

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the Ohio :
Power Siting Board's :
Review of Ohio Adm. Code : Case No. 21-902-GE-BRO
Chapters 4906-1, 4906-2, :
4906-3, 4906-4, 4906-5, :
4906-6, and 4906-7. :

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PROCEEDINGS

before Mr. Michael L. Williams, Administrative Law
Judge, at the Ohio Power Siting Board, via Webex,
called at 1:30 p.m. on Monday, October 4, 2021.

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Monday Afternoon Session,
October 4, 2021.

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ALJ WILLIAMS: We'll go on the record.

Good afternoon and welcome, everyone. My name is Michael Williams. I am an Administrative Law Judge in the Legal Department of the Ohio Power Siting Board which I will reference as the Board throughout today's proceeding.

I have been assigned by the Board to conduct a workshop in Case No. 21-902-GE-BOR which involves the review of the Ohio Administrative Code Rules in Chapters 4906-1 through 4906-7 which in general involve the Board's authority to regulate the certification and operation of major utility facilities within the state as described in Revised Code Chapter 4906.

Due to the continuing COVID-19 emergency and in order to safely accommodate the public, today's workshop is being held through Webex which enables interested persons to witness the workshop and offer comments on the proposed rule adoption by telephone or video on the internet. I would also note that the event is being aired via YouTube and will be available for future viewing through the

1 Board's website.

2 Before we get started with the workshop,
3 I would like to address some preliminary issues.
4 First, if you experience technical difficulties
5 during the workshop, we have several options. If
6 your internet connection drops at any point, you can
7 try to join the Webex by video again, or you can
8 participate by phone. If those options are
9 unsuccessful, please call the Board's Legal
10 Department at (614) 466-6843 for immediate
11 assistance.

12 Finally, if you merely wish to listen to
13 the workshop using your phone instead of accessing
14 via Webex on the internet, you can listen to the
15 workshop by dialing 1-408-418-9388 and entering
16 Meeting No. 1793131366 when prompted.

17 More information about the Webex
18 technical help options can be obtained in the chat
19 feature which will be available throughout the
20 workshop. You may click on the chat button at any
21 time to obtain technical assistance or to ask
22 procedural questions during the workshop.

23 The chat feature should not be used for
24 any other purpose such as to offer comments about the
25 proposed rules that are subject to today's workshop.

1 Please be aware chats are recorded and should not be
2 considered private. Further, chats are also not part
3 of the official record in this case.

4 During today's workshop individuals who
5 have registered to provide comments should speak when
6 I read their names from the registration list.
7 Individuals who are commenting will be unmuted by a
8 Board Staff member, Micah Schmidt, when it is time
9 for their comments. If you are providing comments by
10 telephone, a Board Staff member will call you at your
11 phone number when it is your time to comment.

12 Please bear with us as we work to queue
13 up those that are commenting individually by phone or
14 otherwise. We ask that you keep your comments to a
15 reasonable length of time and avoid repetitive
16 comments.

17 To avoid unnecessary background noise, we
18 will keep your microphone on mute unless you are
19 commenting. Again, if you have questions about this
20 process as the workshop proceeds, please use the chat
21 function.

22 Micah Schmidt is our web event host who
23 will be overseeing the event on Webex. We have
24 additional staff who are helping to facilitate the
25 workshop and monitoring the chat function.

1 Now, with those preliminary technical
2 issues out of the way, we will officially start the
3 record. I know we have been on record, but we'll
4 open the record for today's proceeding.

5 The Ohio Power Siting Board as scheduled
6 for hearing at this time and place Case No.
7 21-902-GE-BOR which is captioned in the Matter of the
8 Ohio Power Siting Board's Review of Ohio
9 Administrative Code Chapters 4906-1, 4906-2, 4906-3,
10 4906-4, 4906-5, 4906-6, and 4906-7.

11 My name is Michael Williams, and I am the
12 Administrative Law Judge assigned by the Board to
13 preside over today's workshop. Today's workshop is a
14 further step in the rulemaking process regarding
15 whether modifications should occur to the rules at
16 issue.

17 As we begin today's workshop, a bit of
18 history is helpful. The Board began the informal
19 evaluation of the rules at issue at the beginning of
20 March of 2020. The Board conducted three stakeholder
21 engagement meetings on March 11 of 2020, March 12 of
22 2020, and May 12 of 2020 to gather information as to
23 what changes to the rules may be beneficial to the
24 public as well as major use of utility facilities
25 that operate or seek to operate in the state.

In connection with those meetings, the Board pledged that it would conduct multiple workshops as it begins the formal rule evaluation process. And today's workshop is in follow-up to that pledge. I did have an additional in-person workshop this morning and there is another virtual workshop session set for Friday morning.

As described in the September 2021 entry that scheduled today's workshop, the Board is interested in comments as to all of the rules described in the case but there is an emphasis on issues that involve the process for considering certificate applications for electric generation facilities, electric transmission facilities, and gas pipelines including the potential for implementing a new rule that would be specific to electric generation facilities associated with solar panels.

I also note that the scheduling entry at pages 2 and 3 identified 13 topics to assist stakeholders in preparing comments. That list is certainly not intended to be exhaustive and the Board welcomes all comments as to the issue being considered.

Now, following today's workshop, Board Staff will review the comments received and determine

recommended changes to the rules. After Staff's review, the Board will open this case for formal written comments to be filed later in this docket. Once the written comment period is concluded, the Board will consider the adoption of rule changes or additions within the Ohio Administrative Code.

I want to stress that today's workshop is your initial opportunity to provide feedback on the consideration of the proposed rules. Also nothing said today will be considered binding on any of the interested stakeholders. Binding recommendations will be part of the formal written comment proceeding that will follow today's workshop. I would also emphasize that today's workshop is not intended to discuss any case or pending proceeding currently before the Board.

This workshop is being transcribed by a court reporter from Armstrong & Okey. If you plan to testify, please speak clearly so that the court reporter can accurately reflect your comments on the record.

Also, if you have a prepared written statement, it would be helpful to provide a copy of that to the court reporter as well which you can do by e-mailing it to the Ohio Power Siting Board at

1 contactopsb@puco.ohio.gov.

2 Now, normally in the context of an
 3 in-person workshop as we did this morning, I would
 4 simply open up the floor for comments, ask that you
 5 come forward and give your name and address and begin
 6 speaking, but for this virtual session we will call
 7 the people who are presenting in the order that they
 8 preregistered in accordance with the instructions
 9 from the September 3, 2021, entry, though I do note
 10 we have some changes to the preregistration list that
 11 was published in the docket in this case.

12 And I will just go ahead and I guess
 13 briefly highlight those at the outset. I have our
 14 fourth witness, Sarah Conley-Ballew, is not
 15 presenting today and fifth witness, Miranda Leppla,
 16 is not presenting today. Our sixth and seventh
 17 witnesses, Jason Rafeld and Jamie Mears, have asked
 18 to be reversed in order, so Mr. Rafeld will go sixth,
 19 and Jamie Mears will go seventh. Hector
 20 Garcia-Santana testified live at the morning's
 21 workshop, so he will not be presenting. And Jonathan
 22 Wygonski may or may not be presenting last on today's
 23 agenda. So those are the changes. We will certainly
 24 go through those individually as we proceed.

25 So with that we will call our first

1 testifying witness, DeAndra Navratil.

2 MR. SCHMIDT: You've been promoted. If
3 you can enable your audio and video.

4 MS. NAVRATIL: Thank you. We do not have
5 any comment today.

6 ALJ WILLIAMS: Thank you, Ms. Navratil.
7 Our second commenter is Amy Kurt.

8 MR. SCHMIDT: You've been promoted. If
9 you can enable your audio and video.

10 ALJ WILLIAMS: Ms. Kurt, I show you as
11 being on mute still.

12 MS. KURT: Oh, how about now?

13 ALJ WILLIAMS: I hear you --

14 MS. KURT: All right.

15 ALJ WILLIAMS: -- loud and clear. Thank
16 you very much.

17 MS. KURT: Let me see if I can get my
18 video here too. There we go.

19 ALJ WILLIAMS: There you are. We got
20 you. Please identify yourself and where you are from
21 and begin your comments, please.

22 MS. KURT: Sure. My name is Amy Kurt,
23 and I am the Senior Manager of Regional Government
24 Affairs for EDP Renewables North America. We are the
25 largest owner and operator of wind farms in Ohio and

1 the fourth largest owner and operator of wind farms
2 in the country. We have four wind farms in Ohio.
3 They are in Paulding and Hardin County. And we have
4 an operation and maintenance office that hosts most
5 of our staff in Ohio in Payne, Ohio.

6 We are really proud to have brought
7 incredible economic development opportunities to
8 northwestern Ohio. Our project has contributed more
9 than \$8 million in tax payments through a pilot
10 program that have helped local schools, roads, fire
11 districts, police departments, townships, and
12 counties in many ways. We've contributed more than
13 \$20 million to individual landowners who are leasing
14 their lands to us to host our infrastructure on their
15 property. We've created more than 500 construction
16 jobs and more than 50 permanent jobs to manage,
17 maintain, and operate our facilities.

18 I have a few kind of general broad-based
19 comments for the Board to consider today, and then I
20 would like to just echo our support for the
21 association with whom we are members, the MAREC, the
22 Mid-Atlantic Renewable Energy Coalition, as well as
23 ACP, the American Clean Power Association. We'll
24 both be submitting joint written comments, and we
25 support the very -- more detailed responses that they

provided in those written comments as well.

But, generally, I would like to just say that we really appreciate the Board throwing -- or putting out these overarching questions for industry and others to consider, and we very strongly encourage the Board to provide an equal or even deeper level of opportunity to review and consider more detailed proposals that are put forth.

I think that -- that our industry and renewable energy projects take many years to develop, many years to construct, and are in operation for decades, and major changes whether in law or in rule can have dyer impacts on our ability to do business in the State of Ohio

So we would encourage the OPSB to put forward their proposals and allow for time for our industry to react and to consider what you've put forth, and we look forward to work with the OPSB Staff as they move forward with all of the ideas that are being considered today.

As you know, we've -- we've dealt with a lot of change in Ohio that has made doing business in this state challenging. In particular on the wind side when the legislature enacted extremely stringent setback requirements, it essentially put a stop to

1 most of our industry's business. EDP Renewables was
 2 lucky to have squeaked out one more project under the
 3 new setback regime in a community that is very
 4 supportive and very familiar with wind because they
 5 had experienced other wind farms in the past, and we
 6 think that those factors contributed to broader
 7 community acceptance of our project because the
 8 broader community was able to see the broader
 9 benefits that were brought to schools, to the county,
 10 and all the various acting entities that were able to
 11 benefit from our wind farm. So we would encourage
 12 the OPSB Staff to consider those types of changes,
 13 whether they are setbacks or lighting or vegetation
 14 management.

15 I think it's question letter T to the
 16 solar industry and the drastic impacts that those
 17 types of requirements could have on the ability for
 18 the solar energy industry to move forward and for us
 19 to move forward building solar projects in the state
 20 of Ohio.

21 I will highlight just a couple of other
 22 of the lettered questions. I believe it's letter L
 23 that talks about transmission. Transmission is
 24 essential to the growth of our business of the
 25 renewable energy industry in Ohio on many levels, but

1 a piece of that transmission story is the generator
2 lead line that allow us to interconnect our projects
3 to the existing grid, and we think that those
4 transmission lines are different than more
5 broad-based transmission development in the state.

6 Oftentimes the lines that we build to
7 connect our projects to the grid are much shorter and
8 can be in a variety of voltages, but we very rarely,
9 if ever, would rely on eminent domain to build those
10 lines. So the public interests criteria for the
11 generator we feel should be distinct than just any
12 other transmission line that's being built that may
13 be looking to rely on eminent domain.

14 All of our projects have had complete
15 landowner support and buy-in as we lease lands for
16 those generator lead lines, those transmission lines,
17 and, therefore, the public interests criteria may not
18 need to be as stringent for other transmission
19 buildout.

20 The other question that I will highlight
21 is letter Q and there are a couple of other ones, I
22 think it's P, that may involve some of the other
23 studies that have to do with project development. So
24 I think Q talks about the environmental studies or
25 the aviation regulations. Those are essential

1 studies that we should undertake and essential
2 coordination that must be undertaken between our
3 companies and other state agencies or other federal
4 agencies, for example, the Federal Aviation
5 Administration, FAA, and we appreciate the current
6 regime at the Ohio Power Siting Board that allows
7 developers to start that coordination at the
8 beginning of the Power Siting Board application
9 review process and allow us to complete those reviews
10 and to receive those permits throughout the Power
11 Siting Board process.

12 I believe it's the current regulation for
13 wind farms where we have to turn in our FAA permits
14 prior to construction, but we don't necessarily need
15 those in hands when -- in hand when we are submitting
16 our application. That timing flexibility is
17 essential because agency coordination can take many
18 months, as it should, as you are working through the
19 details of your project.

20 The FAA permits can take many months,
21 oftentimes up to a year to receive from the Federal
22 Government, and we need the flexibility to be able to
23 turn in those permits prior to construction and not
24 have every single permit and every single agency
25 coordination completely tied up prior to or when we

1 go to submit an application with the Power Siting
2 Board.

3 And then I will highlight letter T again.
4 This proposes some very detailed questions to the
5 solar industry about -- and R as well, so drainage,
6 irrigation, stormwater runoff. Sorry. Let me hit on
7 R first. These are all important things to building
8 a successful solar project and we would be happy to
9 provide further information to the Power Siting Board
10 about our plans, for example, to mitigate our impact
11 to field drainage.

12 But again, I would encourage the Power
13 Siting Board to allow for flexibility to turn those
14 plans in prior to construction. Stormwater runoff
15 management plans, we absolutely do those. That's a
16 part of our NPDES permits but those things come a lot
17 further along in the development stage of your
18 project when you have your final engineering and you
19 have all of your final detailed scopes provided, and
20 we would appreciate the flexibility from the Ohio
21 Power Siting Board to provide those plans and permits
22 later on in the application process.

23 Additionally, with field drain tile, we
24 know that solar projects will run into drain tile,
25 and we think it extremely important that the Power

1 Siting Board provide flexibility to developers to not
 2 just repair the existing drain tile that is in the
 3 solar field today but to actually come up with a new
 4 strategy for field drain tile and to provide that
 5 plan to the Power Siting Board, the landowner, and
 6 the local community to show what we will do to
 7 mitigate impacts to drain tile and allow us to
 8 actually relocate drain tile around our facilities
 9 and ensure that the overall impact to drain tile and
 10 drainage in the community is -- is reduced or is the
 11 same as it was prior to our project coming in.

12 Okay. And then, lastly, I will wrap up
 13 my comments with it, T is a loaded question. There
 14 is a lot in there and I would encourage the Power
 15 Siting Board staff to tread lightly. Any major
 16 changes to setbacks, to landscape, to lighting, to
 17 perimeter fencing, to noise, to vegetation
 18 management, these -- these types of regulations can
 19 be project killers.

20 You may not think that a very slight
 21 change to a setback would be a big deal, but with all
 22 of the different pieces that come together when you
 23 are developing a project, one small change to the
 24 regulations can have a very, very substantial impact
 25 to our ability to build a project economically. And

1 I would encourage the Staff to work closely with
2 industry and with communities on coming up with
3 regulations that can allow us to move projects
4 forward in the state of Ohio unlike what the
5 legislature did with setbacks for the wind energy
6 industry.

7 So with that I would again express my
8 appreciation for accepting comments, particularly on
9 the web and virtually, as it is difficult for many of
10 us to travel, and we really appreciate you opening
11 this opportunity up to take comments in so many
12 different ways at so many different times.

13 And so I will end my comments there.
14 Thank you so much.

15 ALJ WILLIAMS: Ms. Kurt, if you would
16 hang on for just a second. Okay. I still have you.

17 I have one question or point of
18 clarification and one comment on my own. So in terms
19 of the separating generator lead lines from
20 transmission lines generally, would you propose a
21 definition for generator lead lines? Would that be
22 based on length of the line or how would you define
23 that?

24 MS. KURT: It's hard to -- thank you for
25 your question, Mr. Williams. It's hard to

1 differentiate the lengths because we've had some
2 projects where the gen lead line is 500 feet, and
3 we've had other projects where the generator lead
4 line is 2 miles, but I think for us that the
5 differentiating factor is we get full landowner -- we
6 acquire all of our land from -- from landowners
7 through negotiated leases that are -- that require
8 full landowner buy-in.

9 ALJ WILLIAMS: So the definition you
10 would propose would be based on control of the land
11 rights.

12 MS. KURT: I think so. And I will caveat
13 that one -- one piece further is I believe, and I
14 will have to double-check, but we -- we may have come
15 before the Power Siting Board in the past with a
16 project where we might not have had all of the land
17 leased when we applied for our certificate, but we
18 had all of the land leased by the time we were
19 providing our certificate.

20 So I don't think that you should require
21 all of the land to be leased at the initiation, but I
22 do think that the difference is that we are not
23 asking you for eminent domain authority.

24 ALJ WILLIAMS: Okay. And that segue is
25 nice into my comment to the extent there are

1 industry-specific mechanics that -- as a for example,
 2 obtaining the FAA permission involves this level of
 3 lead time and this level of detailed information
 4 regarding specific siting; again, as a for example,
 5 the more information you can share with the Board
 6 regarding those specifics and those mechanics at
 7 the -- at the comment period, the more helpful it
 8 will be. So if there are issues that you are aware
 9 of that FAA permission now takes, you know, 14 months
 10 and has to be very site specific when it used to take
 11 4 months to get a general, those sorts of issues, it
 12 would certainly be helpful to the Board in the
 13 comment phase.

14 MS. KURT: Sure. I appreciate that.
 15 It's tricky because it's ever changing, right? So
 16 one project you might have an FAA permit in 9 months,
 17 and other projects it might take 14 months. You
 18 just -- you don't necessarily know at the outset so
 19 that's again one of the reasons why we appreciate the
 20 flexibility in not having to provide every single
 21 permit from every single external party or external
 22 agency at the beginning of the process but to be able
 23 to provide those before construction.

24 ALJ WILLIAMS: Okay. Thank you for your
 25 comments.

1 MS. KURT: Thank you.

2 ALJ WILLIAMS: You're welcome.

3 Our next presenter is Kaley Bangston.

4 MR. SCHMIDT: You've been promoted. If
5 you can enable your audio and video.

6 MS. BANGSTON: Hello. Can you hear me?

7 ALJ WILLIAMS: Ms. Bangston, we hear you
8 loud and clear.

9 MS. BANGSTON: Fantastic. My video is
10 not, but I will proceed.

11 So thank you so much. My name is Kaley
12 Bangston. I am Senior Manager of Government and
13 Regulatory Affairs for Invenergy Renewables. Thanks
14 for the opportunity to provide a few comments. I am
15 not going to address each of the questions posed in
16 the docket but instead wanted to provide a few
17 general statements. We will plan on providing more
18 specific comments once the draft rules have been
19 circulated.

20 Like I mentioned before, I work for
21 Invenergy. We are a leading renewable energy
22 development company with almost 30,000 megawatts of
23 projects developed globally. We are very proud to
24 have been developing projects and partnering with
25 communities in Ohio for over 10 years and at this

1 point are exclusively focused on solar development in
 2 Ohio. Most recently in the past few years we have
 3 completed the development, are -- are now in
 4 operation of a project in Hardin County. We have
 5 three other solar projects that are already permitted
 6 by OPSB and have thoroughly enjoyed -- excuse me. We
 7 are working on the process of permitting a few other
 8 late stage projects in other counties. We have
 9 greatly enjoyed partnering with the communities
 10 across Ohio and have really enjoyed the opportunity
 11 and for those communities allowing us to become, you
 12 know, members of the community.

13 So given our experience, I just really
 14 wanted to take a few minutes today to say thank you
 15 to the stakeholders and to OPSB for the opportunity
 16 to participate in this workshop and the opportunity
 17 to review the rules once the draft rules are out for
 18 comment.

19 Today Invenergy has appreciated their
 20 respectful working relationship with OPSB Staff and
 21 the Board in following OPSB Staff's, you know,
 22 existing what we believe is an extremely robust
 23 permitting process. As a company, we are always
 24 happy to field questions from Staff or Board members,
 25 from the local communities, landowners, other key

1 stakeholders throughout the process. We believe that
 2 successful projects all begin with significant
 3 upfront discussion with local communities for us to
 4 provide information and education and also for us to
 5 receive feedback from those communities.

6 We believe that the current process
 7 establishes a really strong foundation for projects
 8 to move forward successfully in the development
 9 process into construction and operation. I also just
 10 want to add quickly or offer quickly that we believe
 11 OPSB's environmental review established in the
 12 current rules is extremely robust and is as all
 13 encompassing as we have seen in any state process.

14 So those are just my kind of quick
 15 remarks. I just wanted to say thanks for the
 16 opportunity to engage, and we look forward to
 17 participating in these workshops, further discussion,
 18 and review of the rules once they are circulated.
 19 Thank you.

20 ALJ WILLIAMS: Thank you, Ms. Bangston.
 21 Thanks for your appearance today.

22 Our next presenter is Jason Rafeld.

23 MR. SCHMIDT: You've been promoted. If
 24 you can enable your audio and video.

25 ALJ WILLIAMS: Good afternoon,

1 Mr. Rafeld.

2 MR. RAFELD: Good afternoon,

3 Mr. Williams. Thank you.

4 ALJ WILLIAMS: Well, please proceed.

5 MR. RAFELD: Thank you very much.

6 Mr. Williams, OPSB Staff, and esteemed participants,
7 thank you for the opportunity to address you on these
8 important issues today. My name is Jason Rafeld, and
9 I serve as the Executor Director of the Utility Scale
10 Solar Energy Coalition of Ohio. Our organization
11 represents the majority of large scale solar
12 development in Ohio with 26 members primarily made up
13 of developers.

14 I am here today to offer informal
15 comments on the rules regarding solar energy
16 development. Our organization intends to file
17 written comments on this workshop at a later date.

18 As a state, we're exceptionally fortunate
19 to have the opportunity to consider rules that will
20 impact so many projects, businesses, communities, and
21 individual families across our state. The solar
22 development happening now has already brought an
23 overwhelming array of benefits to a broad spectrum of
24 Ohioans and Ohio businesses and there is more to
25 come.

As a state, we are also fortunate to have a body such as the OPSB that can act as a professionally staffed clearinghouse of large energy projects and other important infrastructure. Our organization has supported the OPSB in many venues and will continue to do so.

Consistency in regulation and development, reliability, and a reasonable process are all benefits of having the OPSB. These benefits bring businesses -- bring business and drive opportunity and expansion throughout Ohio.

As asked by Mr. Williams, USSEC will offer general comments today on the questions posed in the order. As mentioned above, and more detailed written comments will be filed at a later time.

So to get right -- started here, question I, should electric and gas facilities rules be combined? Our comment is in a word no. The components of each application are vastly different and having a requirement separated provides applicants with a clear set of instructions specific to each type of project.

Either way the OPSB chooses to do this, the requirements should be set out in unambiguous terms about which requirements are for which

1 application.

2 Question J, what additional information,
3 if any, should be included in a proposed project
4 summary? USSEC believes the current rule is
5 sufficient and does a good job of providing an
6 at-a-glance understanding of the project without
7 overwhelming with too much detail. However, if the
8 Board preferred more information in the summary, a
9 boundary map, the URL to the project web page, if
10 any, and a point of contact for the project could be
11 included.

12 Question K, what additional information,
13 if any, should be included in the project description
14 and project schedules that are currently required by
15 the OAC? Comment, USSEC believes the current rule is
16 sufficient and provides the OPSB with all the
17 information you need to evaluate projects.

18 Designs currently submitted for solar
19 farms show all of the components with a high degree
20 of precision and finality. Preliminary layouts are
21 intended by the applicants to remain substantially
22 similar to the final design required to be submitted
23 prior to construction. However, due to ongoing
24 technological innovations, continued engineering and
25 survey work, public feedback, and communications

during the certification process, the precise location of these features may be subject to change within the defined project area.

Importantly, utility-scale solar applications present preliminary site designs that fully depict the maximum extent of a proposed facility. This ensures that Staff and other stakeholders have a clear understanding of the maximum potential impact at the time of its preliminary design.

Question L in regard to a proposed electric transmission or gas pipeline, USSEC has no comment here. It just does appear to be for transmissional requirements specific to solar.

Question M, in regard to project siting, what information should an applicant file to support its consideration of public involvement as to the site or route selection process? This question appears to be geared largely towards transmission route selection. However, site selection for solar farms is largely dictated by its need of flat, previously disturbed land, proximity to transmission lines, clean interconnect to the grid, and the ability to lease land.

As you know, Ohio is a competitive state

1 for generation. As such, choices regarding site
2 selection are highly competitive and often
3 confidential until an applicant has enough
4 information to reliably share project details with
5 the public.

6 Additionally, and maybe most importantly,
7 after extensive negotiations on Senate Bill 52, the
8 legislature chose to express their desire for public
9 involvement by adding a new requirement whereby
10 developers must hold a public meeting to share their
11 proposed project including type, size, nameplate
12 capacity, and a map of geographic boundaries.

13 Developers must notice the county
14 commissioners of each county and the township
15 trustees of each township in which the project is
16 located at least 90 days and not more than 300 days
17 prior to applying for a certificate. This new
18 legislative requirement strikes a balance between
19 informing the public as soon as possible while
20 respecting the iterative nature of the development
21 process at this early stage.

22 Utility-scale solar applicants must
23 undergo a lengthy investment, investigation,
24 research, engineering, legal, and evaluation process
25 by PJM before they even know if the potential project

1 is viable.

2 Public involvement prior to determination
3 as to whether or not a project is possible from a
4 technical perspective risks misinforming and
5 misleading the local community; however, public
6 involvement should begin as soon as is reasonable.
7 Initial designs are commonly changed and updated due
8 to local community involvement. As a result, USSEC
9 believes the current rule is sufficient.

10 Question N, for all applications what
11 information should an applicant file in the public
12 docket in regard to public interaction and complaint
13 resolution surrounding significant pre-construction
14 and pre-operation project developments? USSEC is
15 supportive of having significant activities related
16 to public interaction and complaint resolution filed
17 within the applicant's public docket. USSEC also
18 sees no problem with providing high level public
19 engagement and complaint resolution data at
20 predetermined intervals such as during the compliance
21 review and prior to public hearing.

22 I would note that we feel strongly that
23 personal -- personal identifiable information should
24 be protected as we have had instances where
25 individuals were threatened from having their -- for

example, their home address released to the public and people encouraged to show up at that individual's home.

USSEC welcomes the opportunity to work with Board Staff to develop rules for reporting activities that are considered significant and what information should be included as part of that filing to assist the Board with their determination while still maintaining individual safety and competitive spirit.

Question O, consistent with Revised Code 4906.221 and 4906.222, what information should a wind or solar facility applicant file regarding its decommissioning plans? USSEC supports transparency and consistency in developing sound decommissioning plans which provide assurances to the public, the OPSB, and USSEC members regarding expectations for the final stage of life for solar-generating facilities. Therefore, USSEC proposes that all new age solar-generation projects include clear and consistent standard stipulation language related to decommissioning requirements.

USSEC believes that the consistent use of decommissioning language will provide greater transparency to all stakeholders, ensure that the

1 OPSB Staff receives consistent detail from all
2 developers, facilitate efficient planning, and allow
3 streamlined implementation. We support the language
4 on this subject in Senate Bill 52.

5 Question P, what information should an
6 applicant file in regard to communications with local
7 government contacts within a project area? Senate
8 Bill 52 requires projects not otherwise grandfathered
9 to hold a public meeting in each county where the
10 project is located. Following this meeting the
11 county commissioners may choose to restrict a project
12 in a number of ways.

13 The practical effect of this provision is
14 that applicant prior to proceeding to the OPSB will
15 be required to have extensive and well documented
16 interaction with local government.

17 Additionally, negotiation of critical
18 issues such as road use agreements and pilot
19 agreements require significant communication with
20 local officials. All communications with local
21 public officials are public record and are subject to
22 open meetings requirements. For these reasons USSEC
23 does not believe any additions are necessary.

24 Question Q, what information should an
25 applicant file in support of its compliance with

1 environmental and aviation regulations? USSEC
2 believes that the current regulations require the
3 submission of more than adequate information about
4 compliance with environmental and aviation
5 requirements. Thus, nothing additional is required.

6 Question R, what information should an
7 applicant file in regard to its planned management of
8 noxious weeds, irrigation system mitigation, field
9 drainage system mitigation, and stormwater runoff
10 management? Noxious weeds, USSEC is open to a
11 requirement that applicants submit a detailed plan
12 for management of noxious weeds. Plans could include
13 grazing, pollinator habitat, mowing, spraying, and
14 seeding and planting to control and minimize noxious
15 weed growth.

16 Irrigation system mitigation, if
17 irrigation is present within the project area,
18 applicants could be required to submit a plan to
19 avoid damage to irrigation practices in the area and
20 to repair any impacted irrigation systems in a timely
21 manner.

22 Field drainage system mitigation, USSEC
23 recommends that the applicant submit a plan both to
24 reasonably identify potential field drainage systems
25 and repair or replace any damaged drain systems in a

1 timely manner. The applicant should avoid, where
2 possible, or minimize, to the extent practicable, any
3 damage to functioning field tile drainage systems and
4 soils resulting from the construction, operation, or
5 maintenance of the facility. Damaged field tile
6 systems should be promptly repaired or rerouted to at
7 least original conditions or moderate equivalent at
8 the applicant's expense.

9 However, if the affected landowner does
10 agree to not having the damaged field tile system
11 repaired, they may do so only if the field tile
12 systems of adjacent landowners remain unaffected by
13 the non-repair of the landowner's field tile system.

14 Stormwater runoff, the nature of solar
15 farms is largely passive, and construction generally
16 maintains permeable soil and vegetative cover. As a
17 result, there should be little concern regarding an
18 increase in stormwater runoff. However, if the Board
19 desires more information on this, applicant could be
20 required to provide professional studies on the
21 possibility of changes to stormwater runoff that
22 would affect neighboring lands.

23 If the Board desired, USSEC would support
24 a requirement for general permit authorization for
25 stormwater discharges construction associated with

1 construction activities from the Ohio EPA prior to
2 construction.

3 Question S, what information should an
4 applicant file in regard to its mitigation of
5 communication system impacts? USSEC and its members
6 are unaware of any impact photovoltaic solar
7 installations have on communication systems. I
8 believe this is largely geared towards wind
9 development.

10 Question T, the Board is considering
11 implementing a rule to address solar facilities.
12 General areas for consideration include setbacks,
13 landscape, design, perimeter fencing, and operational
14 noise, what requirements should exist as to these
15 issues.

16 Setbacks, USSEC remains open to
17 discussion on any topic -- any topic in this
18 workshop. However, during Senate Bill 52 the General
19 Assembly chose not to include any specific setback
20 language for solar. As such, we believe it may be
21 outside the jurisdiction of the Board to add specific
22 setback language in a rule.

23 Additionally, setbacks are generally
24 decided through contractual agreements such as
25 stipulations, lease agreements, and good neighbor

1 agreements on a case-by-case basis. That being said
2 setbacks really are a matter of viewshed that really
3 impact the immediate adjacent landowner and are
4 different for every individual parcel and situation.
5 As such, they should remain flexible to allow for the
6 variety of situations presented in solar development.

7 On landscape, USSEC would support
8 applicant to submit a landscape plan in consultation
9 with a landscape architect licensed by the Ohio
10 Landscape Architects Board.

11 On fencing, USSEC is open to a
12 requirement that all projects use woven wire
13 agricultural fence on wooden poles or some suitable
14 alternative that complies with the National Electric
15 Code rather than barbed wire.

16 On operational noise, solar farms produce
17 very little operational noise and even less that
18 could possibly be heard outside the project area.
19 Developers also provide information regarding noise
20 levels through a number of engineering studies. As
21 such, USSEC believes creating a special rule is
22 unnecessary.

23 And, finally, the Board is reviewing
24 its -- question U, the Board is reviewing its fee
25 procedures and consideration, implementing a monthly

1 rather than completely upfront payment mechanism.
 2 What information should the Board be considering
 3 regarding this issue? USSEC supports the current fee
 4 procedure of submitting the entire application fee
 5 upfront. An upfront fee is simply more streamlined
 6 and may create a barrier for entry for projects not
 7 sufficiently capitalized to complete responsible
 8 development. Monthly fees would also require
 9 additional billing and accounting procedures within
 10 the OPSB that could add to the already complex
 11 application analysis of the applications.

12 Thank you for the opportunity to comment
 13 on these important rules. This concludes my comments
 14 on behalf of the Utility Scale Solar Energy Coalition
 15 of Ohio.

16 ALJ WILLIAMS: Mr. Rafeld, thank you for
 17 your time this afternoon. I would, I guess, propose
 18 the same comment I had to Ms. Kurt earlier which is
 19 to the extent the Board considers requiring
 20 additional information at the outset of an
 21 application, obviously the Board is going to be
 22 dependent on industry to provide detailed comments as
 23 to what forms of additional information can
 24 reasonably be ripe as part of an application, what
 25 forms are more appropriately further down the design

1 phase, so I would just implore you to consider those
2 details as you submit comments in this case.

3 MR. RAFELD: Thank you. We will do so.
4 Appreciate the comment so much.

5 ALJ WILLIAMS: Thank you, Mr. Rafeld.

6 Our next presenter is Jamie Mears.

7 MR. SCHMIDT: You've been promoted. If
8 you can enable your audio and video.

9 MS. MEARS: Hi. Can you hear me?

10 ALJ WILLIAMS: Yes, Ms. Mears.

11 MS. MEARS: Excellent. Thank you very
12 much. I am going to get my camera set up here.

13 ALJ WILLIAMS: Okay.

14 MS. MEARS: Perfect. Good afternoon,
15 Mr. Williams and members of the OPSB. My name Jamie
16 Mears, and I am a project developer with Orsted
17 Onshore North America. Thank you for the opportunity
18 to offer comments to OPSB's five-year rulemaking
19 process.

20 Orsted is a global utility-scale
21 renewable energy company with over 1-1/2 gigawatts of
22 operational wind and solar capacity in the U.S. We
23 are committed to responsible development that
24 generates clean, affordable electricity and helps
25 diversify local economies while supporting local

1 development.

2 Recently our company made a commitment to
3 all future renewable projects will have a net
4 positive impact on local biodiversity. This means
5 that we plan to practically plant native and
6 pollinator-friendly vegetation that will support the
7 maintenance of healthy ecosystems in a project
8 community.

9 We are also deeply committed to not only
10 serving as experienced, knowledgeable developers but
11 also trusted partners in the communities in which we
12 work. We have partnered with and supported local
13 community organizations, STEM curricular development
14 in local school districts, and local sports teams in
15 the past and ongoing projects.

16 Early and ongoing engagement with the
17 members of our project communities is a core element
18 of our development philosophy at Orsted. At Orsted
19 we are generally supportive of the current rule in
20 the areas in which OPSB is seeking input. Orsted is
21 aligned with the comments Jason previously shared
22 that will be submitted by USSEC of which we are a
23 member.

24 We look forward to working with the OPSB,
25 local officials, community members, and other key

1 stakeholders throughout the process to provide
2 industry input and feedback on the benefits,
3 drawbacks, and potential impacts of OPSB rules and
4 decisions related to energy development in Ohio.

5 We support the rulemaking process that
6 provides clear guidance for energy development while
7 also maintaining flexibility consider -- to consider
8 unique aspects of each project on a case-by-case
9 basis.

10 Thank you again for the opportunity to
11 offer our comments during today's workshop. We look
12 forward to serving as an industry partner and engaged
13 participant throughout this process.

14 ALJ WILLIAMS: Ms. Mears, thank you for
15 your time and comments this afternoon. Have a good
16 afternoon.

17 MS. MEARS: Appreciate it.

18 ALJ WILLIAMS: Our next commenter is
19 Douglas Herling.

20 MR. SCHMIDT: You've been promoted. If
21 you can enable your audio and video.

22 ALJ WILLIAMS: Good afternoon,
23 Mr. Herling.

24 MR. HERLING: Good afternoon, your Honor.

25 ALJ WILLIAMS: Please proceed when you

1 are ready.

2 MR. HERLING: Great. Thank you -- thank
3 you for the opportunity to provide input on these
4 rules today. Again, my name is Doug Herling, Vice
5 President of Open Road Renewables. In this role I
6 have been charged with leading the development of
7 utility-scale solar projects in Ohio for the last
8 five years.

9 From this advantage point I have had a
10 front row seat to OPSB's fair and balanced review
11 process of renewable energy projects, and I've
12 witnessed the ample opportunity for input in this
13 process. The process has certainly evolved
14 considerably from our first solar facility
15 application in 2017 through five others to today.
16 And we appreciate these -- these efforts that we are
17 undergoing now to provide greater clarity regarding
18 Staff's expectations for future application reviews.

19 Previous commenters have already covered
20 many important aspects of the process, and I
21 certainly echo Jason Rafeld's remarks along with my
22 other colleagues. But I would like to provide some
23 additional inputs, specifically regarding three
24 aspects of the process.

25 With regard to communication

1 infrastructure, Open Road believes that with respect
 2 to solar facilities the current regulations do -- do
 3 require the submission of more than adequate
 4 information about communication system impacts. The
 5 Board's existing rules require confidential
 6 information on this subject, and specifically the
 7 rules require the applicant to evaluate and describe
 8 potential for the facility to -- to interfere with
 9 radio and T.V. reception, radar systems, microwave
 10 communication, on and on.

11 And given the low profile of solar and
 12 the production of only routine levels of
 13 electromagnetic forces which are ubiquitous in modern
 14 society, utility-scale solar facilities have
 15 essentially no potential to create any such
 16 interference in the locations where we are typically
 17 proposing these projects.

18 Some of my other colleagues have touched
 19 on these next two points, but I don't think I am
 20 being too -- too duplicative here. But I did want to
 21 comment on final engineering and manufacture of
 22 information specifically. When OPSB receives an
 23 application from a developer, that application is for
 24 a proposed utility-scale solar generation facility.
 25 Proposed is the key operative here. The application

contains a massive amount of data generated by field studies, desktop analysis, prelim engineering, transmission studies, and more.

However, from the time this work begins, typically 9 to 12 months prior to that application submittal all the way to certification, the project meets requirements and is approved by the Siting Board in another 9 to 12 months, that's one-and-a-half to two years that may have elapsed since the project really kind of began working on that application. And the time can be twice that if the case is contested.

So major investment in final engineering and procurement would then begin in earnest once the certificate is in hand and not appealable. Finalizing engineering and procurement decisions earlier is often impossible due to product evolution and manufacture lead time requirements. We understand the OPSB's desire to gather as much information as early as possible.

That said emphasis on providing specific manufacturers or even models, key facility components at the application stage is unnecessary given the similarities in component design, function, and operation. With generic or illustrative information,

1 the Staff can still feel confident that project
2 impacts are actually accounted for and that the
3 guardrails are in place to ensure a minimally
4 impactful project here during construction and
5 decommissioning of the project.

6 In a similar vein, over the last five
7 years I've witnessed a marked shift from quote
8 certificates to true certificate compliance with OPSB
9 rules. Archeological phase I, the field work and
10 reporting preferably occurred pre-construction and
11 was informed by final design. Conducting an
12 archeological phase I prior to certification or prior
13 to application filing even puts an unnecessary burden
14 on the project and especially on participating
15 landowners.

16 The field season for archeology is
17 unpredictable, often quite short even when a crop
18 comes off early in October, like for many folks this
19 year, field work usually must wait until all project
20 acreage is in surveyable condition. This typically
21 requires farmers to disk their fields multiple times
22 in order to provide surface -- surface visibility for
23 field work. For many farmers in Ohio it's fair to
24 note no till farming practices first came -- sets
25 them back years in terms of soil health, carbon

1 content, and erosion control.

2 While we've not systematically gathered
3 data on this, we believe the archeological field work
4 is generally going to find very few important or high
5 value resources considering the very large areas,
6 often hundreds of thousands of acres that have been
7 systematically surveyed. It is not surprising that
8 most of these areas have been previously disturbed
9 for hundreds of years.

10 There is a better way. But a phase I
11 work plan and the Ohio Historic Preservation Office
12 approval of the work plan represents a rigorous
13 desktop research program and NGS modeling efforts to
14 identify high probability areas for archeological
15 sites paired with a programmatic agreement, OPSB has
16 the information and assurances necessary to review
17 the solar project application.

18 Work plan -- a work plan dictates how the
19 work will be done and the programmatic agreement, or
20 PA, spells out how the project will work with OPO,
21 insight is found in the phase I-B investigation. It
22 cites can be readily avoided with community setbacks
23 and impacts mitigated through established memorandum
24 of understanding process with OPO.

25 Again, I thank you for the opportunity to

1 provide comment today. Look forward to taking part
2 in the ongoing rulemaking process once the rules are
3 available for review. Thank you again. Have a good
4 day.

5 ALJ WILLIAMS: Thank you, Mr. Herling. I
6 appreciate your time.

7 Our next presenter is Shanelle Montana.

8 MR. SCHMIDT: You've been promoted. If
9 you can enable your audio and video.

10 MS. MONTANA: Hello. Good afternoon.

11 ALJ WILLIAMS: We can hear you and see
12 you loud and clear.

13 MS. MONTANA: Great. My name is Shanelle
14 Montana, and I am the Director of Development for
15 Lightsource BP. Thank you, Mr. Williams and OPSB,
16 for opening this opportunity for comment on the
17 rulemaking.

18 A lot of my colleagues have said many of
19 what I originally was going to speak about, so I will
20 keep this fairly brief. But one thing that keeps
21 resonating when reviewing this rulemaking and the
22 questions asked is the fact that Ohio isn't in a
23 bubble. Ohio is a marketplace for renewable energy
24 and other energy generation that is indeed regional.

25 And one of the things that I wanted to

1 discuss today is the fact that the timeline is quite
2 long, and when we are looking at a potential
3 investment location, we are looking at a number of
4 factors, and we are comparing them not only to other
5 sites in Ohio but to sites in Indiana, cites to
6 Pennsylvania where our customers are oftentimes very
7 similar.

8 This long development time often has a
9 very tight budget as well, and those budgets are
10 getting tighter and tighter as the renewable energy
11 industry, particularly the solar industry, is growing
12 and becoming much more competitive with new entrants
13 into the marketplace and a demand that is continuing
14 to increase.

15 As you are going through the rulemaking
16 process, I think it's important to really look at the
17 clarity and certainty that's being provided to the
18 development community so that we can indeed construct
19 these projects in the most efficient and effective
20 way possible and also, you know, really being
21 regulatory headaches not only in timing for your
22 Staff but also for us, and we can make sure that we
23 are maintaining the studies and information that is
24 being requested.

25 As my colleague before mentioned, these

1 timelines can be quite long, and so the information
2 we're presenting when we are actually submitting the
3 application, you know, could be a year prior to when
4 we are reviewing it and in a hearing process. And a
5 lot can change in engineering or other pieces of the
6 project and so really having those expectations
7 upfront gives us that opportunity to craft the best
8 project that we can.

9 Changing regulatory standards and moving
10 goal posts halfway provide that uncertainty to
11 developers and to the project that really not only
12 can increase costs for the project which then
13 eventually go down to ratepayers, but it also just
14 creates longer headaches and timelines both for
15 developers and OPSB Staff, and the streamlining of
16 all of these regulations in the process in making
17 sure things are clear and concise upfront, I think,
18 will help to alleviate that headache for both
19 parties.

20 As we look forward, again, I am not going
21 to get into the details, many of my colleagues have
22 done that quite well, and I know a number of written
23 comments are coming in, but I think taking that broad
24 regional lens is very important. This is a very
25 competitive marketplace and regulation is not bad.

1 Nobody is going to say that, but it needs to be done
 2 on a fair and balanced way recognizing that these
 3 projects are competing in a region. They are
 4 competing not only nationally but regionally, and if
 5 Ohio is going to maintain a very highly regulated
 6 state which, as it has been pointed out today, Ohio
 7 is exceptionally regulated with energy generation,
 8 you know, I think there needs to be an understanding
 9 of the impact that will make on the marketplace and
 10 then the further economic development it will have in
 11 Ohio and what these projects have the potential to do
 12 for economic development.

13 We need to strike a fair and balanced
 14 approach to the rulemaking so that all parties can
 15 make the best decisions for their projects, and we
 16 can continue to see the type of economic development
 17 that we've seen thus far with renewable energy.

18 Thank you so much, Mr. Williams, and to
 19 all of your Staff.

20 ALJ WILLIAMS: Thank you for your time,
 21 Ms. Montana. We will take your comments under
 22 advisement.

23 Our next presenter is Elizabeth Harsh.

24 MR. SCHMIDT: You've been promoted. If
 25 you can enable your audio and video.

1 ALJ WILLIAMS: Ms. Harsh?

2 MS. HARSH: There we are.

3 ALJ WILLIAMS: All right. I hear you.

4 MS. HARSH: And it may not cooperate with
5 me to get my camera going. I apologize. Is that a
6 problem?

7 ALJ WILLIAMS: It is not a problem for a
8 workshop of this nature so please proceed just via
9 audio if you are comfortable.

10 MS. HARSH: I apologize for that. I
11 thought I had everything set. But good afternoon.

12 ALJ WILLIAMS: Good afternoon.

13 MS. HARSH: I would like to thank the
14 Ohio Power Siting Board Staff and Administrative Law
15 Judge Mr. Williams for this opportunity to
16 participate in the OPSB rule workshop. My name is
17 Elizabeth Harsh. And I am the Executive Director of
18 the Ohio Cattlemen's Association and also part of a
19 family farm in Delaware County.

20 My comments are not specific to questions
21 but rather more general statements. The Ohio
22 Cattlemen's Association is a membership organization
23 that represents the business interest important to
24 farm families throughout Ohio that raise cattle. It
25 serves as the board of the state's beef cattle

business. OCA's mission is to maintain profitability and growth of Ohio's beef industry while providing consumers with safe and wholesome beef. Ohio's cattle farmers raise approximately 307,000 beef cows with a total value of cattle and calves at 1.45 billion. Perhaps even more important, agricultural is the state's No. 1 industry contributing nearly 124 billion annually to the Ohio economy with over 40 percent of the sales from livestock and poultry farms.

Some of the economic contributions of our individual industry in Ohio are as follows: We have many farmers participating in utility-scale solar projects and many who have been working and planning on these projects for years. A farmer's property and farming assets are a critical part of their financial stability, retirement, and estate planning. Our farmers are feeding the world, and now many are supplying the energy for our communities, family, and businesses.

The Ohio Cattlemen's Association, along with the Ohio Farm Bureau and Ohio's beef, dairy, pork, and poultry farmers, strongly oppose Senate Bill 52 and strongly support the personal property rights of our farmers.

1 Many farmers often lease portions of the
2 land to solar and wind developers using these
3 payments to supplement income which helps farmers
4 with the year-to-year turbulence in the agricultural
5 commodity markets. The stable incomes enable farmers
6 to better plan for equipment purchases, expansion of
7 operations, and keep their land in agricultural use
8 as opposed to leasing land to commercial or
9 residential developers.

10 Utility-scale solar development is
11 feeding into the economic viability of our farm
12 families in rural communities. The tax and pilot
13 payments to the counties, townships, and schools is
14 significant. We trust the rigorous OPSB process and
15 know that the current process allows for public
16 involvement and input, ability to make changes to the
17 project footprint based on feedback, and involves
18 dozens of studies, reports, and technical analysis.

19 I ask that you not add any additional
20 regulations that were not addressed in Senate Bill
21 52. Despite our opposition the legislature spent a
22 good deal of time and deliberation to settle on the
23 components of Senate Bill 52. The legislature also
24 very clearly grandfathered in all current active
25 projects.

1 I thank you for this opportunity to
2 participate today, and we look forward to remaining
3 engaged to ensure that farmer and landowner rights
4 are protected. Thank you.

5 ALJ WILLIAMS: Ms. Harsh, thank you for
6 your appearance and comments here today.

7 Our last potential commenter is John
8 Wygonski. Mr. Wygonski, I know you indicated you
9 were tentative so if you would come on with us and
10 let us know if you intend to make comments.

11 MR. SCHMIDT: You've been promoted. If
12 you can enable your audio and video.

13 MR. WYGONESKI: Hi. Thank you, your
14 Honor. I do not have any comments to add at this
15 time but thank you for reserving that spot for me.

16 ALJ WILLIAMS: Okay, Mr. Wygonski. Thank
17 you for coming on and clarifying that.

18 So with that I don't have anybody else
19 preregistered to testify here today. In closing I do
20 want to emphasize that the Board appreciates all
21 those who took the time to present or to watch today.

22 The Board's consideration of these rules
23 is a large undertaking and impacts many stakeholders
24 within the industry and within the general public.
25 The Board values the input that it receives in this

1 pursuit.

2 As for next steps, I want to remind
 3 everyone, first of all, we do have our third and
 4 final virtual workshop this Friday morning at 9:30.
 5 Registration details are available on the OPSB
 6 website. After that, I want to remind everyone that
 7 the next step in this case will be to open the case
 8 for further formal comments pursuant to an upcoming
 9 entry. I would ask everyone to please continue to
 10 follow the docket, Case No. 21-902-GE-BRO, in this
 11 case as to the opening of that comment period. The
 12 Board encourages all to participate further in
 13 consideration of the process through the formal
 14 comment phase of the case.

15 With that I will conclude today's
 16 workshop, and we are adjourned. Thank you, everyone.

17 (Thereupon, at 2:32 p.m., the hearing was
 18 adjourned.)

19 - - -

CERTIFICATE

I do hereby certify that the foregoing is
a true and correct transcript of the proceedings
taken by me in this matter on Monday, October 4,
2021, and carefully compared with my original
stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-7160)

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Case No(s). 21-0902-GE-BRO

Summary: Transcript Afternoon Session October 4th 2021

In the Matter of the Ohio Power Siting Board's Review of Ohio Adm. Code Chapters 4906-1, 4906-2, 4906-3, 4906-4, 4906-5, 4906-6, and 4906-7. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.