding and will not unduly delay the proceedings or unjustly prejudice an existing party.

On the local level, the Coalition has brought together engaged citizens to advance the Project in an effort to help the surrounding rural community control energy costs, improve the

reliability of the local grid, improve the quality of the local environment, and ensure that the Project produces maximum economic benefits for the local community. The Coalition was specifically formed to advance a local perspective in support of the Project, ensuring local opposition groups could not monopolize the community's voice. The Coalition's participation in this proceeding will help assure a just and expeditious resolution of this proceeding by ensuring that all local perspectives are fully represented, by helping to minimize opposition to the Project, and by assisting the Board to fully develop the factual record regarding all benefits of the Project, ranging from improvements to the local tax base to the contribution the Project will make toward eliminating greenhouse gas emissions and thereby helping to stabilize the world's climate.

Given the unique and localized interests of its members, and its unified voice in support of rural, renewable energy, the Coalition submits that good cause exists to grant it leave to intervene in this proceeding.

III. Conclusion

For the reasons set forth above, the Allen Auglaize Coalition for Reasonable Energy requests that its Petition for Leave to Intervene be granted.

Respectfully Submitted, this 1st day of October, 2021.

/s/Eric L. Christensen _____

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Certificate of Service

In accordance with OAR 4906-2-02(D)(6), this document has been filed electronically and OPSB'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 who have electronically subscribed to this case.

Such notice constitutes service of this document

/s/Eric L. Christensen

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

Summary: Petition Petition for Leave to Intervene and Memorandum in Support electronically filed by Jonas A. Reagan on behalf of Allen Auglaize Coalition for Reasonable Energy electronically filed by Mr. Jonas Reagan on behalf of Allen Auglaize Coalition for Reasonable Energy