

BEFORE THE OHIO POWER SITING BOARD

- - -

In the Matter of the :
Application of Yellow Wood:
Solar Energy, LLC, for a :
Certificate of :
Environmental :
Compatibility and Public : Case No. 20-1680-EL-BGN
Need for the Construction :
of a Solar-Powered :
Electric Generation :
Facility in Clinton :
County, Ohio. :

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PROCEEDINGS

before Mr. Daniel E. Fullin and Ms. Jacky Werman St.
John, Administrative Law Judges, and Ms. Jenifer
French, Chairman, at the Clinton County Fairgrounds,
Expo Center, 958 West Main Street, Wilmington, Ohio,
called at 6:03 p.m. on Wednesday, October 20, 2021.

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1 APPEARANCES:

2 Dickinson Wright PLLC
3 By Ms. Christine M.T. Pirik,
4 Mr. Terrence O'Donnell,
5 and Mr. William V. Vorys
6 150 East Gay Street, Suite 2400
7 Columbus, Ohio 43215

8 On behalf of the Applicant.

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Wednesday Evening Session,
October 20, 2021.

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ALJ ST. JOHN: Good evening, everyone.
The Ohio Power Siting Board has scheduled for public
hearing at this time and place Case No.
20-1680-EL-BGN which is captioned in the Matter of
the Application of Yellow Wood Solar Energy, LLC, for
a Certificate of Environmental Compatibility and
Public Need.

My name is Jacky St. John, and I am one
of the Administrative Law Judges in the Board's Legal
Department assigned to hear this case. Presiding
with me this evening is Dan Fullin, another one of
the Administrative Law Judges from the Legal
Department, as well as the Chair of the Ohio Power
Siting Board, Ms. Jenifer French.

There are also Staff members from the
Board assisting us with the hearing tonight as well
as individuals from the Public Affairs Department.
You likely passed them on your way in this evening,
but they are the individuals wearing a PUCO or OPSB
badge or shirt. They're available if you have any
questions concerning the Board's process, if you need
assistance in accessing any of the documents

1 submitted in the case, or if you just have general
2 questions about the hearing tonight.

3 At this time I would like to take
4 appearances on behalf of the parties. First, Yellow
5 Wood Solar Energy, LLC.

6 MS. PIRIK: Thank you, your Honor. On
7 behalf of the Yellow Wood Solar, the law firm of
8 Dickinson Wright, by Christine Pirik, Terrence
9 O'Donnell, and Will Vorys. Christine Pirik is 150
10 East Gay Street, Columbus, Ohio 43215.

11 I would also like to note we have several
12 members of the company here tonight in case anyone
13 has any questions during breaks or after the hearing.

14 ALJ ST. JOHN: Thank you.

15 Are there any other parties present this
16 evening that would like to make an appearance at this
17 time?

18 MR. ARNOLD: Your Honors, Madam Chairman,
19 my name is Dale Arnold, D-A-L-E A-R-N-O-L-D. I am
20 Director of the Energy, Utility, and Local Government
21 Policies of the Ohio Farm Bureau. We are party of
22 record in this case. However, I am not legal
23 counsel. I'm here basically to observe with regard
24 to that. So thank you.

25 ALJ FULLIN: Thank you.

ALJ ST. JOHN: The subject of today's hearing is an Application filed by Yellow Wood Solar Energy, LLC, for the purpose of constructing a solar-powered electric generation facility of up to 300 megawatts in Clinton County. The Application was filed on February 24, 2021.

I would also note that the Board's Staff filed a Report of Investigation on October 4, 2021. This report is a recommendation of the Board's Staff and does not necessarily reflect what the Board's final determination of this case will be.

The purpose of this evening's public hearing is to receive testimony regarding the Application from people in the local community who are affected by the proposed project but who are not parties to the case.

Tonight's public hearing will not be treated as a question and answer session but rather as an opportunity to let the Board know what you think about the proposed project. Tonight's public hearing is only one aspect of the process in this case. An evidentiary hearing is scheduled to commence on November 17, 2021, at the Board's offices in Columbus. The purpose of the evidentiary hearing is for the parties and the Board's Staff to provide

1 testimony and other evidence regarding the project.

2 Tonight's hearing is being transcribed by
3 a court reporter. If you plan to testify, please
4 speak clearly so that the court reporter can
5 accurately reflect your comments on the record. Also
6 if you have prepared a written statement, it would be
7 helpful if you provide a copy to the court reporter
8 for reference to ensure that the transcript is
9 accurate.

10 After I finish with this introduction, we
11 will begin by inviting individuals on the sign-in
12 sheet to speak about the proposed project. Each
13 person who signed up to testify will be permitted to
14 speak once about the proposed project. Before you
15 present your testimony, we will ask you to take an
16 oath or affirmation that what you are about to say is
17 the truth. We will ask you to state your name and
18 address for the record. You will then provide your
19 thoughts on the proposed project. The parties to the
20 case and Judge Fullin and I will be permitted to ask
21 you questions about your statement.

22 The testimony that you provide tonight
23 will be considered part of the official record of the
24 case, and it will be reviewed by the Board before a
25 final decision is made on the Application.

1 A couple of other notes, if you decide
2 you do not want to testify when we read your name
3 from the sign-in sheets, you can pass to the next
4 witness. If you decide that you prefer to file
5 written comments in the case docket, the Board's
6 Staff can answer your questions about how to do that.

7 And once you finish testifying or if you
8 are here just to observe, you may leave the hearing
9 at any time you wish. The Board appreciates your
10 participation in tonight's hearing, and we want
11 everyone who signed up to testify to have the
12 opportunity to do so. For that reason please keep
13 your statement to a reasonable length of no more than
14 5 minutes.

15 And at this time we will begin with the
16 testimony.

17 MS. PIRIK: Your Honor, I just want to be
18 sure, for clarification I know that past precedent
19 had been that if someone was on a list of
20 Intervenors, that they would not testify at the local
21 hearing, that their place to testify was at the
22 evidentiary hearing. Of course, the Company wants
23 everyone to have the opportunity to speak, so, you
24 know, we don't want to object to anything, but we
25 just wondered if you could clarify whether or not --

1 that as part of this hearing whether or not folks who
2 have moved to intervene and have their name on a list
3 are able to testify tonight.

4 ALJ FULLIN: Are you saying in the past
5 precedent we haven't allowed those parties that have
6 been granted intervention if they are members of the
7 public testify at public hearings?

8 MS. PIRIK: There has been some hearings
9 where that was case.

10 ALJ FULLIN: And others where it has not
11 been the case?

12 MS. PIRIK: Others where perhaps motions
13 to intervene hadn't been granted yet so they -- they
14 were allowed to testify, but it's kind of been both
15 sides of the aisle on that.

16 ALJ FULLIN: Okay. Well, I'm Dan Fullin.
17 I am one of the Administrative Law Judges assigned to
18 the case, and it's my intention to rule tonight for
19 purposes of tonight's public hearing because we have
20 already granted motions to intervene in this case,
21 and the purpose of the evidentiary hearing that's
22 coming up in November will be for those parties that
23 have been granted intervention and all the other
24 parties to the case to present their testimony and
25 evidence about the case at that evidentiary hearing,

1 so we will not allow them to testify tonight at the
2 public hearing.

3 They can do so at the -- at the upcoming
4 hearing or be represented through counsel which I
5 believe all those that I have granted intervention to
6 are represented by counsel. They will be able to
7 participate fully through their counsel at the
8 public -- at the adjudicatory hearing that's coming
9 up. So we will limit tonight's public -- local
10 public hearing to testimony from members of the
11 public who have not been granted intervention in the
12 case.

13 Also at this time -- I don't know if you
14 can hear me. The plan is we have a podium up here.
15 We expect that as I call witnesses forward or as
16 Jacky calls witnesses forward to have you come
17 forward, and I'll swear you or affirm you, your
18 testimony, before you get started.

19 So we will begin that process now. I
20 would like to call the first witness for tonight,
21 Bruce Saunders. Let me begin by asking, because I
22 don't have the list in front of me, you are not
23 granted intervention in this case, are you?

24 MR. SAUNDERS: No.

25 ALJ FULLIN: Okay. Let me begin by

1 swearing.

2 (Witness sworn.)

3 ALJ FULLIN: Thank you. Again, if you
4 would begin by giving your name and stating your name
5 for the record and provide your address including the
6 township where you reside or what your connection to
7 the -- to the local area is. Thank you.

8 MR. SAUNDERS: I am Bruce Saunders.

9 ALJ FULLIN: Can everyone hear with this
10 microphone?

11 MR. SAUNDERS: I am Bruce Saunders, and
12 my address is 657 Timber Lane here in Wilmington in
13 Union Township of Clinton County.

14 And I am President of the Clinton County
15 Rails to Trails Coalition, and our purpose is to
16 build recreational trails here in Clinton County. We
17 often buy abandoned rail corridors to convert them to
18 recreational trails. We have built trails in the
19 middle of Clinton County from east to west, but we
20 have no recreational trails in the southeastern part
21 of Clinton County.

22 And the properties proposed for the solar
23 farm border an abandoned rail line that once
24 connected Lynchburg, Westboro, and Blanchester. And
25 the Clinton County Trails Coalition is interested in

1 building a recreational trail in the southern part of
2 the county where our recreational facilities are
3 scarce.

4 The representatives from Yellow Wood that
5 we have met with have been very eager to involve
6 Yellow Wood in helping with building the trail
7 through the properties that they are leasing, and as
8 another way that they could give back to the
9 community, they would grant us an easement to the
10 abandoned railway corridor that is part of the
11 properties that they are proposing to lease.

12 We would -- we would also ask them to do
13 the grading and excavating for the trail along
14 Lynchburg Road during the building process of the
15 solar farm. This proposed trail would follow the
16 abandon rail line that once ran parallel to Lynchburg
17 Road.

18 We understand that there are questions
19 that need to be answered about the solar project
20 because it's something new to us in Clinton County.
21 We are, the trails group, that is, forever grateful
22 that Yellow Wood is interested in partnering with us
23 to provide an additional health and wellness benefit
24 to a currently underserved part of our county. Thank
25 you.

1 ALJ FULLIN: Thank you for your
2 testimony.

3 MR. SAUNDERS: Do I stay for questions?

4 ALJ FULLIN: No questions. Thank you for
5 your testimony.

6 MR. SAUNDERS: Thank you.

7 ALJ FULLIN: Next I would -- next I would
8 like to call as the next witness Robert G. Thobaben,
9 Jr. I don't know if I am pronouncing that correctly.

10 MR. THOBABEN: You did a good job.

11 ALJ FULLIN: Just to let you know the
12 next witness after that I intend to call so that you
13 can be ready is David Newhouse.

14 MR. THOBABEN: Thank you.

15 ALJ FULLIN: Let me swear you in first.

16 (Witness sworn.)

17 ALJ FULLIN: If you would begin like the
18 others with your name, address, and connection to the
19 local area.

20 MR. THOBABEN: All right. My name is
21 Robert Thobaben. I am a member of the Clinton
22 County -- President of the Clinton County Park Board.
23 I am 24 years -- 27 years in the Clinton County
24 Regional Planning Commission, but I am speaking for
25 myself. I am not speaking for them because of the

1 people on there.

2 I want to encourage you to embrace the
3 solar energy, that we need to so much. What we have
4 here is in the next 20 years a comprehensive plan
5 that Taylor Stuckert is instrumental in, is trying
6 to -- trying to write a 20-year plan, and electricity
7 is essential for the future. It's the new buses,
8 cars, even electric planes now and so forth. We need
9 to have the electricity in order to continue to grow.

10 All these things that are -- they are
11 safe. I'm a biologist by trade with three different
12 universities, and as I said on that, change -- or
13 changing world, believe me, it's changing faster than
14 you will ever know. And we need to find a source of
15 energy that's clean.

16 And these solar things have to be
17 operated underneath a power grid, a high power line,
18 so you can't just build them anywhere. So you have
19 to find them where they can convert the direct
20 current coming from the solar collectors, invert it,
21 and change it to AC, alternating current, and then
22 ship it out who knows how far, 50, 100 miles out. We
23 need more of this, a dramatic amount more in the next
24 20 to 30 years.

25 I went down -- I would encourage all of

1 you to do this. Go down 32 miles down State Route 68
2 through Fayetteville and go to the Hillcrest. My
3 wife and several of my friends went down there. We
4 said What is this thing that they are trying to bring
5 in Clinton County? It's a pretty novel idea.

6 I was impressed. I touched them. I got
7 in there. As a biologist, there were birds and
8 wildlife that were down there, killdeer. They are
9 all -- everything is -- is as it should be.

10 UNIDENTIFIED SPEAKER: Can't hear you.

11 MR. THOBABEN: All right. Try like this.
12 I hate to put my back to you. Sorry. I'm a
13 biologist.

14 So I would like to encourage you --

15 UNIDENTIFIED SPEAKER: That way.

16 MR. THOBABEN: Well, they can hear me
17 too. I don't like to have people at my back. Public
18 school teacher for 35 years. I don't think this is
19 the way, to put your back to the class.

20 So I would encourage you to go down and
21 look at that and speak from experience and not just
22 from, you know, word of mouth. It seems that they
23 have taken extraordinary procedures to try to make
24 this a clean and safe operation. We have close to 80
25 percent of the people that are building the

1 collectors in Perrysburg, Ohio, even expanding to a
2 third plant. The people that are hired to run this
3 solar field are going to be hired locally, the
4 engineers, maintenance, so forth like that.

5 These things remain clean during the
6 whole thing. They have special film on them, and I
7 would say that this is -- this is the wave of the
8 future. And so as a result, because it's good for
9 our economics, that's a big deal with the Regional
10 Planning Commission.

11 We raise all these kids. I raised five
12 kids. Four of them moved away to find other jobs. I
13 think it's important to try to keep our children here
14 and to have Ohio not be a declining population but an
15 increasing population, but you have got to have jobs
16 for them, or they'll leave in a heartbeat.

17 I think that the area that's down by
18 Hillcrest, you know, Fayetteville, Perry, down there
19 is -- is very flat ground, not well drained, has 22
20 inch underneath the ground, but it's an excellent
21 place for a solar collector.

22 So the farmers on this particular place
23 are going to be getting upwards of a thousand dollars
24 an acre, and at the end of 27 or 30 years, they are
25 going to convert that back to agriculture if you

1 want. I have raised crops. On a good year 200, 250,
2 maybe 400 dollars is all I could hope to get by
3 trying to sell this after expenses. This is great
4 for the farmers, and if you have the buffers done
5 properly, that means corn right along the edge, 150,
6 maybe 200 foot buffer, you can't even see the
7 collectors when you come down Route 68 or you come
8 down the side roads there to try to investigate. But
9 don't just talk about it. Go see it. It's right
10 there along the road.

11 And another thing that you can possibly
12 do is learn about this thing called PILOT, P-I-L-O-T.
13 What it is is payment in lieu of taxes. Everybody
14 pays taxes. 71 percent of the taxes goes to Clinton
15 County. So as a result, that's a huge chunk. You
16 can get money for your schools, money for your
17 emergency vehicles, EMT, fire. This is a thing that
18 will save you money in the long run.

19 Some people complain about the -- the --
20 the buffer. They don't want to look at solar
21 collectors. If you look at them, you really can't
22 see them very well, especially if they are a quarter
23 mile, half mile away. And I thought that the ones
24 there provided a thing that as a biologist I am quite
25 interested. Grasslands, we lost our quail. We have

1 lost meadowlarks. We have lost our pheasants. All
2 these sorts of things are a symptom of something that
3 is wrong. This is just pasture and this would be
4 available. And when I was there, bobwhites were
5 already localizing.

6 I hope the people that are questionable
7 about this make the effort to go down there and see
8 this. We have had big changes before. The
9 Commissioners Terry -- Terry and Mike and Brenda down
10 there have all seen changes like Caesars Creek, huge
11 1,200 acres, wiped out city of New Burlington. This
12 is a change like that. We had the Melvin quarries,
13 all the issues that were associated with that. We
14 survived that. Roads are repaired and so forth. We
15 have the DHL destroying homes and lives overnight,
16 knocked out 8,000 jobs overnight.

17 ALJ FULLIN: Excuse me. I would like to
18 interrupt. You are going over the time limit. I
19 would like to give you a chance to finish up what it
20 is you are here to testify about, but I want to be
21 mindful.

22 MR. THOBABEN: All right. My 150 acres
23 is right beside what Bruce just talked about there.
24 And I think Commissioners and the Administrative
25 Judges have the ability to make your life better by

1 increasing this production of electricity. I didn't
2 even get into the decommissioning of, you know,
3 nuclear energy, coal. It's terrible, brownfields.
4 This is the best way and I encourage you to embrace
5 it.

6 ALJ FULLIN: Before you leave we will see
7 if there are any questions for you.

8 Do you have any questions?

9 MR. THOBABEN: I got my license here if
10 you want to see. It's good until 2024.

11 ALJ FULLIN: All right. Thank you for
12 your testimony.

13 Next I am going to call on David
14 Newhouse, and I intend to call after Kelly Tolliver.

15 ALJ FULLIN: I would also like to say
16 that some people are more comfortable facing an
17 audience. Some people are less comfortable. I just
18 want you to be heard. Please try to speak into the
19 microphone and move about as you feel you need to or
20 you are comfortable with. But please speak into the
21 microphone and adjust it as necessary. And it's most
22 important that the court reporter hear you.

23 So I will begin by swearing you in.

24 (Witness sworn.)

25 ALJ FULLIN: Thank you. Again, begin by

1 identifying your name and spell your name for the
2 record and your address and your connection to the
3 property.

4 MR. NEWHOUSE: I gave you a cop -- I gave
5 you a -- can you hear that?

6 ALJ FULLIN: Yeah. We want it on the
7 record.

8 MR. NEWHOUSE: A copy of my presentation
9 I made dictating to an iPhone so there are --
10 capitalization in there is left to artificial
11 intelligence.

12 Okay. My name is David Newhouse. I've
13 lived in Clinton County most of my life. I live at
14 12678 State Route 73, New Vienna, Ohio 45159, Green
15 Township.

16 I am a retired professional engineer. I
17 went to school to the University of Cincinnati. I
18 worked for ODOT most of my career. I've been a
19 construction and design engineer and environmental
20 engineer, district planning engineer, and the
21 district planning and design engineer. Essentially I
22 put \$90 million worth of construction plans on the
23 ground every year. However, I was never able to
24 leave the environmental arena because that was
25 essential to get our projects to construction. And I

essentially grew up with the regulations from the 1969 NEPA which was only two pages.

I am not against solar energy. I don't believe solar fields in Clinton County is a prudent application of the technology. Dayton weather observations document that the sun shines 53 percent of the time in Dayton. 77 sunny days, 100 partly sunny days for a total of 177 days out of 365. That's 53 percent of the daylight hours.

In 2012, an electrical generation potential study for the United States indicated that Ohio could produce from 0 to 10 gigawatt hours per square kilometer. Arizona could produce from 4 to 6 times that per square kilometer. Ohio is not a good place for solar energy. If your car only ran 53 percent of the time and your well-being and safety is dependent on it, would you buy it?

I do not believe the project can economically or reliably produce baseloads. The system will require a natural gas backup. Essentially you are asking an industry, your competitors, to ride to your safety when you fail.

Last winter in Texas the storm caused 76 of the people -- percent of the people in the Ercot solar array to lose power. Customers were

1 prepared -- fully prepared for short-term blackouts.
 2 The blackouts lasted 42 hours. Half the people were
 3 without water. Half the people had difficulty
 4 getting bottled water or internet access.
 5 Three-fourths of the people had difficulty getting
 6 food and groceries. 111 people died along with a lot
 7 of livestock. I don't want Ohioans to be subject to
 8 rolling blackouts like occurred elsewhere in the
 9 country.

10 Last winter we had 8 inches of snow for
 11 two weeks. This would have shut Yellow Wood down.
 12 There's no economically feasible battery technology
 13 to provide power that long.

14 In Europe and England they scaled down
 15 fossil fuel use at every opportunity and spent
 16 billions subsidizing renewals. They are telling
 17 energy companies not to invest in fossil fuel and
 18 banks not to lend to these companies. This year the
 19 wind didn't blow as expected in the UK, Europe, or
 20 Texas. This year Texas only got 2 percent of its
 21 electricity. It normally gets 23 percent for solar.
 22 If you have ever seen the 100 mile long wind field at
 23 Sweetwater, that's impressive.

24 In Germany the cost of electricity this
 25 year has doubled. In Europe the cost of natural gas

1 has gone up fivefold. In the U.S. the cost of a
2 thousand BTUs of natural gas has recently gone up
3 from \$2 to \$6. In Europe the cost of liquefied
4 natural gas is \$25, and in China it's \$30 per
5 thousand BTUs.

6 Over the last 50 years we have cleaned up
7 our emissions dramatically. If we look at what
8 happened in Texas, California, and Europe, we can
9 expect we will eventually be subject to rolling
10 blackouts, runaway inflation, and much higher taxes
11 to support this.

12 Because there is no state or federal aid
13 in this project, it avoids the rigid National
14 Environmental Protection Act. They submit an
15 environmental assessment to the Siting Board. They
16 issue a certificate of environmental compatibility
17 and public need based on the presentation they have
18 presented. As an example, in the Application there
19 is no discussion of irreversible and irretrievable
20 commitment of resources which would be involved in
21 any major federal action involving this much land.

22 The project description requires 1-1/2
23 million racking posts, three-quarters of a million
24 panels, and extensive underground wire. If for some
25 reason equipment should wear out, the Company should

1 go bankrupt, it's going to be a major production and
2 a major expense to remove this, restore agricultural
3 drainage, to return this prime farmland to
4 production. I feel sorry for the farmers if this
5 happens.

6 Public involvement, they stated they made
7 3,966 calls, three attempts over three days. They
8 did not -- they said not all were contacted due to
9 outdated numbers, missing numbers. They didn't state
10 how many they contacted. I can contend in this day
11 and age most people don't have landlines and
12 obtaining cell phone numbers is very difficult. They
13 did not state how many people were successfully
14 contacted. So phone contacts due to a problem with
15 cell phones is not viable. They could have at least
16 mailed letters to the rural landowners.

17 They said obtaining community support is
18 critical by building a relationship of trust,
19 transparency between energy and the community. By
20 any standard I know I believe the public involvement
21 is inadequate, and I believe they failed to build the
22 trusted relationship they were seeking.

23 ALJ FULLIN: I would like to allow you to
24 continue, but I would like you to be aware you have
25 run past the allotted time so please do what you can

1 to be brief.

2 MR. NEWHOUSE: Okay. That's essentially
3 it. Unless you can make the sun shine more, I don't
4 think this is viable. I think the farmers in the end
5 are going to be the unfortunate ones. Newer
6 technology needs to be developed that can provide a
7 better solution.

8 ALJ FULLIN: Thank you for your
9 testimony.

10 Any questions for this witness? Thank
11 you for your testimony.

12 Next I am calling Kelly Tolliver, and
13 after that, I intend to call Lena Perry.

14 (Witness sworn.)

15 ALJ FULLIN: Again, if you will begin by
16 identifying your name, spelling it for the record,
17 your address, and identifying your connection to the
18 project and the community.

19 MR. TOLLIVER: My name is Kelly Tolliver,
20 K-E-L-L-Y T-O-L-L-I-V-E-R. I live on 38 Lee Lane.
21 I've lived in Clinton County for about 37 years. I
22 am not against solar. I'm against industrial solar
23 on productive farmland.

24 This is the notice published for the
25 Yellow Wood project. I am going to suggest that the

Ohio Power Siting Board Staff are acting stochastically, biased, and ambiguous, and the OPSB are making certification decisions based on false assumptions.

In reviewing an application to construct, operate, and maintain a generation facility, such as the facility proposed by Yellow Wood Solar, the Board considers the following criteria set forth in the Ohio Revised Code 4906.10(A).

Criteria 1, the nature of the probable environmental impacts.

The problem here, this project will remove topsoil and subsoil, drive piles into the ground, lay conduit with electrical wires, build 32 miles of road, and it will be impossible to restore to its original composition.

From the genesis of the soil and through eons of time and nature's weatherization soil forming process, this prime agricultural land will be destroyed never to be rebuilt to nature's creation again.

Criteria 2, that the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the various alternatives and other

1 pertinent conversations.

2 The problem, this project will install
3 acres of solar panels that will change the speed and
4 flow of rainfall creating ephemeral streams that have
5 the potential to cause flooding of ditches and roads.
6 This project will change the wildlife habitat and
7 movement, forcing contiguous property to be
8 overpopulated for available food sources.

9 The project has not disclosed the methods
10 that will be used to clean and maintain these solar
11 panels, whether it be tractors, robotics, or
12 manually.

13 This project has not disclosed any
14 specific amount of water to be used for operation and
15 maintenance but has used ambiguous language. The
16 aquifer in the project's area parameters has a
17 limited water supply and if compromised will induce
18 financial injury to residents dependent upon wells as
19 a source for water.

20 Criteria 3, the facility is consistent
21 with regional plans for expansion of the electrical
22 power grid of the electrical systems serving this
23 state and interconnected utility systems and that the
24 facility will serve the interests of electrical
25 system economy and reliability.

1 The problem, the reliability and
2 resilience of solar is questionable.

3 Criteria 4, the facility will comply with
4 Revised Code 3704, 3734, and 6111 and all rules and
5 standards adopted under those chapters and under
6 Revised Code 1501.33, 1501.34, and 4561.32.

7 Criteria 5, a facility will serve the
8 public interest, convenience, and necessity.

9 The problem, we've not seen statements
10 proving public interest, convenience, and necessity.

11 We do have an example of the Board's
12 logic. This information comes from Hecate 2 and
13 Hecate 4. The budget director of Cincinnati stated
14 that the power from that project would be budget
15 neutral to a saving of \$1,700,000 over a 20 year
16 period. That is neutral to \$85,000 a year.
17 Cincinnati has a \$1,200,000,000 annual budget. That
18 is insignificant.

19 This is how the logic is used to justify
20 public interest, convenience, and necessity. It's
21 questionable.

22 Criteria 6, what the facility's impact
23 will be on the viability as agricultural land of any
24 land in an existing agricultural district established
25 under Revised Code 929 that's located within the site

1 and alternative site as a proposed major utility
2 facility.

3 The problem, certifying the construct of
4 this potential facility will have a negative impact
5 on this agricultural land and it can never be
6 restored to its natural undisturbed state again.

7 Criteria 7, the facility incorporates
8 maximum feasible water conservation practices as
9 determined by the OPSB, considering available
10 technology and the nature and economics of the
11 various alternatives.

12 The problem, this comes from rules made
13 by the USSEC that allows the developer to use
14 ambiguous and not impact-specific language so that
15 all can have an understanding of the water
16 consumption of a utility facility of this magnitude.
17 The rulemaking is made with input from a group of
18 developers led by Jason Rafeld.

19 Next, my counterpart will review a
20 statement from the Utility Scale Solar Energy
21 Commission, or the USSEC.

22 Thank you, sir.

23 ALJ FULLIN: You made reference to your
24 counterpart. Who are you referring to?

25 MR. TOLLIVER: The next person you are

1 calling.

2 ALJ FULLIN: Okay. And also you didn't
3 stay to see if there is any other questions. I see
4 that there aren't any questions. I did have one.
5 Somewhere towards the middle of your testimony you
6 talked about what I heard was Hecate 1 and Hecate 2.
7 What is that referring to?

8 MR. TOLLIVER: That's a facility down --
9 it's a project down in Cincinnati's area.

10 ALJ FULLIN: Okay.

11 MR. TOLLIVER: We took from that project
12 some decisions that have made and applied them here.
13 The only sample we had to look at.

14 ALJ FULLIN: Thank you.

15 Next I am calling Lena Parry -- Perry,
16 I'm sorry. Lena Perry.

17 MS. PERRY: It's Lena.

18 ALJ FULLIN: Then after that -- oh, Lena
19 Perry, I'm sorry. And next I intend to call Karen
20 Faust.

21 (Witness sworn.)

22 ALJ FULLIN: Thank you. Again, if you
23 would identify yourself in the same way as the
24 others.

25 MS. PERRY: I have to move that a little

1 bit. I am short.

2 My name is Lena Perry, L-E-N-A P-E-R-R-Y.

3 I live at 11549 State Route 134 South in
4 Martinsville. That is in Clark Township.

5 I might be being a bit facetious here,
6 but I just kind of wondered if you would mind me
7 playing this the whole time I am talking, or it would
8 be distracting because this is what my friends and
9 neighbors are going to listen to. This is what a
10 solar facility sounds like. And many of us are going
11 to be surrounded on three and four sides of our
12 property. I just don't think that's something that
13 would probably be very easy to do. Just an example.

14 Where Kelly left off and I wanted to just
15 make a note to the -- to the room here, the USSEC is
16 the Utility Scale Solar Energy Coalition in case you
17 did not know.

18 A, the USSEC strongly believes in
19 community engagement as an opportunity for the
20 project developers to understand concerns,
21 incorporate modifications, and appropriate permitting
22 conditions to the project design, educate landowners
23 on the benign environmental impact of solar
24 technology, and share the positive local fiscal
25 impact of solar projects. We believe though that the

1 sequencing of expanded community engagement should
2 come after the project is comfortable and the initial
3 steps of the project development can be achieved.

4 B, this is written testimony from Jenna
5 Reese, Ohio Farm Bureau. That said, there are many
6 issues with the current siting process our members
7 want to address. Depending on the developer, local
8 officials are often ignored in the Ohio Power Siting
9 Board procedure. The current process allows
10 developers to simply go through the motions of local
11 outreach and box checking knowing their proposal --
12 the project proposal is likely to be approved
13 regardless of the thoroughness of their work. They
14 are not actually engaging communities because there
15 is no real consequence of local opposition. The
16 opportunity for public comment is so far into the
17 siting process that it's evident it has no meaningful
18 impact in most cases. Moreover, there is no
19 responsibility on the developer or the OPSB to
20 respond to the comments filed in a public hearing by
21 the local community. Local residents are not given
22 due consideration.

23 C, consider that October 4 and 8, 2021,
24 residents can now take part in a workshop to give
25 input to the making of administrative rules.

1 The hearing for Yellow Wood is
2 October 20. I suggest that due process has been
3 denied to the residents of Yellow Wood and that the
4 OPSB has acted with bias and has not allowed the
5 residents the justice that any citizen of the state
6 of Ohio should be entitled to, but instead the OPSB
7 has taken the rules made by the USSEC and placed an
8 unfair burden on the residents of Clinton County.

9 And I would like to make a note to
10 Mr. Thobaben many of us have been down to 286. It's
11 appalling and shocking and quite frankly very
12 disturbing to think that that would be in my
13 backyard.

14 D, in our July 8, 2021, meeting with O --
15 I'm sorry, OPSB Staff, Director White made the
16 statement that the Staff had never been to the
17 Hillcrest project and inspected it and that to go and
18 inspect any facility they had to schedule an
19 appointment. This is a conflicting statement made by
20 Director White in the House hearing on the Senate
21 Bill 52 which is recorded.

22 Staff Investigation and Report, the Staff
23 begins the in-depth analysis of the Application as
24 guided by the eight statutory criteria outlined in
25 Ohio Revised Code 4906.10. Staff relies on internal

1 expertise as well as on various state and federal
 2 agencies to provide expertise, guidance, and review
 3 of relevant portions of the Application for potential
 4 impacts. During its analysis, Staff makes multiple
 5 visits to inspect and confirm conditions as
 6 necessary. Staff also reports on the public comments
 7 within its written report to the Board and uses the
 8 public comments to inform data requests made to the
 9 Applicant. These measures insure the public's
 10 concerns are addressed. Staff provides its findings
 11 and recommendations to the Board in the form of a
 12 Staff Report. The Staff Report is due 15 days prior
 13 to the scheduled public hearing and typically is
 14 submitted between 60 and 90 days after the letter of
 15 completeness has been issued. This Staff Report and
 16 all public comments are entered into the docket along
 17 with the public testimony transcripts from hearings.
 18 All this material then goes to the Board as they are
 19 considering their decision on the Application.

20 Again, we suggest that the OPSB Staff are
 21 acting stochastically, biased, and ambiguous in the
 22 decision-making process, and the OPSB Board are
 23 making certification decisions based on false
 24 assumptions.

25 Articles A, B, C, and D suggest that

1 residents in the Yellow Wood footprint have not been
2 given a fair due process and were intentionally
3 brought into the process after this project was
4 quote-unquote comfortable in the process. Residents
5 had not been invited to a stakeholders' meeting until
6 October 4 and 8 of this year.

7 The enrollment of Senate Bill 52 by
8 lawmakers is proof that Ohio legislatures feel that
9 the process certifies renewable projects are unfair
10 and discounts local communities' rights and justice
11 to the residents.

12 We ask that Yellow Wood be denied because
13 fair due process has been denied to us. And I would
14 like to say that again. We in the Yellow Wood
15 project feel that we've been denied fair and due
16 process. Thank you.

17 ALJ FULLIN: Thank you for your
18 testimony.

19 Any questions? Thank you.

20 Next I will call Karen Faust, and after
21 that, I intend to call Patty Reed.

22 (Witness sworn.)

23 ALJ FULLIN: Thank you. Again, if you
24 would begin by identifying yourself in the same
25 manner as the others.

1 MS. FAUST: My name is Karen Faust,
2 F-A-U-S-T. I reside at 24 -- 2540 State Route 131,
3 Hillsboro, Ohio. I also reside in the Lynchburg-Clay
4 School District of which Yellow Wood is a part.

5 My husband and I live on a farm that's
6 been in the family since 1897. We're proud to say
7 our farm is an Ohio Century Farm. In fact, it's been
8 in our family for six generations. Over the years
9 our family has had discussions about the importance
10 of the farm remaining as an agricultural entity. Now
11 we find that within an 8 mile radius of our farm are
12 eight industrial-sized solar facilities in some stage
13 of development encompassing almost 15,000 acres.

14 There are an estimated 15 to 20 more
15 projects in the area and based on information found
16 in the Ohio Siting Board website, we can end up with
17 13 million solar panels on 28 farms in this area.

18 Consider these facts, a study done by the
19 University of Rhode Island states that "Solar
20 installations require over 10 times more land than
21 nonrenewable sources to generate the same amount of
22 energy." Bloomberg Energy states that wind and solar
23 are the most land intensive energy sources.

24 Yellow Wood will not bring good,
25 long-time jobs into the area. According to their

1 application, after completion, it would only have
2 four full-time positions.

3 After 20 years, billions of dollars in
4 government subsidies, solar energy still only
5 supplies about 3 percent of our energy.

6 The manufacturing of the equipment needed
7 to produce wind and solar is expensive, pollutes the
8 atmosphere. Recycling of the equipment is also not
9 climate friendly. And what kind of a landfill will
10 it take for 13 million 4 by 8 solar panels?

11 Quoting from a study by Isaac Orr "Solar
12 has hidden costs, like the cost of transmission,
13 utility profits, additional property taxes, and the
14 cost of keeping reliable power sources online when
15 the sun isn't shining or every single night. Once
16 these costs are accounted for, solar is far more
17 expensive than traditional energy sources."

18 The U.S. Treasury estimates that the
19 productive tax credit will cost taxpayers 44 --
20 \$40.12 billion from 2018 to 2027, the most expensive
21 subsidy currently under tax law. According to solar
22 reps there are no examples, successful or otherwise,
23 of reclamation of land that has been at a solar
24 utility for 20 to 30 years. We don't know whether
25 that land can actually be returned to the same

1 fertility that it was before the facility was built.

2 Soil is a living, breathing organism.
3 It's fragile. It's sensitive. It's precious. It's
4 millions of years in the making. It's loaded with
5 marvelous vital microbes working to create a
6 substance, soil, that's unique in our solar system.
7 Without it nothing lives. And there will be millions
8 of panels, of solar panels, smothering those
9 thousands of acres of soil.

10 In their Application for the Siting
11 Board, Yellow Wood indicates they have "No plans for
12 future use of the project area after the project term
13 is up." Now, why would a company spend millions of
14 dollars into a project to say they only have a 30
15 year plan?

16 Why are so many solar companies -- solar
17 energy companies interested in our area? As the real
18 estate agents say, it's location, location, location.
19 We have flat land, connections to transmission lines
20 that will carry power away from our area, not power
21 that we'll use, and we are considered an impoverished
22 Appalachian area that needs financial assistance.
23 Project developers dangle the PILOT money as an
24 incentive for our schools, fire districts, and
25 libraries.

1 A PILOT is given to limit or defer the
2 property taxes on a developer. In effect, the local
3 taxpayers are substitute -- subsidizing the
4 development. This has occurred in poor rural areas
5 where alternative energy systems are often placed,
6 providing cost relief to the owner and a limited tax
7 payment to the locals.

8 According to the Ohio Department of
9 Taxation, using a 200 megawatt facility as an
10 example, \$1.8 million per year would be collected
11 with a PILOT agreement, but without the PILOT
12 agreement, the county would receive 4.2 million
13 annually. That's a difference of \$2.4 million per
14 year. If southern Ohio is the perfect spot for solar
15 development, why would a county accept a payment
16 that's 57 percent less than the tax -- taxes that
17 could be collected? It seems like we hold all the
18 cards in this deal. We have the location, flat,
19 cleared land, power transmission lines, and an
20 impoverished population, so we don't want to accept a
21 bad deal.

22 If you Google recycle solar panels,
23 dozens of sites come up and very few of them have a
24 positive outlook on recycling PV panels. Jack Dini
25 in his book "Challenge Environmental Methodolgy"

1 notes that solar panels create 300 times more toxic
2 waste per unit than do nuclear power plants. He also
3 states pollutants such as lead, carcinogenic cadmium
4 can be almost completely -- can almost completely
5 wash -- be washed out of the fragments of solar
6 modules that are left in landfills over a period of
7 several months by rainwater.

8 John Hinderaker in The Environmental
9 Disaster of Solar Energy says "Recycling costs more
10 than the economic value of the materials recovered,
11 which is why most solar panels end up in landfills."
12 With the exception of a state law in Washington, the
13 United States has no solar recycling mandates
14 whatsoever.

15 So at the end of the day, it's a
16 balancing act. There are 13 landowners who have
17 leased -- leased property to Yellow Wood and 125
18 residents who will live every day looking out their
19 windows at a 3,000 acre commercial utility plan. Do
20 the rights of 13 people supersede the rights of 125
21 families who don't want to live next to a 3,000 acre
22 industrial-sized utility plant?

23 A truism that I often use is "My rights
24 stop where yours begin." So when we come upon a
25 sticky situation or a decision, we need to step back

1 and consider how that situation or decision is going
2 to affect my friend, my neighbor, and my community.
3 Just because I can do something doesn't mean it's
4 always the right thing to do.

5 ALJ FULLIN: Thank you.

6 Any questions? Thank you.

7 Next I am calling Patty Reed, and after
8 that, I am calling Rebecca Strafford and after that,
9 Craig Strafford.

10 (Witness sworn.)

11 ALJ FULLIN: Thank you. Again, if you --
12 you might want to get close to that microphone and
13 identify yourself in the same way the others have.

14 MS. REED: My name is Patty Reed,
15 P-A-T-T-Y R-E-E-D. I live at 13016B as in boy US
16 Highway 68 South, Midland, Ohio 45148 and that's in
17 Jefferson Township.

18 I'm here tonight to show my support for
19 the landowners in the Yellow Wood project. I am
20 speaking as a local community member. We are all
21 creatures of habit and shy away from change and
22 unknown. I don't see this project as having a
23 negative impact on our community. Our community and
24 school districts will benefit greatly from the
25 revenues generated by the Yellow Wood project.

1 I've been a member and treasurer of the
2 Ohio Association of Public School Employees, OAPSE,
3 Local 477 for almost 20 years. I've attended many
4 meetings which the school budget has been discussed.
5 If you have questions about the school's financials,
6 take a look at their five-year forecast. I do have a
7 copy if you would like to review it.

8 Most districts in the state of Ohio are
9 having problems with their budgets. Mr. Dunlap,
10 Superintendent of Blanchester Local Schools, stated
11 in a meeting the other day that Blanchester is in a
12 fiscal watch by the state and probably will be for
13 several years. The monies received from this project
14 could go a long way in getting the district out of
15 fiscal watch.

16 Another benefit to the revenues generated
17 by the Yellow Wood project is that they are a minimum
18 fixed income. What treasurer wouldn't welcome a
19 minimum fixed income added to their budget that they
20 can count on for 25 years? That's better than state
21 funding and grants that are here today and gone
22 tomorrow or have contingencies attached to them.

23 I've read multiple comments that is
24 being -- that this is being done out of agreed. If
25 that were the case, the landowners would be seeking

1 rezoning to sell to large land developers. If
 2 multiple subdivisions or manufacturing plants went
 3 in, what would become of the rural farming community?
 4 If manufacturers built on the land, there would be
 5 employee traffic for three shifts, manufacture --
 6 semi and delivery trucks in and out all hours. No
 7 longer the quiet farming community. What if the
 8 manufacturer goes under? Large vacant buildings,
 9 parking lots, and no way to revert the land back to
 10 agriculture.

11 At the completion of this project, the
 12 land is still there and can be put back to
 13 agriculture farm ground. Some state that it would be
 14 an eyesore. This was said about the wind turbines
 15 when the state started erecting them. There are
 16 things like privacy fending and landscaping with
 17 treelines that could be done.

18 Others argue there is the health hazard
 19 issue. How can it be so hazardous if the Blanchester
 20 and Fayetteville School Districts have installed
 21 solar panels on school grounds where our children
 22 learn and play every day? I don't recall opposition
 23 to the installation of their panels.

24 For those that are concerned about the
 25 wildlife, i.e., birds, does Blanchester and

1 Fayetteville School Districts not have birds or other
2 wildlife on their grounds?

3 All in all the landowners have done their
4 due diligence in researching the project and are not
5 out to destroy the community or the environment.

6 They are farming families, and they love the land
7 just as much as the rest of us. They have chosen a
8 project that will improve their family farming life
9 keeping their land in -- their land in the family for
10 the next generations to come and at the same time
11 giving back to their community, your community.

12 Thank you.

13 ALJ FULLIN: Thank you for your
14 testimony.

15 Any questions? Thank you.

16 Next I call Rebecca Stafford.

17 (Witness affirmed.)

18 ALJ FULLIN: Okay. Thank you. And
19 again, if you'll bring that mic a little bit closer
20 and identify yourself in the same manner as others.
21 Thank you.

22 MS. STRAFFORD: My name is Rebecca
23 Strafford, and I live at 1081 Bernard Road, New
24 Vienna, Ohio 45159. I am a landowner in the project
25 area and resident here in Clinton County.

1 In addition, more than 200 years ago, my
2 grandmother and grandfather came to what would become
3 Clark Township when it was still Highland County as a
4 matter of fact, before it was carved out and created
5 as Clinton.

6 So my family has lived there and farmed
7 there for more than 200 years, and we continue to own
8 land in that region. We have cut trees. We've
9 hunted wildlife. We've plowed up the ground and
10 farmed. All is ways to create the energy to live and
11 raise their children.

12 But, you know, ways of life have changed.
13 We brought rows, fences, ditches, open fields. We
14 introduced nonnative animals in the form of domestic
15 livestock. We brought in nonnative plants to farm
16 and raise. So it is a mistake to think that the
17 impact of farming has been negligible. It has
18 changed the land.

19 Now we have the opportunity to have a new
20 way of creating energy, one that's more efficient and
21 we can capture the sun's force without exposing the
22 air and the soil and people to the fertilizers, to
23 the chemicals, to the gasoline fumes that were
24 necessary to create our former energy sources.

25 I feel that I wasn't born yesterday, and

1 I don't believe that -- I should say, I guess,
2 profit-driven companies are here because they
3 primarily want to be stewards of the land, but I know
4 I am. And I have read the contracts carefully. I've
5 looked at the Ohio Power Siting Board regulations.
6 I've looked at the applications that have to be
7 filed. And I believe that there are safeguards so
8 that that land can be kept in the -- and restored
9 ultimately to the condition in which it is now.

10 Moreover, I feel that the 25 to 50 years
11 of rest and restoration, rejuvenation of the soil
12 including the microbes that we alluded to before on
13 the native grasses will benefit. So that at the end
14 of that time my grandchildren and their children will
15 inherit lands that are -- actually have benefited
16 from this time. That's why as a steward I support
17 development of this project.

18 ALJ FULLIN: Thank you for your
19 testimony. Craig Strafford and after that, if I am
20 reading the handwriting correctly, I believe it's
21 Michael Young.

22 (Witness affirmed.)

23 ALJ FULLIN: Thank you. And if you can
24 identify yourself the same way as others have.

25 MR. STRAFFORD: My name is Craig

1 Strafford. I live at 1081 Bernard Road, New Vienna,
2 Ohio 45159.

3 I rise to speak for the Yellow Wood
4 project and Invenergy's project. Everyone here who
5 is married, I am in the spot of following my spouse,
6 so I'm hoping that I do good. Becky owns the farm,
7 and I am the farm manager.

8 I really only had four points that I
9 wanted to make. The first is we have thoroughly
10 researched the environmental safety of solar power.
11 We have solar power where we live. We've had it for
12 10 years.

13 I will agree that snow on the panels is
14 awkward, but we have a way to get it off so that the
15 panels can see the sun, make power.

16 As far as the -- we have net metering
17 which means if we make more power than we are using,
18 the power goes out on the grid. If we are not making
19 power like tonight, then we'll take power from the
20 grid. We have had a positive balance since we moved
21 back to the farm in 2013. So there is enough
22 sunlight here to run the panels and we've -- when you
23 follow the daily output, a couple years ago when we
24 had the total eclipse, you could see the dip for the
25 eclipse, but the power runs up there pretty -- pretty

1 satisfactorily. So that's not a problem.

2 Second point, I think that the -- when
3 you look at land rent for having tenants grow crops
4 on your fields or you look at the revenue that you
5 get from growing crops on your fields, the solar does
6 afford more income at this time than you can get from
7 farming the land. That's important to us so we can
8 maintain the farming operation for, as Becky said,
9 our children and our grandchildren.

10 I think on the third point I think that
11 there will be jobs available for the community and
12 during the construction phase. And there will be a
13 number, someone earlier said four, I think that's
14 conservative, permanent jobs for the maintenance of
15 the solar facility. That's -- that's true and those
16 are four jobs that are going to be there for the next
17 30 to 50 years so that's four jobs we didn't have any
18 other way.

19 And my fourth point is that the PILOT,
20 the payment in lieu of taxes, if that deal works for
21 the County Commissioners who are here, then we think
22 that would afford the schools and their budget some
23 guaranteed income. They will have to decide whether
24 it's tax based or PILOT based, but we think that that
25 income stream will support the community and the

1 education. We're hoping that the Commissioners might
2 consider using the money to develop and extend rural
3 water in the area. I think that the area doesn't --
4 most all of us have wells. I think there are some
5 desirable features of having rural water available,
6 and this -- the profit from the PILOT may permit
7 that. We would like to see that.

8 And as far as the panels themselves are
9 concerned, we have a wild flower area between our
10 panels, and I can assure you that the panels don't
11 block the sun enough but that I have to a couple
12 times every month mow underneath the panels so they
13 do not blight the area beneath them, and we have
14 noticed that songbirds nest underneath the panels,
15 and we think that's a desirable benefit.

16 I wanted to be careful not to repeat
17 anything my wife said. I don't want to repeat
18 anything anybody else said, so I will pause.

19 ALJ FULLIN: Thank you. I appreciate
20 that.

21 Does anyone have a question for this
22 witness? Thank you for your testimony.

23 MR. STRAFFORD: Thank you very much.

24 ALJ FULLIN: Mr. Young.

25 (Witness sworn.)

1 ALJ FULLIN: Thank you. Again, identify
2 yourself in the same manner.

3 MR. YOUNG: My name is Michael Young,
4 M-I-C-H-A-E-L, last name Y-O-U-N-G. I am a business
5 representative with Local 18 Operating Engineers. I
6 live at 1861 Turnbull, T-U-R-N-B-U-L-L, Road,
7 Beaver creek, Ohio 45432.

8 And on behalf of the Operating Engineers
9 Local Union 18, I am here to support the approval of
10 the Yellow Wood solar project. The operating
11 engineers are the individuals who operate heavy
12 equipment such as bulldozers, excavators, backhoes,
13 forklifts, and so forth. The roads and bridges that
14 you drive on were mostly built by members of Local 18
15 along with our fellow union tradesmen and women.

16 Although we do not have an agreement
17 signed with Invenergy to perform the work associated
18 with this project, we believe our local signatory
19 contractors will secure this work, thus, providing
20 our membership with numerous employment
21 opportunities. In turn, high -- high paying wages,
22 health care benefits, apprenticeship programs can
23 continue to grow because of solar projects.

24 If approved, Yellow Wood solar project
25 would not only create jobs, but you can expect an

1 economic impact, additional tax money, and clean
2 energy for Ohio as a result of this project.

3 We encourage the Ohio Power Siting Board
4 to support the jobs of the men and women of Local 18
5 by approving the Yellow Wood solar project. Thank
6 you.

7 ALJ FULLIN: Thank you.

8 Any questions? Thank you for your
9 testimony.

10 ALJ ST. JOHN: I want to apologize in
11 advance if I mispronounce anybody's name. I am going
12 to do my best.

13 Next up we have Keri Hodson who will be
14 followed by Kannon Arnett.

15 ALJ ST. JOHN: Please raise your right
16 hand.

17 (Witness sworn.)

18 ALJ ST. JOHN: Thank you. Please state
19 and spell your name for the record.

20 MS. HODSON: My name is Keri Hodson,
21 K-E-R-I H-O-D-S-O-N. And I live at 1618 Hodson Road,
22 New Vienna, Ohio 45159 in Green Township. I'm here
23 in support of the Yellow Wood solar project.

24 I'm a school bus driver for Wilmington
25 City Schools, and I am also a substitute teacher for

1 Wilmington City Schools between bus routes. I'm here
2 to tell you how badly Wilmington City Schools could
3 use the financial assistance that Yellow Wood solar
4 project would bring to our school system.

5 I've been a school bus driver for four
6 years. And in that time I've witnessed deteriorating
7 conditions within our school transit system that can
8 be greatly improved if the project moves forward.

9 Currently we have school buses down that
10 need repairs. We are in need of more buses and more
11 bus drivers. Our bus mechanic is needed to drive a
12 bus, and he's unable to be servicing the buses which
13 creates a bigger problem. Bus aides and monitors are
14 needed for students who need additional assistance,
15 whether it be special needs or behavioral issues.

16 At one point we've even closed school
17 when we didn't have enough drivers to run our normal
18 routes, but on a regular daily basis, we are doubled
19 up on routes more days this school year than I can
20 ever remember.

21 In addition to school transportation
22 issues, I currently work as a substitute teacher
23 between driving my bus routes. While serving as a
24 sub, just in the past several weeks I've witnessed a
25 need for additional in classroom support aides; a

1 need for Spanish and Japanese language translators
 2 for cultural students; a need for larger classroom
 3 working spaces for the students, alternative seating
 4 and table options; a need for building repairs and
 5 upgrades; a need for a cafeteria for our students to
 6 eat. Currently at two of our school buildings,
 7 Holmes and Denver, they don't even have a cafeteria.
 8 The students eat in the gymnasium every day. The gym
 9 is set up with tables for the students to eat and
 10 then daily taken down for students to have gym class.
 11 Even when doing this, there's still not enough room
 12 for all the students and some eat lunch at their
 13 desks.

14 Through my observations and working for
 15 Wilmington City Schools System, we are doing the best
 16 that we can at this time. However, I believe
 17 additional revenue that Yellow Wood solar project
 18 could bring to our school system would greatly assist
 19 us in offering the best educational program we can
 20 offer our students. And it would ease the burden of
 21 asking property owners to pay more taxes for our
 22 schools. Thank you.

23 Any questions?

24 ALJ FULLIN: Thank you.

25 ALJ ST. JOHN: Thank you.

1 MS. HODSON: Thank you.

2 ALJ ST. JOHN: Next up is Kannon Arnett
3 followed by Curtis Bickel.

4 Will you please raise your right hand.
5 (Witness sworn.)

6 ALJ ST. JOHN: Thank you. And can you
7 please state and spell your name for the record.

8 MR. ARNETT: K-A-N-N-O-N A-R-N-E-T-T.

9 ALJ ST. JOHN: Thank you. Please proceed
10 with your testimony.

11 MR. ARNETT: My name is Kannon Arnett,
12 and I live at 4095 State Route 134, Wilmington, Ohio
13 45177, Union Township.

14 I support the Yellow Wood solar project.
15 I am 6 years old, and I am in the first grade.

16 I just want to ask you to save the earth
17 for kids my age and to save the earth for when I have
18 children some day.

19 Thank you.

20 ALJ ST. JOHN: Thank you.

21 And the next person on the list is Curtis
22 Bickel.

23 MR. BICKEL: That would be me. I'm his
24 father.

25 ALJ ST. JOHN: Thank you. And would you

1 please raise your right hand.

2 (Witness sworn.)

3 ALJ ST. JOHN: Thank you. Could you
4 please state and spell your name for the record.

5 MR. BICKEL: My name is Curtis Bickel,
6 C-U-R-T-I-S B-I-C-K-E-L. My residence is 529 South
7 Walnut Street, Wilmington, Ohio.

8 I was born and raised in this community.
9 Did as the one gentleman said and left for better
10 opportunities because they weren't here. Came back,
11 was able to find some.

12 But listening to all these things for and
13 against, I mean, this has been the most divisive
14 thing that has come across our county in quite some
15 time, especially Highland County. You know, I went
16 to East Clinton so both sides of that county line
17 type thing.

18 My -- my thoughts are I am yes to solar
19 overall because it is the way of the future, and I
20 have to think that way having a little one that I
21 have to take care of, make sure the future is going
22 to be good for.

23 I myself having grown up here knew that
24 the future was not here. Things like this may -- may
25 make some changes for younger folks, may make some

1 changes for people wanting to plan families and
2 things. Doesn't anybody remember that Amazon has
3 already started transforming some things like that
4 airport that sat empty for about, I don't know, a
5 decade or something? I was a freshman in college at
6 Ohio State when all that went down and I remember
7 coming home I think as a junior and this community
8 was decimated.

9 Now, this project isn't something as
10 large as that; but, you know, it's a step in the
11 right direction. Nothing is going to be perfect, and
12 nothing is going to be exact.

13 But in terms of the wildlife and stuff,
14 they adapt. This is earth. That's always happened.
15 I mean, dinosaurs didn't make it because of an
16 astroid, but I think the bees and wildflowers are
17 going to make it. They'll figure it out. Us as
18 humans, we are adaptable. As far as I can tell, all
19 animals of history and every language we've ever
20 spoken, we figure out how to make stuff work.

21 And the future is this, so I'm yes to
22 solar because the future is where we are going. And
23 if you want to live in the past, I don't think you
24 are living.

25 So that's -- that's really what I got. I

1 am on board because it's the right thing and the
2 right direction.

3 ALJ ST. JOHN: Thank you.

4 Are there any questions?

5 ALJ FULLIN: Thank you for your
6 testimony.

7 ALJ ST. JOHN: Next on our list is Craig
8 Young followed by Misty Carter.

9 Please raise your right hand.

10 (Witness sworn.)

11 ALJ ST. JOHN: Thank you. Could you
12 please state and spell your name for the record.

13 MR. YOUNG: My name is Craig Young,
14 C-R-A-I-G Y-O-U-N-G. I reside at 1800 Deer Creek
15 Drive, Xenia, Ohio 45385. I have an interest in the
16 property at 814 Oak Grove Road, Martinsville, Ohio
17 45146. That's my parents' property.

18 ALJ FULLIN: That's better.

19 MR. YOUNG: Okay. So I'm from the
20 Wilmington area. I lived there for 21 years, born
21 and raised. Went to Wilmington College. Got my
22 degree in business finance. Moved up to the Dayton
23 area. Got my MBA from Wright State. I am also a
24 realtor and been doing business for a couple years
25 now in general.

1 And I cannot see from any standpoint why
2 this project would not benefit Clinton County as a
3 whole. One of the greatest stressors in the farming
4 business is the lack of guaranteed payments to
5 farmers for their labor even though the same number
6 of hours are required every year to produce their
7 crops, let alone the increasing cost of output. The
8 income varies every single year. Some years better,
9 some years not as well. With overall stagnant and
10 decreasing trends in crop pricing, there is no backup
11 plan when you can't generate a profit from farming.
12 There is no unemployment compensation. Crop
13 insurance does not cover dips in the market, anything
14 like that.

15 So with this opportunity being afforded
16 to the community, I think it's time to consider a
17 change in what some of the local farmers are
18 harvesting, doing solar instead of grain. The sun
19 will always be there. It's free so why not harvest
20 energy from it. This would be an opportunity for
21 farmers to have the closest thing to a steady income
22 using the land they own while still providing for the
23 community.

24 In addition to providing the freedom
25 provided to the farmers, this is a project that will

1 generate substantial amounts of tax revenue, tax
2 revenues that dried up whenever DHL departed over a
3 decade ago, money needed by the communities to
4 financial the underfunded schools, libraries, repair
5 the deteriorating infrastructure, and the local
6 county townships, let's see, especially with local
7 tax levies for schools failing at the poles leaving
8 school districts on fiscal watch. So the money
9 that's going to be paid is going to take the burden
10 off taxpayers.

11 And then my last thing that I think is a
12 great idea for this project is one of the greatest
13 issues facing the United States right now is energy
14 independence. Greener and more sustainable energy
15 will be provided by the Yellow Wood solar project, in
16 addition, the energy independence.

17 Another large issue facing the world
18 today is climate change and rapidly increasing
19 emissions of CO-2 into the atmosphere. It's been
20 increasing rapidly since the start of the Industrial
21 Revolution. So with every year -- I got my
22 statistics from the EIA.gov, every year
23 952 million tons of CO-2 is emitted into the
24 atmosphere from coal power plants which are where
25 Ohio gets the majority of their power from,

1 66 percent, and I don't think we can move fast enough
2 to get greener energy implemented in this region.

3 ALJ ST. JOHN: Thank you. Are there any
4 questions?

5 ALJ FULLIN: I think, if I heard you
6 correctly, you mentioned that your statistics came
7 from EIE.gov?

8 MR. YOUNG: EIA.gov.

9 ALJ FULLIN: EIA. Can you further
10 identify what that is?

11 MR. YOUNG: That is something to do with
12 the environment. I am not really sure.

13 ALJ FULLIN: Thank you. I just wondered.

14 MR. ARNOLD: It's the Energy Information
15 Agency, U.S. Department of Energy.

16 ALJ FULLIN: Would you repeat it for the
17 record?

18 MR. YOUNG: What was -- the Environmental
19 what?

20 MR. ARNOLD: Energy Information Agency.

21 MR. YOUNG: Energy Information Agency.

22 ALJ FULLIN: Of ODE.

23 MR. ARNOLD: U.S.

24 ALJ FULLIN: That came from the witness
25 and will be part of the record. Thank you.

1 MR. YOUNG: All right. Thank you.

2 UNIDENTIFIED SPEAKER: I have a question,
3 your Honor, for you.

4 ALJ FULLIN: If it has to do with the
5 procedure but this isn't really a question and answer
6 session.

7 UNIDENTIFIED SPEAKER: It's more of a
8 clarification, a point of order then. My
9 parliamentary procedure is very rusty. If we were
10 not allowed -- I don't know if this is applicable or
11 not, if there is any intervening parties. But if
12 intervening parties are not allowed to speak at this,
13 shouldn't it also be to the other side where the
14 parties that have a vested interest should also have
15 to wait until that same meeting in October? I am
16 just looking for clarification. Again, I don't know.

17 ALJ FULLIN: The purpose of the
18 evidentiary hearing is for testimony from parties.
19 Intervenorors are parties. The Applicant is a party.
20 Other people who have been granted intervention are
21 parties. They can all testify at that hearing.
22 That's the purpose of that hearing. But this is
23 testimony from members of the public that aren't
24 Intervenorors.

25 UNIDENTIFIED SPEAKER: Right, but I guess

1 in my mind it's equal Intervenor versus vested
2 interest. They are the opposite side in the same
3 field.

4 ALJ FULLIN: Intervenor are parties to
5 the case who will have their opportunity to testify
6 at the evidentiary hearing. Who you mean by vested
7 interests is not on the record.

8 ALJ ST. JOHN: Just for some further
9 clarification, the purpose of tonight's -- tonight's
10 local public hearing is to get testimony from the --
11 the local community here. So people who have
12 intervened are parties. I know you used the term
13 vested interest. I am not sure exactly what you were
14 referring to there, but in terms of the purpose of
15 tonight, you know, we are very interested in coming
16 into the community and getting you all's perspective.

17 So for those who have intervened, they
18 are parties and those are individuals who will be
19 entitled to make their case at the evidentiary
20 hearing that's upcoming.

21 And at this time I will go ahead and call
22 the next individual who is on our list tonight and
23 that's Misty Carter who will be followed by David
24 Bruce.

25 Please raise your right hand.

1 (Witness sworn.)

2 ALJ ST. JOHN: Thank you. Could you
3 please state and spell your name for the record.

4 MS. CARTER: My name is Misty Carter,
5 M-I-S-T-Y C-A-R-T-E-R. I live at 6335 Abernathy Road
6 in Lynchburg, Ohio. I was born in Clinton County. I
7 work in Clinton County. May I proceed?

8 ALJ ST. JOHN: Yes. Please proceed with
9 your testimony. Thank you.

10 MS. CARTER: Okay. The Yellow Wood
11 Application states the Applicant selected the subject
12 site for further development because of an
13 overwhelming positive welcome from the area
14 landowners and community leaders and few
15 environmental constraints.

16 I have in my hand copies of the public
17 comments from the Ohio Siting Board website. There
18 are 14 pages of public comments amounting to over 200
19 individual comments. The comments opposing the
20 Yellow Wood solar center far outnumber the comments
21 in favor of the project.

22 The comments in favor are mostly short
23 comments that are repeated word for word from several
24 people, many throughout the state of Ohio and out of
25 state as well. Those comments that oppose are

1 overwhelmingly written from the heart. There are no
2 word-for-word repeated comments. We've seen a
3 tremendous increase in utility-scale solar in this
4 area for the past two to three years. The public is
5 beginning to wake up to what these solar facilities
6 are taking away from us.

7 I also have a petition signed by 500
8 residents of the Lynchburg area. I personally
9 obtained over 160 of those signatures with a
10 resounding response in opposition to these projects
11 and, at minimum, the belief in the right to vote on
12 such measures.

13 Our website Clinton/Highland Concerned
14 Citizens concerned about solar farms has over a
15 thousand members, many who post information. In
16 contrast the pro solar group has 186 followers and an
17 administrator who posts most information.

18 Does this sound like an overwhelmingly
19 positive welcome from the community? Who did these
20 people talk to? Only the people that they give
21 hundreds of thousands of dollars? Not to the people
22 who are going to wake up every morning, look out
23 their windows at row after row of solar panels or
24 whose homes are going to be surrounded on three and
25 four sides by panels.

1 Yellow Wood Solar Energy center
 2 encompasses approximately 3,000 acres in Clinton
 3 County. 13 landowners are involved in the project by
 4 selling or leasing their land. There are over 125
 5 residential properties that are within or bordering
 6 the energy center each requiring a 300 foot setback.
 7 A 300 foot setback is the length of a football field.
 8 About one -- one-third of these residents are within
 9 the project which means they will most likely have
 10 solar panels on more than one side of their property.
 11 Accepting this project will directly benefit those 13
 12 landowners who have property in the project, but it
 13 will also disaffect those over 125 residential
 14 landowners who are with or adjacent to the property.

15 Some of those residents who have not
 16 received hundreds of thousands of dollars for their
 17 property have had to spend thousands of dollars of
 18 their own money to retain a lawyer to help them make
 19 the best decisions for their properties.

20 It has been reported at other meetings
 21 that studies show that property values are not
 22 affected. It is important to make sure we are
 23 comparing apples to apples and not apples to oranges.
 24 A little research will show that many times the
 25 facilities surveyed are very small -- are very small,

1 between 56 and 160 acres. There's a lot of
2 difference in how a 52 acre solar facility affects
3 property values versus how a 3,000 acre facility
4 affects property values.

5 Other studies that survey solar
6 facilities more closely aligning with Yellow Wood
7 show that solar installations negatively affect
8 nearby property values. And the closer the
9 residential property to the solar facility the more
10 the property values are negatively affected. An
11 article in Energy News Network in 2020 indicated that
12 appraisers tended to associate a negative impact on
13 home values near larger installations and new power
14 lines.

15 A study done by Rhode Island University
16 concluded that the siting of large solar projects has
17 become contentious in some parts of the country due
18 to concerns about the sites being unsightly, impacts
19 on ecosystems, siting of transmission lines, loss of
20 a town's rural character, water pollution, fire
21 risks, water use, and reduction in property values.

22 These concerns become particularly heated
23 when the solar development is proposed on an existing
24 farm and forest lands which is common because these
25 are the cheapest locations for development. As we

1 see more industrial solar facilities come into our
2 area, the more these concerns mount up.

3 A study by the Isaac Orr concludes that
4 solar panels require a lot of land and create a lot
5 of concerns for local residents who live in the
6 vicinity of the solar facilities. Residents are
7 getting fed up with these projects all over the
8 country.

9 What was the impetus behind SB52?
10 Thousands of Ohioans were being negatively affected
11 by wind and solar development with no say in the
12 process, and they let legislators know this. SB52
13 gives an opportunity for County Commissioners to say
14 no to solar facilities. Thank you.

15 ALJ FULLIN: Thank you.

16 ALJ ST. JOHN: Thank you.

17 Are there any questions?

18 Next on our list we have David Bruce who
19 will be followed by Tony Felheim.

20 While Mr. Bruce is coming up to the
21 podium, I have a brief announcement that I would like
22 to make. Because I see that there are still many
23 people who have been signed up to testify and there
24 are also perhaps other people in attendance who
25 cannot stay around until the end of the hearing, so

1 if you need to leave, you have several options. If
 2 you are in agreement with those who have already
 3 testified and would like to express your opposition
 4 to or support for the proposed application, there are
 5 forms with Staff by the door. The forms will
 6 indicate that you are at tonight's hearing and that
 7 you either oppose or support the Company's
 8 Application for the reasons expressed by those who
 9 have already testified. So if signing the form is
 10 convenient for you, you may sign the form and that
 11 form will be part of the official record in this
 12 case. And the Board will be informed of the number
 13 of people who have signed the form.

14 Second, you can also write down your
 15 statement as a letter and mail it to the Commission,
 16 and you can also fax it or file it electronically in
 17 the docket, and Staff can give you the information on
 18 how to do that.

19 If you still prefer to make a statement,
 20 we will certainly stay until everyone who has a
 21 desire to make a statement has had the time to do so.
 22 Thank you.

23 And, Mr. Bruce, thank you for waiting.
 24 Would you please raise your right hand.

25 (Witness sworn.)

1 ALJ ST. JOHN: Thank you. Could you
2 please state and spell your name for the record.

3 MR. BRUCE: My name is David Bruce,
4 D-A-V-I-D B-R-U-C-E. I am a special project
5 coordinator and representative for IBEW Local 82.
6 Part of our jurisdiction is here in Clinton County,
7 and I represent members that live in Clinton County.
8 This Local is out of Dayton, Ohio, and I am speaking
9 in support of the solar project in Yellow Wood. The
10 Clinton County portion of the Yellow Wood project is
11 in our jurisdiction. This project would allow us not
12 only to have experienced craftsmen and women a chance
13 to show their skills but also gives us a chance to
14 train our up and coming craftsman and women.

15 Solar is becoming a part of our most
16 regular work schedules as far as types of projects,
17 and we would like to make sure that this and other
18 projects are done on time, under budget, completed
19 with the highest standard craftsmanship. Our workers
20 are well trained in all aspects of the electrical
21 field, and solar is one of our many specialities.
22 Local 82 apprentices have solar as part of their
23 fifth year curriculum and is one of the freshest
24 subjects in their minds as they top out and become
25 journeyman and women.

1 The IBEW leading this project it would be
2 a given that the work would be done by residents of
3 Ohio and some residents here in Clinton County. This
4 allows money and economy created by this project to
5 stay within the community instead of out-of-state
6 contractors hiring out-of-state workers to take their
7 money back to their home.

8 The construction jobs that this project
9 will provide the -- with the IBEW will provide the
10 local wage along with benefit packages and training
11 attached with them. We in Local 82 will also have a
12 steady stream of vocational students from surrounding
13 area career centers, which I happen to be one of them
14 from Greene County, that bring their talents to us to
15 start their careers.

16 This project not only guarantees that our
17 seasoned veterans get a chance to show their skills
18 but also provides a chance for young persons to start
19 their career with quality training for their trade.

20 So in closing I would press you to
21 approve this project so Ohio trade workers have yet
22 another chance to prove their excellence and
23 strengthen their community and boost the local
24 economy.

25 And I forgot to give my address. I live

1 at 1555 Suite 5 Deer Creek Drive, Xenia, Ohio 45385.

2 ALJ FULLIN: Thank you for your
3 testimony.

4 ALJ ST. JOHN: Thank you.

5 Are there any questions for this witness?
6 Thank you.

7 ALJ FULLIN: Thank you very much.

8 ALJ ST. JOHN: Next on the list I have
9 Toty -- excuse me, Tony Felheim followed by Rebecca
10 Williams.

11 MR. FELHEIM: Your Honor, I would like to
12 pass my turn onto the next person to speak, please.

13 ALJ ST. JOHN: Thank you.

14 ALJ FULLIN: Thank you.

15 ALJ ST. JOHN: And then after
16 Ms. Williams, we have Chris -- Chris Meyer.

17 (Witness sworn.)

18 ALJ ST. JOHN: Thank you. Please state
19 and spell your name for the record.

20 MS. WILLIAMS: Rebecca Williams,
21 R-E-B-E-C-C-A W-I-L-L-I-A-M S. I live at 4545
22 Panhandle Road, New Vienna, Ohio. I am in Highland
23 County and Union Township. My tie to the project is
24 I was born and raised in this area. I left briefly
25 and returned years ago to raise my children in the

Lynchburg School District.

I obtained my Associate's of applied science in agriculture from Southern State in 1994, and I have my Bachelor's Degree in plant, soil, and environmental sciences from Wilmington College in 2011.

Solar is a disruptive technology. It's disrupting our country, our state, our counties. It's overwriting zoning laws designating land for agriculture and residential use. It's disrupting communities. This is disrupting the agriculture land. It's disrupting wildlife habitat. It's disrupting ecosystems. And most of all it's disrupting families.

Despite what Invenergy paid for opinions presented as studies in their Application states it's disruptive. Let's talk about the families being disrupted. A lot like the bees and the butterflies that will have thousands of acres of pollinating crops replaced with unsupporting low lying grass, and their habitat reduced down to a 10 to 20 foot barrier, border, sown in a pollinated blend. These families are having their once peaceful rural existence surrounded by industry.

The financial impact is already hitting

1 these families. Not only do they face devaluation of
2 their property if this project is approved, but many
3 have had to scrape together resources to hire an
4 attorney because many -- among many other things,
5 proposed setbacks are less than what's given to an
6 eagle, a majestic bird full of symbolism but
7 nonetheless the same bird that I witnessed eating
8 roadkill when I passed by the other day is more
9 valued than a human life.

10 Perhaps you -- perhaps human life is only
11 valued if you own enough acres. Solar energy is a
12 disrupting technology. The first substantial
13 computer took up 1,800 square foot of floor space.
14 Today we wear them on our wrist. We carry them in
15 our hands. Solar technology is somewhere in between
16 the 1,800 square foot and our wrist.

17 It's inefficient. It is not efficient
18 enough to warrant large scale destruction of viable
19 farmland and, as it stands, will contribute more to
20 global warming. Only 15 percent of the energy
21 hitting these panels is converted to electricity.
22 The rest is returned to the environment as heat. The
23 mounted panels needed to put a dent in the fossil
24 fuel energy -- in the fossil fuel energy demand would
25 have a global warming effect, not to mention the

1 fossil fuels needed to mine, process, manufacture,
2 transport, install, maintain, decommission, and
3 support an intermittent disruptive energy.

4 We cannot be shortsighted on the waste
5 that this project will produce either from production
6 to installation to replacing as efficiency and
7 technology advances. Surely as they increase in
8 technology, they will have to replace these panels or
9 else it will be an obsolete project even within that
10 20 to 30 years the way the panels are advancing in
11 technology now.

12 Solar energy is a disruptive technology
13 that's not -- this project is not about public need.
14 In fact, it will create it. In a time that we need
15 to be doubling crop production to feed the world
16 population by the year 2050, we have no business
17 destroying viable, productive farmland.

18 Despite what some may think, the soil
19 structure will be destroyed and only thousands of
20 years can replace that, not a decommissioning
21 agreement. This land cannot be returned to the
22 effective crop production.

23 Solar energy is a disruptive technology.
24 It's not about green energy. It's about profit of
25 the few at the expense of the many. Thank you.

1 ALJ FULLIN: Thank you for your
2 testimony.

3 ALJ ST. JOHN: Thank you.

4 Are there any questions for this witness?
5 Thank you.

6 Next up is Chris Meyer who will be
7 followed by Annette Houck.

8 Please raise your right hand.

9 (Witness sworn.)

10 ALJ ST. JOHN: Thank you. Please state
11 and spell your name for the record.

12 MR. MEYER: My name is Chris Meyer,
13 M-E-Y-E-R. I live at 425 Gallimore Road, Port
14 William, Ohio, which is in Liberty Township in
15 Clinton County.

16 Good evening. As I said, my name is
17 Chris Meyer. I am a member and past president of the
18 Green Energy Ohio Board of Directors. Thank you for
19 this opportunity to submit comments in support of the
20 Yellow Wood solar project, this project particularly
21 in Clinton County that's currently under development
22 by Invenergy.

23 Green Energy Ohio is a statewide
24 nonprofit organization dedicated to promoting
25 sustainable energy policies, technologies, and

1 practices through education and outreach. We
 2 represent a diverse membership of individuals,
 3 businesses, community, and government entities, and
 4 academic institutions who support GEO's mission.
 5 Invenergy happens to be a member of GEO as am I.

6 The GEO Statement of Public Positions
 7 endorses investment in utility-scale solar projects
 8 for the broad range of economic and environmental
 9 benefits that these facilities provide. First and
 10 foremost, local communities are beneficiaries of
 11 these projects through substantial payments in lieu
 12 of taxes that support local school districts and
 13 government facilities. Education in Franklin and
 14 Jefferson Townships including the local school
 15 districts and vocational schools, it's estimated to
 16 receive at least \$1.2 million annually from this
 17 project with another 1.5 million going to support
 18 county and local town -- and township services.
 19 Local landowners, of course, will benefit from these
 20 payments that allow the agricultural operations to
 21 continue while at the same time studies have shown
 22 that neighboring properties do not decrease in value.

23 Green Energy Ohio recognizes the
 24 importance of trust and relationships between
 25 developers and local communities, and Invenergy has

1 over a decade of experience in Ohio. They have
 2 proven a track record of community engagement and a
 3 commitment to address the unique circumstances of
 4 each project. During the development and
 5 certification process, multiple land use studies are
 6 undertaken to identify sensitive environmental
 7 resources and ensure a high degree of environmental
 8 stewardship. As a leader in innovative technology,
 9 Invenergy's solar energy centers produce clean, safe,
 10 and efficient power that protects public health and
 11 the environment.

12 The need for renewable energy generated
 13 by large-scale solar farms is constantly increasing,
 14 driven by the demands of residential consumers, small
 15 businesses, large corporations, and municipal
 16 governments, all of whom are seeking greater
 17 sustainability and reductions in their carbon
 18 footprint. By producing up to 300 megawatts of clean
 19 energy, the Yellow Wood Solar Energy center makes a
 20 significant contribution to Ohioans' ability to
 21 achieve these goals.

22 Thank you for your time, and I appreciate
 23 the consideration of our remarks.

24 ALJ FULLIN: Thank you.

25 ALJ ST. JOHN: Thank you. I have one

1 quick question for you. Are you speaking on behalf
2 of yourself as an individual or on behalf of your
3 organization?

4 MR. MEYER: Yes and yes.

5 ALJ ST. JOHN: Thank you.

6 Any other questions? Thank you.

7 Please raise your right hand.

8 (Witness affirmed.)

9 ALJ ST. JOHN: Thank you. Please state
10 and spell your name for the record.

11 MS. HOUCK: Annette Houck, A-N-N-E-T-T-E
12 H-O-U-C-K. My name is Annette Houck, and I live at
13 9711 State Route 73, Hillsboro, Ohio 45133, Penn
14 Township.

15 I am here in support of the Yellow Wood
16 solar project. My husband and I are landowners and
17 farmers in Clinton and Highland Counties. I believe
18 we are all here tonight for the same reason. We love
19 our country view and don't want to see it change.
20 However, the difference between pro solar and solar
21 opposition is our perspective on the subject. In
22 1986, I graduated from art school, and while there I
23 studied perspective at great length. I've owned an
24 advertising business in Wilmington for 29 years.

25 Perspective is the art of drawing solid

1 objects on a two-dimensional surface so as to give
2 the right impression of the height, width, and depth,
3 and position in relation to each other when viewed
4 from a particular point or distance.

5 Contrary -- I'm sorry. Solar opposition
6 does not want panels as their neighbors or nearby
7 their properties. They insist it will spoil their
8 visual and aesthetic enjoyment of living and working
9 there. They love living and working in the country
10 and want everything to remain the same forever. This
11 is an example of short or narrow perspective.

12 Contrary to this, we have the pro solar
13 movement. They too love living, farming, and working
14 in the rural country. But they have a much broader
15 or wide angle perspective. As stewards of the land,
16 they are looking far beyond their neighbors and are
17 looking at saving the entire earth on a global scale
18 and not just their immediate surroundings. They have
19 and are making a commitment to producing clean energy
20 for everyone, not just a few in a selective small
21 community. They are thinking far beyond just
22 themselves.

23 When viewing the whole picture, both
24 shortsighted and wider, broader-based perspectives
25 are very important; but at the end of the day we have

1 to decide which way this picture benefits everyone.
 2 If we continue on the path that we are on with the
 3 closures of coal burning power plants in southern
 4 Ohio, PJM is looking at renewable energy replacements
 5 to fill the void on our local power lines. We all
 6 want the country view, but we all want electric too.

7 As farmers and landowners, this is our
 8 opportunity to step up and help in furnishing the
 9 much needed energy from our area onto the power grid.
 10 And at the same time, we are able to set aside land
 11 for grass and forage cover for a period of 30 plus
 12 years; keeping soil in place, reducing nutrient
 13 runoff, sequestering carbon; and creating beneficial
 14 wildlife and pollinator habitats; implementing
 15 conservation outcomes; and mitigating the impact of
 16 climate change, and ultimately doing our part to save
 17 the earth's atmosphere.

18 When it comes to wildlife, we can welcome
 19 back the earthworms, the butterflies, honey bees,
 20 birds, snakes, and insects that we have run off from
 21 our use of toxic pesticides and toxic chemical
 22 sprays.

23 It is really quite simple, and William
 24 Shatner summed it up after returning from his rocket
 25 space trip on October 15 just this year. He said "I

1 wish I had better news and more entertainment jokes
 2 to tell you, but I was moved to tears by what I saw,
 3 and I come back filled with and overwhelmed by
 4 sadness and empathy for this beautiful thing we call
 5 earth. We're at the tipping point. We haven't got
 6 time to wait 30 years and argue. Burying your head
 7 in the sand another instant about global warming and
 8 the destruction of the planet is suicide for all of
 9 us. If we don't do something about this industrial
 10 pollution, we will not only be stripping the planet
 11 of its natural resources, we will be stripping it of
 12 its future. Our children and our children's children
 13 will not have a chance to be a part of this beautiful
 14 thing we call Earth."

15 So I urge you to proceed with the Yellow
 16 Wood solar project. It is imperative to clean up our
 17 reckless use of fossil fuels and carbon emissions.
 18 If we don't, neither the solar opposers nor the pro
 19 solar advocates will have a rural country view for
 20 any of our great grandchildren to view anyway.

21 Thank you.

22 ALJ FULLIN: Thank you.

23 The next witness I intend to call is John
 24 Leesemann, and he will be followed by Genevieve
 25 Leesemann.

1 (Witness sworn.)

2 ALJ FULLIN: Thank you. If you can
3 identify yourself the same way as others.

4 MR. LEESEMANN: My name is John -- my
5 name is John Leesemann.

6 ALJ FULLIN: You can adjust that mic if
7 you tilt it up towards your mouth.

8 MR. LEESEMANN: My name is John
9 Leesemann, J-O-H-N L-E-E-S-E-M-A-N. My address is
10 7712 Misty Meadows Court, Morrow, Ohio 45152.

11 ALJ FULLIN: Thank you.

12 MR. LEESEMANN: Good evening. We bought
13 two farms in Clinton County 20 years ago for an
14 investment. One of the farms is on Glade Road; one
15 is on Wise Road.

16 Invenergy contacted us about rent --
17 renting our farm for solar. We retained -- since we
18 don't have the expertise of any solar knowledge,
19 retained a solar lawyer to check out our contract
20 with Invenergy, someone who was an expert on solar
21 contracts who gave us a vote of confidence.

22 We signed an agreement for our Glade Road
23 farm. We are supportive of the proposed power
24 program not only with schools but the roads and
25 improvements to public service such as fire and

1 police, money for local townships. You've heard
2 tonight how many jobs it's going to create. 80
3 percent of these people have to be Ohio employees
4 which is fantastic. Glad to see that the community
5 will reap rewards from this. There are no longer
6 factories in the area and many places of work. This
7 solar project will bring construction jobs,
8 opportunities for electricians. It will also
9 encourage the development of more opportunities in
10 the future for the area.

11 The Company has been active in
12 building -- commissioning solar panels along the
13 country in the midwest. The Company developed 150
14 different projects and had a strong track record of
15 investing in communities in which they exist when we
16 are talking about -- we are talking about Invenergy.
17 We are satisfied with Invenergy, and they have
18 answered all our questions and have worked hand in
19 hand with us. They have a proven track record with
20 project construction and implementation.

21 Our future is green energy and this is a
22 unique opportunity for Clinton County. Thank you
23 very much.

24 ALJ FULLIN: Thank you for your
25 testimony.

1 Any questions? Thank you.

2 Genevieve Leeseemann. And I see from the
3 sign-in sheet that you have the same address, so you
4 don't have to repeat. I would like to help you get
5 sworn in to state your name and spell it for the
6 record.

7 MS. LEESEEMANN: Thank you.

8 (Witness sworn.)

9 ALJ FULLIN: Thank you.

10 MS. LEESEEMANN: I hope all of you are
11 having --

12 ALJ FULLIN: I'm sorry. Would you --

13 MS. LEESEEMANN: I don't know. It might
14 be a long evening for you.

15 ALJ FULLIN: Would you spell -- give and
16 spell your name for the record.

17 MS. LEESEEMANN: Spell my name. Well, get
18 ready, everybody. G-E-N-E-V-I-E-V-E, there's more,
19 L-E-E-S-E-M-A-N-N.

20 ALJ FULLIN: Thank you.

21 MS. LEESEEMANN: For such a short person
22 it's a very long name. Having taught high school for
23 over 35 years, I'm a proud advocate for education.
24 At the same time I am a taxpayer. Life experience
25 tells us that we get what we pay for.

1 And no where is this more evident than in
2 the educational field. If a school system cannot
3 afford to update a building's wiring to support
4 computers or must load a classroom with 30, 40, or
5 more students, its students will be left in the dust.

6 Solar energy will bring monies into our
7 communities that can be used for such projects as you
8 have heard of while not burdening the taxpayer. The
9 same is true for our fire departments, townships,
10 other local necessities.

11 A vote in favor of solar, of Yellow Wood,
12 is your chance to make a direct positive impact on
13 our future. Will you take that chance?

14 Thank you.

15 ALJ FULLIN: Thank you very much. I
16 think I forgot the mention the next witness to come,
17 but I wanted to call now David Mayer. Mayer or
18 Mayer.

19 MR. MAYER: Mayer.

20 ALJ FULLIN: After him, I intend to call
21 Debbie Howard.

22 MR. MAYER: I'm going to put my stopwatch
23 on.

24 ALJ FULLIN: I appreciate everybody
25 sticking to the time. Everyone has been pretty close

1 to the mark here.

2 MR. MAYER: Can you hear me okay?

3 ALJ FULLIN: Yes. That's better.

4 (Witness sworn.)

5 MR. MAYER: Before I get started I was
6 advised by someone in our team that he was skipped
7 over, Skip Thompson, on the list.

8 ALJ FULLIN: I believe he is an
9 Intervenor in the case.

10 MR. THOMPSON: No, I'm not. That's my
11 Dad.

12 ALJ FULLIN: Then I will call you.

13 MR. THOMPSON: Who brought that to your
14 attention?

15 ALJ FULLIN: I checked the list of the --
16 your name against the names I granted intervention.

17 MR. THOMPSON: Different initials.

18 ALJ FULLIN: Now you are explaining you
19 are not the Intervenor, I'll let you testify -- I'll
20 let you testify next.

21 MR. THOMPSON: I'm going to be last.

22 ALJ FULLIN: I'll let you testify next if
23 you choose to.

24 MR. MAYER: Good evening and thank you
25 for attending tonight. I've submitted previous

1 written documentation to the Board.

2 My subject tonight is the pitfalls of
3 solar energy and renewables and overreaction to
4 climate change. My name is David, D-A-V-I-D, middle
5 initial A, last name Mayer, M-A-Y-E-R, resident, 107
6 Westover Drive, Hillsboro, Ohio, Highland County.
7 I'm impacted by this because it's in a neighboring
8 county. I own 11 acres of trees in a southern Ohio
9 county, and I don't want to see solar evade -- or
10 invade any more parts of my county.

11 I'm going to start off with an
12 introduction. Climate change is not the real threat.
13 The real threat is the overreacting to climate change
14 theories and reacting too fast with a proper
15 evaluation of the many risks. The trend these days
16 is just about everything can be blamed on climate
17 change driven by bad science, and even worse
18 political forces is going to bring more economic
19 disparities and energy poverty to many around the
20 globe.

21 The temperature rise of a few degrees is
22 not an immediate danger. It could be 30 years or 100
23 years. The current pace of banning fossil fuels is
24 leading to a spike in global energy for coal, crude,
25 and natural gas that was mentioned earlier by another

gentleman about the prices in Europe. The average American this year according to a CNBC news report will spend an extra \$300 if they use natural gas. That impacts low income people.

The transition train to renewable energy is what caused the problems in England. They got rid of a gas plant. They're now begging for gas from Russia. They are begging for coal from Russia. The UK shut down two fertilizer plants. A byproduct of that is carbon dioxide that they use to preserve food. They are facing problems. Driving up the prices also drives it up here in the United States as was mentioned earlier.

We have limited capacity to export liquefied natural gas to Europe because we only have so much capacity in our ports and so many ships. We have 100 years possibly to slowly increase renewable energy to a degree that it can never be 100 percent. Renewable energy is intermittent and will require storage the global economy cannot afford. California which has a zero emissions goal in the future would require 10 trillion in storage to get to zero fossil fuels.

And the next comment, you'll probably laugh, but I got this from my uncle, if we didn't

1 have some global warming, we would still be living in
2 the ice age.

3 Now I am going to go through my list of A
4 to Z issues. Aquifers, that's been mentioned. The
5 leases call for unlimited water. They don't say why.
6 I spoke to one of the consultants with one of the
7 companies. He said, well, we are not really going to
8 use that much. So why is it in your contract? Well,
9 we just put it in. So you have to cover all the
10 bases. Water rights will be an issue.

11 The other A topic is audit. This is
12 pretty much a negative comment on PUCO. This was in
13 the paper recently. Audit documents show the state
14 utility regulator PUCO sought edits to a draft
15 version of an audit they commissioned prompting
16 removal of declarations that a ratepayer funded
17 bailout of two uneconomic coal plants was a bad deal
18 for Ohio electric customers. They were siding with
19 the utility which I believe is the case here.

20 B is for barriers, barriers to wildlife.

21 B is also for bankruptcy of these
22 potential developers. These stocks trade on the over
23 counter market, not the NASDAQ or New York Stock
24 Exchange because they don't meet the strict listing
25 and financial reporting requirements, and generally

1 they are considered not a worthy investment for the
2 average investor seeking long-term growth.

3 C is for corruption. In this state we
4 have the alleged \$61 million scandal led by Larry
5 Householder, backed by the energy companies,
6 FirstEnergy, which has pled basically guilty to some
7 charges. Climate change cannot be solved by most of
8 the world while China and India continue building
9 coal plants. China has ordered coalminers to mine
10 more because they can't produce enough electricity.

11 C is also for carbon offsets which is I
12 call the bogeyman in the room. So this electricity
13 that you generate is offloaded to companies that will
14 get a credit who will then sell them, so over here
15 you get a credit. You can sell it. Somebody over
16 here can buy that credit. They still get to pollute.
17 There is no net decrease in carbon emissions or
18 greenhouse gases. I've never understood that, and
19 the only reason I can understand it happens is
20 because money got involved. People can make money
21 trading and brokering it.

22 D is for droughts. As you know, out west
23 they are in a drought. Lake Mead is low. They are
24 about to lose their generation for electricity.
25 Renewable energy cannot eliminate fossil fuels as a

1 backup entirely.

2 E, environmental studies are one-sided by
3 the developers. We don't see a third-party
4 intervention or third-party review of what's going to
5 be happening.

6 F is for farms and food. We need farms.
7 I understand the Clinton County project will take
8 5 percent of the great farmland in this county. Also
9 related to that, 95 percent of solar and wind
10 turbines currently are now buried. There's no
11 forecast for the future. Also related to farms the
12 crops we grow here in our hemisphere in the summer
13 and south during their farming season take the carbon
14 out of the environment. Solar panels do not absorb
15 any carbon.

16 G for green energy. It's not 100 percent
17 renewable or recycle. Let's look at the experiment
18 that we had with ethanol. Remember Al Gore and
19 ethanol? It failed. We grew all this corn, and it
20 takes as much energy to make it. So this technology
21 still needs some time to be developed.

22 H is for heat from the panels, similar to
23 concrete city jungles.

24 H is for Larry Householder, the
25 ringleader of the alleged \$61 million scandal backed

1 by FirstEnergy. We just can't trust big utilities.
2 That investigation is ongoing and we don't know what
3 else will fall out.

4 I is for intermittent. The intermittent
5 nature of solar and wind. Europe, China, Texas, they
6 are seeing this problem because they don't have
7 enough storage. You produce sun during the day. If
8 you can't store it because you can't make enough
9 batteries, at 6 o'clock everybody goes home, they
10 consume electricity. Where are they going to get
11 their electricity?

12 J is for justification by developers and
13 components of solar I believe are flawed. They don't
14 put the downside risk. They are not disclosed.
15 Everything is always upside. As a CPA holder and a
16 former certified information security auditor in the
17 technology domain, I can assure when it comes to
18 risks, we look at best case/worst case and even worst
19 case make certain we are making the wise investment
20 decisions. There is two sides to every coin.

21 K is for K -- K is for kills which means
22 it's going to kill agriculture, going to kill trees,
23 sequester carbon. We are going to kill endangered
24 species. If we were talking about an oil and gas
25 pipeline or refining plant here tonight, every

1 environmentalist in the country would be out here
2 protesting, but because this is so-called green
3 energy which they have been brainwashed to believe is
4 the savior of everything, that doesn't work.

5 L is for lies. I've seen a lot of lies
6 from the solar people to get their leases.

7 L is for lithium. China just bought one
8 of the largest lithium producers in Argentina. They
9 are snapping it up while your President Joe Biden is
10 begging the lithium countries to provide it to us.
11 We are not going to have enough storage.

12 M is for money. Money is the root of all
13 the evil here, the money from the lobbyists and
14 politicians. Years ago the GOP stance on climate
15 change was we are going to fight it, but now they
16 have joined the new green deal. They have joined the
17 left lib -- leftest liberals.

18 N is for natural gas as a backup fuel.
19 Well, in Nebraska they are going to build a
20 \$300 million solar plant, but they need to build a
21 \$600 million natural gas plant in case the sun don't
22 shine. In Michigan a utility company just bought
23 several natural gas companies as backup.

24 How much time do I have? Do you know?

25 ALJ FULLIN: You are already past time,

1 but I see that you are on a pattern of going through
2 the alphabet. I do want you to have your chance to
3 speak.

4 MR. MAYER: Thank you. I am almost
5 there.

6 O is for oil. West Texas Intermediate
7 crude's benchmark is now \$83.

8 P is for PUCO and also for PILOT funds.
9 The politics of PUCO and the recent story they
10 were -- the Ohio Supreme Court basically said that
11 they improperly allowed FirstEnergy Advisors to begin
12 operations with first -- without first determining
13 the company was fit and capable of complying with
14 Ohio law. The Ohio Supreme Court ruled this
15 recently. This was Justice DeWine versus his dad,
16 the Governor. I called it DeWine versus DeWine.

17 Q is for quiet. Not going to be quiet
18 during construction. Noisy inverters as we saw
19 earlier from Lena. And also quiet developers and
20 some politicians throughout this whole process have
21 had hope that the public would stay quiet.

22 R is for ratepayers who are subsidizing
23 an Indiana coal plant now under House Bill 6. This
24 also includes southern Ohio where \$20 million is
25 earmarked in SB6 for solar in southern Ohio.

1 S is for storage which I briefly
2 addressed. We don't have the capability to store all
3 this power.

4 T is for transition. We are going too
5 fast, unintended consequences already.

6 T is for tornadoes last week which hit
7 Highland County. We had more man-made debris flying
8 around. If you've ever seen the picture of a real
9 strong tornado, there's a picture of a piece of wheat
10 piercing a board. Imagine what a piece of metal
11 would do. That could be your body.

12 U is for underground horizontal drilling.
13 There's risks with that.

14 V is for the volume of water for
15 claiming.

16 And also V is for voting. Highland
17 County Commissioners have proposed the only people
18 that can vote under Senate Bill 52 in these zones
19 would be people that own 10 acres or more. That
20 discriminates against people that don't own that much
21 property. Since I own 10 acres, this goes back to
22 English law, I am a property owner with more rights.
23 From now on call me Sir David Mayer. Thank you.

24 Finally, two more, Y is for you. You are
25 impacted by this without a voice and/or no

1 compensation, if any, for noise and environmental
2 concerns no fault of your own.

3 And then Z is for zoning. The area up in
4 Yellow Wood is zoned residential and agricultural
5 only and that should be respected because that's what
6 those people voted for. Thank you.

7 ALJ FULLIN: Thank you for your
8 testimony.

9 MR. MAYER: Any questions?

10 ALJ FULLIN: Any questions? Thank you
11 for your testimony.

12 Next call on Charles Thompson.

13 (Witness sworn.)

14 ALJ FULLIN: Thank you.

15 MR. THOMPSON: I'm going to talk a little
16 bit about the Staff Investigation. Charles Thompson.
17 Sorry about that. Charles L. Thompson, 2537 Canada
18 Road, Martinsville, Ohio 45146.

19 I am going to talk a little bit about the
20 Staff Investigation Report. The Staff Report is
21 really a biased slant when the economic impact of the
22 project is not a complete and fair report. It does
23 not include the monetary loss of agriculture products
24 produced in the project which will be somewhere
25 between 2 and 3 million dollars a year. That's not

1 included in your report.

2 It does not include information about
3 agricultural job losses caused by this potential
4 development. It does not include the number of
5 permanent jobs created by solar which is
6 insignificant. I think you've heard 2 or 4. That
7 does not bring significant economic increase to
8 Clinton County.

9 It does not include the difference in
10 utility tax rates in real property and tangible
11 personal property versus the PILOT which only shares
12 approximately 35 percent of the money that real
13 property and tangible personal taxes would yield for
14 Clinton County.

15 It does not include a projection of loss
16 of population because of the power plant being
17 located in Clinton County. This report only projects
18 monetary increases for the State of Ohio. It is --
19 in doing so discounts local jobs, economy, and
20 residential property owners.

21 This report looks like it was written by
22 the coalition, that is, the group of solar companies.
23 There's some information given from somebody at OU
24 from the Voinovich School of Energy that do not use
25 farm ground. That's not mentioned in the report.

1 They will not be given a fair and
2 unbiased view of the OPSB to make a fair decision.
3 The Ohio Ethics Commission should come into play and
4 investigate this process, and Senate congressional
5 hearings should be held. Thank you.

6 ALJ FULLIN: Thank you for your
7 testimony.

8 Any questions?

9 Next I am going to call Debbie Howard,
10 and I would like to -- after that, I intend to call
11 Neil Rhonemus. Rhonemus.

12 UNIDENTIFIED SPEAKER: Rhonemus.

13 ALJ FULLIN: I'm sorry, Rhonemus. And I
14 would like to announce that the last witness signed
15 up to testify earlier on the list, but I did skip him
16 thinking that he was an Intervenor. I see that I
17 made a mistake about that so that's why I brought him
18 in now, because he had signed up earlier. I intend
19 for the rest of the evening to just follow the order
20 on the sign-up sheet. Make sure that everyone that's
21 signed up gets an opportunity to testify.

22 When we're done with everybody that's on
23 the list, I am also going to allow opportunity for
24 the people that are here that are not Intervenor if
25 they still want a chance to say something. But

1 again, everyone only gets one chance to testify.

2 That's the way I tend to proceed tonight.

3 And also let you know since it's this
4 late into the evening and we have other witnesses to
5 go, that according to the way that sign-up sheet is
6 filled out, I believe we're a little bit more than
7 halfway through the list.

8 (Witness sworn.)

9 ALJ FULLIN: Thank you. If you would
10 begin by giving your name, spelling your name, your
11 address, and identifying your connection to the
12 project or to the community.

13 MS. HOWARD: Okay. Good evening. My
14 name is Debbie Howard.

15 UNIDENTIFIED SPEAKER: Can't hear you.

16 MS. HOWARD: My name is Debbie Howard.
17 And I live at 3329 Gladys Road, Lynchburg, Ohio, which
18 is in Clark Township. I am here representing the
19 Steritz and Howard family in support of the Yellow
20 Wood solar project.

21 My family has strong ties to the
22 community and Clinton County as we have lived and
23 farmed in Clinton County since the 1850s and some
24 family members continue to live in the original 1894
25 farmhouse.

1 We support the project because of all the
2 benefits it will bring to our county and communities.
3 It will bring more jobs, money for education and
4 veteran services, clean renewable energy, and
5 increased tax revenue which may be used for
6 infrastructure improvements.

7 I would also like to speak to another
8 benefit for small landowners. The opportunity to
9 participate in a project like the one currently being
10 proposed will allow them to maintain their farms into
11 the future.

12 As I am sure you know, farming has
13 changed in recent decades and it is becoming more and
14 more difficult for small farmers to keep their farms
15 that in some cases have been in their family for
16 generations. The high cost of the equipment, seed,
17 chemicals, and labor have caused many small farmers
18 to go out of business and lose multi-generational
19 farms. This is why small farms are disappearing and
20 huge corporate farms are becoming the norm. In
21 conclusion in this project and others like it will
22 provide small farmers a viable way to keep the family
23 farm for their children and grandchildren.

24 Many of these farms have been farmed
25 continuously for many generations. So another

1 benefit of using the land for solar panels is that it
2 will allow the land to lay fallow for the length of
3 the contract and will have time to regenerate.

4 When the project ends, the land will then
5 be cleared of all the solar panels, foundations, and
6 equipment, with most of it being recycled, and the
7 land returned to its pre-construction condition. We
8 have not lost farmland. It is being saved into the
9 future.

10 And a side note, I would also like to say
11 a lot of the testimony against the project is that it
12 will ruin their view. I would like to say that if
13 the project goes through, I am going to be surrounded
14 on all four sides by solar panels. And I have to be
15 honest, I will miss my view. But I also believe that
16 in two or three years, you know, after they've done
17 landscaping and all of that, I am going to have a
18 nice view again. It may not be the same view, but it
19 will be a nice view. And I think the benefits
20 outweigh my loss of a particular view.

21 I believe the Yellow Wood project will
22 benefit our community both environmentally and
23 economically, and I believe we need to move forward
24 from toxic nonrenewable energy that threatens our
25 ecosystem to clean renewable energy sources such as

1 this Yellow Wood solar project.

2 Thank you for your time and consideration
3 in this matter.

4 ALJ FULLIN: Thank you for your
5 testimony. No questions. Thank you.

6 I am calling, if I am saying the name
7 right, Neil Rhonemus.

8 MR. RHONEMUS: Sir, I would yield my
9 testimony tonight.

10 ALJ FULLIN: Okay. Thank you.

11 Next I would like to call then Debbie
12 McKee. She's gone too.

13 Next on the list is John Lundblad.

14 (Witness sworn.)

15 ALJ FULLIN: Begin with your name,
16 spelling your name, and your address.

17 MR. LUNDBLAD: My name is John Lundblad,
18 L-U-N-D-B-L-A-D, 358 Indian Ripple Road, Wilmington,
19 Ohio, and that's Union Township.

20 This is a more general. I am not going
21 to get into all the details and numbers and stuff,
22 even though I was trained as an engineer. I know
23 it's pretty boring, so I am just going to speak it
24 from the heart here. I know alternate energy is a
25 hot topic, especially in Clinton County.

1 I'm 77 years old and what benefit will a
2 solar farm in the county have for me? Of course,
3 when you think of it, we make investments all the
4 time that will not directly affect us. We recently
5 had a roof resingled with a 35 year lifespan
6 product. Why would we do that when we plan to move
7 to Cape May soon? Sales appeal? Maybe. That's why
8 I am happy to pay school taxes so that our young
9 people get a good education and make our country
10 thrive.

11 I am not a farmer, but I don't have a
12 problem paying state and federal taxes that fund
13 programs that help farmers. I have children and
14 grandchildren. I do things for them all the time
15 that one might say is of no benefit to me.

16 One thing I cannot do is tell them that
17 the future of their very plant will not be negatively
18 affected by our present energy policy. We need
19 change, big change soon, or we will be in a situation
20 beyond which man can no longer stop by any means the
21 changing of the climate to an unliveable state.

22 An analogy might be the mechanics of a
23 nuclear explosion which is triggered by exceeding the
24 critical mass of nuclear material. I don't want
25 American citizens 50 or 100 years from now saying of

1 us why didn't they do something? They knew the
2 problem. They knew how to solve it, but they didn't.
3 Why were they so selfish?

4 I am an Army veteran. The recent passing
5 of General Powell has allowed us to remember all the
6 contributions this one man made to our country. Let
7 us make our legacy be that we were the generation
8 that saw the need to change not so much for us but
9 for the future of mankind. Thank you.

10 ALJ FULLIN: Thank you for your
11 testimony. Any questions?

12 For our next I am calling Nancy Pfister
13 and after that, next name is Tracy Howard.

14 (Witness sworn.)

15 ALJ FULLIN: Thank you. Again, if you
16 want to state your name, spell it, and your address.

17 MS. PFISTER: Okay. My name is Nancy
18 Pfister, N-A-N-C-Y P-F-I-S-T-E-R. I live at 6231
19 Lynchburg Road, Lynchburg, Ohio 45142. I'm a
20 landowner in the Yellow Wood farm, Yellow Wood solar
21 farm project. Just want to start I want to thank you
22 for listening to my testimony. I haven't done this
23 for a long time, so I will probably be a little
24 shaky.

25 I would like to tell you a little bit

1 about why my family and I decided to sign this on.
 2 It started with my niece who has worked for Invenergy
 3 for a number of years. And we went to a family
 4 reunion. I ran into her. I asked her about her line
 5 of work, got really interested because my husband was
 6 older. It was getting harder and harder for us to
 7 farm, and she talked about all the good things it did
 8 for the communities where the solar panels had
 9 already been constructed across the country.

10 She talked about -- a little bit about
 11 the PILOT program and how it benefited communities
 12 and other entities that could help, count on the
 13 consistent payments. I heard about the great
 14 opportunities it brought to the landowners, and so
 15 when the agent knocked on my door, I was opening -- I
 16 opened to listen to what he had to offer.

17 I discussed the opportunity with my
 18 children, and they were supportive of the entire
 19 project. After my husband passed away, I knew I
 20 needed to do something to secure my future and the
 21 future of my farm. I do not want to be the one that
 22 has to sell it out of the family in order to survive.
 23 My land has been in the Pfister name since the 1880s.
 24 It's considered a century farm. I do not want to
 25 be -- this will also allow my family to pass down to

1 future generations without having strains and
2 financial burden that it could bring.

3 I have a more stable -- I will have a
4 more stable income to depend on that will not
5 fluctuate. I know it will be enough for me to pay my
6 increasing bills and have some left over so I can
7 travel out of state to see my daughter and her
8 growing family.

9 I remember the struggles my husband and I
10 went through farming this land over the last 50 plus
11 years. I know the land in lower Clinton County where
12 the proposed solar farm is located would be the
13 perfect place for this. The fields are harder to
14 farm than others because of the way it lays flat and
15 it's wetter and has more clay soil.

16 Putting into solar -- a solar farm will
17 allow the compacted soil to rest and gain nutrients
18 from the decomposing ground cover Invenergy will use.
19 This will allow our land to lay fallow and rejuvenate
20 over time allowing it to improve for the future
21 generations who may choose to farm it again. It's a
22 very rural area with larger transmission towers that
23 will be essential to carrying the electric to where
24 it is needed.

25 I know that southern Ohio will have a

1 need for the electricity produced by this project due
2 to the coal-fired plants closing on the Ohio River.
3 This Yellow Wood project will also be producing clean
4 energy.

5 I understand that it will take a lot of
6 traffic and a lot of equipment during the
7 construction period. What large -- but what large
8 project doesn't? Once it's built there will be less
9 equipment used over the ground that I have than what
10 we used when we farmed it.

11 I'm asking you to approve the Yellow Wood
12 solar farm project not only for me and my family but
13 for the community that will benefit and the future
14 generations.

15 ALJ FULLIN: Thank you for your
16 testimony.

17 Any questions for this witness? Thank
18 you very much.

19 Next I will call on Tracy Howard.

20 (Witness sworn.)

21 ALJ FULLIN: Thank you. Again, start
22 with your name, spell it, and your address.

23 MS. HOWARD: Hello. My name is Tracy
24 Howard, T-R-A-C-Y H-O-W-A-R-D. I live at 2224 Blue
25 Gill Lane in Quakertown, Pennsylvania 18951. I am

1 the daughter of the Yellow Wood solar landowner Nancy
2 Pfister that you just heard from. I am here to tell
3 you why I am supporting my mom who is leasing her
4 land to Invenergy.

5 Where I live in Pennsylvania, over half
6 of the homeowners have solar panels on their
7 rooftops. The place where I work, Walmart, is
8 utilizing solar on the roof of their buildings.
9 There is more green energy, save the ozone to save
10 the planet, mindset people where I live. They are
11 aware of the dangers of global warming. They see the
12 need to use more renewable energy to conserve and to
13 use electricity wisely. They are aware of the damage
14 that fossil fuels are doing to our Mother Earth. We
15 need to become more aware and start doing our part to
16 save our planet.

17 I love to be outdoors. I enjoy fishing,
18 I enjoy hiking and being out in nature. I want to be
19 able to take my grandchildren on some of the
20 adventures I've been lucky enough to experience. We
21 as a country need to start working together to become
22 more conscientious of our planet. Being a part of
23 the solar farm is my mother's way of doing her part.

24 Sure, there are other reasons I am
25 supporting my mother in her decision. Soon it will

1 be just her living in her house. I already live out
 2 of state. My brother will be leaving some day to
 3 start his family. I don't know where he will settle
 4 down, but my mom will be living alone. I hear others
 5 talk about the horrors the future could hold. There
 6 are so many things that can happen. I worry about
 7 how she will make it through. Would she have enough
 8 money to cover the expenses if she needed to cover
 9 unexpected medical expenses? Would there be enough
 10 to cover nursing home or rehab expenses if it was
 11 needed? Would we have to sell the farm in order to
 12 care for her?

13 With her decision to lease her land to
 14 Invenergy, this gives us peace of mind knowing that
 15 my mother won't have to make that decision. She will
 16 have the security of knowing that she will be able to
 17 pass the farm down to her children and grandchildren.
 18 We won't have to sell off part of the farm in order
 19 to pay the hefty estate or inheritance taxes.

20 I have traveled from out of state to come
 21 here tonight to ask you to support the Yellow Wood
 22 solar farm so that my mom can do her part to
 23 positively contribute to her family, her community,
 24 her state, her country, and the world by producing
 25 green energy. Thank you.

1 ALJ FULLIN: Thank you.

2 Any questions? Thank you for your
3 testimony.

4 ALJ ST. JOHN: Next on the list Katie
5 Green who will be followed by Katy Markey.

6 (Witness sworn.)

7 ALJ ST. JOHN: Could you please state and
8 spell your name for the record.

9 MS. GREEN: My name is Katie Green,
10 K-A-T-I-E G-R-E-E-N, and I live at 766 Bernice
11 Street, Wilmington, Ohio. That's Union Township.

12 It's important for the public to be able
13 to voice their opinions, so I would like to thank the
14 Board, first of all, for allowing everybody to speak
15 tonight.

16 The biggest idea I would like everyone to
17 take home is that our environment is extremely
18 important, and it's in danger. So many people living
19 in Ohio talk about how proud they are of our farmland
20 and nature trails, but unfortunately because of
21 global warming our children might not be able to
22 experience the beauty of Ohio as we do.

23 According to the Climate System Research
24 Center at the University of Massachusetts, within the
25 next 50 years the coldest winters that we will have

1 will be only as cold as the warmest ones are now, and
 2 our summers will feel like a typical summer day in
 3 Arkansas. The National Center for Environmental
 4 Information is showing that the average annual
 5 precipitation has broken the previous century's
 6 record 15 out of the last 20 years.

7 All of this is leading us down a path of
 8 more rain and less snow. Anyone who has lived in
 9 Ohio for the last decade or two like I have can
 10 attest to the ridiculous amount of snowless
 11 Christmases and flooded 4th of Julys we've been
 12 experiencing. It's not normal and it's not good for
 13 our environment and it's only going to get worse.

14 The good news is we have the resources to
 15 stop this from happening. U.S. Environmental
 16 Protection Agency lists nine actions people can take
 17 to fight against climate change on their website.
 18 Three of those nine have to do with investing in
 19 renewable energy resources like solar panels.

20 A big concern I keep hearing from people
 21 is how this solar farm is going to take up Ohio
 22 farmland, and to an extent I agree. This one section
 23 of our farmland is not going to be able to grow crops
 24 while the panels are there. However, the thing I
 25 don't think people are realizing is that all of this

1 extreme weather is destroying our farms. I've
2 already heard about farmers losing their crops at a
3 greater rate recently, and I can't imagine what it's
4 going to look like in the next 50 years.

5 When all of this gets worse pretty soon,
6 no one will be able to argue for protecting farms
7 because there won't be any left. If we are really
8 concerned about Ohio farmland, we should be investing
9 in these solar panels because this land sacrifice
10 could save the other millions of acres across Ohio.
11 I don't have children of my own yet, but when I do, I
12 would love to tell them that their mom and their
13 community came together to save Ohio nature for them
14 to enjoy.

15 I'm sure many people here tonight have
16 young family members back at home, and I would
17 encourage you to keep them in mind while considering
18 building this solar farm. Thank you.

19 ALJ FULLIN: Thank you.

20 ALJ ST. JOHN: Thank you.

21 Are there any questions? Thank you.

22 Next up is Katy Markey who will be
23 followed by Ryan Markey.

24 (Witness sworn.)

25 ALJ ST. JOHN: Thank you. Please state

1 and spell your name for the record.

2 MS. MARKEY: My name is Katy Markey.
3 That's K-A-T-Y M-A-R-K-E-Y. I live at 1109 Turner
4 Road, Lynchburg, Ohio 45142 and that's Dodson
5 Township. I am Ryan Markey's spouse of 16 years and
6 the mother of our three children.

7 In addition to being a mother and a wife,
8 I work full-time at a local community college and
9 serve on Lynchburg-Clay Elementary School's Parent
10 Teacher Organization and Parent Advisory Council.
11 And I also volunteer regularly at our church. So
12 when I say I care about my community and I try to
13 find ways to positively contribute to it, my actions
14 speak in addition to my words.

15 I am here today to voice my support for
16 Yellow Wood solar as well as the other proposed solar
17 projects in southern Ohio as we are duty bound to
18 protect the land that we are surrounded by from
19 pollution and destruction. And as a landowner
20 participating in this project, I am confident that
21 these solar arrays are safe and sound enough that our
22 intention is to move within the project's boundary in
23 the future too.

24 Last month the publication "Nature"
25 surveyed 10,000 people aged 16 to 25 for their

1 feelings about climate change. 75 percent said the
 2 "future is frightening." 46 percent think that
 3 "humanity is doomed." As one person put it,
 4 "regardless of the accuracy of these statements,
 5 isn't it heartbreaking that so many young people feel
 6 this way?" Why do they feel this way? Is it because
 7 every time we turn to traditional media we are
 8 subjected to one natural or man-made disaster after
 9 another from coastline oil spills, to hurricanes, to
 10 flooding, to wildfires; some on a scale of which we
 11 have never seen before? Is it because social media
 12 thrives on negativity and promotes the lies people
 13 are feeding our community when it comes to renewable
 14 energy and specifically utility-scale solar so that
 15 we can continue to wallow in our self-propheying
 16 misery?

17 Well, I don't know about you, but I have
 18 had enough. I am tired of the arguments based on the
 19 falsehoods, the doubts that are being cast, and the
 20 excuses for not wanting to move forward with these
 21 solar projects. I am ready for positive
 22 conversations, and I am ready for constructive
 23 change.

24 I am asking you to please stop for just a
 25 moment and think about all of the good these projects

1 could do for our community, especially our schools
2 and for the environment, and also think about what
3 role you can play in helping to make this positive
4 change.

5 The same survey found 65 percent of youth
6 agreed with the statement that governments are
7 "failing young people," and only 36 percent agreed
8 that governments are acting "according to science."
9 However, young people do feel reassured when
10 governments act. So now is your time to act. Now is
11 the time to use your expertise, your authority, and
12 good judgment to sort fact from fiction and help move
13 these projects forward.

14 And in case there was any question, we
15 need you to act now, not in the next decade, not even
16 in the next few years because it may simply be too
17 late.

18 Thank you for your time and your
19 attention.

20 ALJ FULLIN: Thank you for your
21 testimony.

22 ALJ ST. JOHN: Are there any questions?
23 Thank you.

24 Next up is Ryan Markey who will be
25 followed by Candie Young.

1 (Witness sworn.)

2 ALJ ST. JOHN: Thank you. Please state
3 and spell your name for the record.

4 MR. MARKEY: Ryan Markey, R-Y-A-N
5 M-A-R-K-E-Y. I reside at 1109 Turner Road,
6 Lynchburg, Ohio 45142. My current residence will be
7 about 600 feet from the project boundary. I am also
8 a landowner and a trustee of properties involved in
9 the project.

10 My grandfather purchased the home farm in
11 1950. My father was a lifetime farmer and died of
12 cancer at age 72. I've also been a farmer my whole
13 life though I spent some time away to obtain my
14 Master's Degree in city regional planning at the Ohio
15 State University.

16 Agriculture has become a game of speed
17 and inputs. Farm more farm faster to make a living.
18 Inputs have expanded from petroleum-based fertilizers
19 to include more potent forms of chemicals used as
20 pesticides, insecticides, herbicides, and fungicides.
21 As a licensed applicator, you are taught to read
22 labels and understand use restrictions on these
23 products.

24 The labels are where one can read that
25 most all of these chemicals cause cancer. When

1 Roundup came out in the '90s, it was touted as being
2 one of the safest products available. Sadly, we are
3 now discovering Roundup is linked to non-Hodgkin's
4 lymphoma, and others are linked to Parkinson's.

5 Those with health concerns should know
6 this, in the 30 year time frame our farm alone will
7 use over 25,000 gallons of Roundup, 21,000 pounds of
8 Atrazine, and 16,650,000 pounds of dry fertilizer.
9 These are just three examples of many inputs used
10 yearly. These compounds are often carried by dust,
11 temperature inversions, and runoff to adjoining
12 properties. This project will allow this reduction
13 in load to the ecosystem.

14 It will also afford me more time to teach
15 my three children a more meaningful way of producing
16 food. The misinformation surrounding these projects
17 serves to degrade our community fueled by social
18 media outlets and perpetuated by those who have
19 little understanding of current realities.

20 I believe these projects are a safer
21 alternative use of the land than what our current
22 system affords.

23 Thank you for your time and
24 consideration.

25 ALJ ST. JOHN: Thank you.

1 Are there any questions?

2 ALJ FULLIN: Thank you for your
3 testimony.

4 ALJ ST. JOHN: Next on the list is Candie
5 Young who will be followed by Steve Young.

6 (Witness sworn.)

7 ALJ ST. JOHN: Thank you. Please state
8 and spell your name for the record.

9 MS. YOUNG: My name is Candie Young,
10 C-A-N-D-I-E Y-O-U-N-G. I live at 814 Oak Grove Road,
11 Martinsville, 45146, Clark Township.

12 Okay. My name is Candie Young, and I am
13 a property owner in the Yellow Wood solar project. I
14 am speaking to voice my support for the solar
15 project.

16 My husband and I bought this property
17 going on 30 years ago and have farmed it every year
18 since it was purchased. We have sweated blood to
19 make it a success, paid all expenses by ourselves,
20 agonized in years with little profit due to market
21 prices, rising equipment costs, supplies, et cetera.
22 We have no intention of moving from our home. We
23 will live our life in that house, so we will also be
24 enjoying the view of green energy panels.

25 One consideration in leasing our land to

1 solar farming instead of selling is being able to
2 pass it down to our children and their children. We
3 bought part of our property several years ago from my
4 mother-in-law after my father-in-law passed away.
5 This will be handed to a third generation. This is
6 very important to us.

7 I'm a life-long Clinton County resident
8 and am thrilled to be part of the first major solar
9 project to be implemented here. Change is not always
10 welcome, but sometimes it is necessary. There needs
11 to be a balance of ways to produce energy so
12 resources aren't depleted. Solar is a very good way
13 to help balance this.

14 I also want to note that if we sold our
15 road frontage for houses, trailers, subdivisions, or
16 dollar stores, there wouldn't be this amount of
17 opposition.

18 I have also worked for the Blanchester
19 Local School District for 12 years. Every contract
20 vote has brought less and less financial gain to most
21 employees. Due to reduced revenue, my department is
22 now relegated to no pay increase whatsoever for two
23 years, and the district is hoping to take our good
24 insurance choice away from us.

25 These monies that will be going to places

1 like the school district are greatly needed
 2 immediately. We would love to have a choice of good
 3 insurance, not just major medical. We would love to
 4 have even a small raise to offset our rising
 5 insurance premiums. But opponents refuse to
 6 acknowledge that these tax incentives from Yellow
 7 Wood are needed desperately by all areas to which
 8 they will be designated. There are less people
 9 working and less tax money being collected so these
 10 gains are quite obvious.

11 Opponents are worried about their
 12 scenery. Some just want us to sell our land to them.
 13 I have read letters stating property value concerns,
 14 yet I haven't seen for sale signs in yards with no
 15 sales. There's only conjecture on this matter. I
 16 have seen a house sell in 24 hours in the immediate
 17 area of where panels will be going and for more than
 18 the asking price. That happened across the street
 19 from us this summer.

20 We are responsible for take caring of our
 21 family and for trying to help take care of the
 22 environment. We are not responsible for everyone's
 23 visual delights.

24 Some thoughts are about the safety of the
 25 panels. If they are so unsafe, why are schools

1 putting solar panels very close to their schools? I
2 see them every day with -- within 100 feet of where
3 my bus sits to unload and load children. And the
4 playground sits about 30 feet in front of my bus.

5 Also for years I have seen solar panels
6 on roofs of homes, but most of the complaints I have
7 seen are about ruining their scenery. I believe my
8 right as the property owner to pass my property to my
9 children is more important than the esthetic views of
10 those who have no vested interest in my land.

11 I also think it is all our duties to help
12 have a positive impact on the environment before we
13 have destroyed it beyond help or repair. Lots of
14 people want green energy or say it's important to be
15 environmentally conscious, that we should do what we
16 can to try and salvage what's left of the earth
17 before it's destroyed. Lots of those same people are
18 also adding but not in my neighborhood. Make it
19 someone else's duty by their continued opposition to
20 alternative energy programs. Thank you.

21 ALJ ST. JOHN: Thank you.

22 ALJ FULLIN: Thank you.

23 ALJ ST. JOHN: Any questions?

24 Next up is Steve Young who will be
25 followed by Melanie Hawk.

1 (Witness sworn.)

2 ALJ ST. JOHN: Thank you. Please state
3 and spell your name for the record.

4 MR. YOUNG: Steve Young, S-T-E-V-E
5 Y-O-U-N-G, 814 Oak Grove Road, Martinsville, Ohio
6 45146, Clark Township.

7 My name is Steve Young. I am a landowner
8 in the Yellow Wood project. I am here to show my
9 support for the project. I've lived in the area of
10 the project my entire life. I've lived my entire
11 life on the farm and learned farming from my dad. My
12 wife and I bought our farm going on 30 years ago.
13 Did purchase my dad's first farm he bought from my
14 mom several years later after his passing at an early
15 age of cancer.

16 There have been a lot of uninformed
17 people spreading misinformation instead of paying
18 attention to the actual studies that have been done
19 such as well water contamination. On all Invenergy
20 projects, water studies are done prior to and after
21 construction. To date no impacts on water quality
22 have been found on their projects. Significant
23 studies show water wells will not be impacted by the
24 solar project.

25 People are saying panels are hazardous.

1 Read the findings. Invenergy actually breaks down
2 these panels and tests them with the water and soil
3 to see if any toxicity occurs. None has been found
4 in the results. There are numerous rumors being
5 spread about using acids or other toxins to clean the
6 panels. This is false. They use soap and water to
7 clean them if needed.

8 People talk about chemicals being used
9 for weed control. Invenergy uses traditional
10 chemicals such as Roundup or typical weedkiller,
11 chemicals that we all use on our farms now.

12 Invenergy will also sow seed to prevent
13 noxious weed growth. The area will be mowed as
14 needed. There have been concerns about drainage, and
15 Invenergy is mapping drain tiles and have plans to
16 add new tiles where needed to improve and protect
17 adjoining landowners and nearby residents.

18 I recently read an article in the News
19 Journal about the 33 housing lots being created here
20 in Clinton County by Wilmington. Each of those
21 consume 2 acres of land and that's the first phase of
22 development. The Commissioners were standing in line
23 to sign the approval of this development with this
24 much needed tax money coming into the Clinton County
25 solar development, I hope they would be standing in

1 line to support this. A study has shown a demand for
2 64 new homes a year taking 2 acres per house. That
3 is 128 acres a year from possible farm ground that
4 could never be reverted back to farming. These 64
5 new homes will be needing electricity. These panels
6 will supply it.

7 I've heard those of us that have leased
8 the solar farming are just greedy. Well, in fact,
9 the agreed of some of these oppositions themselves
10 have come into play of deciding to lease. Some have
11 went behind backs to offer higher dollar amounts for
12 ground rent to expand their own operations, and
13 landowners have accepted a higher amount. But I
14 guess in their minds this is not considered greed
15 when a fair price was offered in the first place.
16 They were just financially benefiting from it, but
17 they're not from these panels, so they are not
18 against them -- or they are against them.

19 Our farm was bought as an investment to
20 make a living on, to raise a family on, and provide
21 for retirement. Our farm is a retirement plan like
22 others have 401Ks. The solar lease will provide a
23 stable retirement income for us just as other
24 retirement plans provide for them.

25 The majority of the complaints that I

1 have read about people is that the views of our
2 property's being blocked. I looked at my property
3 deed and there is nothing on there providing a view
4 for the neighborhood, nor have I ever had any income
5 for my visual contributions to the neighborhood.

6 I am confident in Invenergy's ability to
7 construct, operate the Yellow Wood project in a rural
8 community. And I plan on living the rest of my life
9 in the current home enjoying our contribution to
10 clean energy knowing we are doing our part to reduce
11 our carbon footprint.

12 Thank you.

13 ALJ FULLIN: Thank you.

14 ALJ ST. JOHN: Thank you.

15 Any questions? Thank you.

16 Next on the list is Melanie Hawk who will
17 be followed by Ramona Eaglin.

18 MS. HAWK: Good evening. First of all, I
19 want to say thank you for being here tonight. It's a
20 long time.

21 ALJ ST. JOHN: Before you begin would you
22 mind raising your right hand.

23 (Witness sworn.)

24 ALJ ST. JOHN: Thank you. Please state
25 and spell your name for the record.

1 MS. HAWK: My name is Melanie Hawk,
2 M-E-L-A-N-I-E H-A-W-K. I reside at 5129 Franklin
3 Road, Hillsboro, Ohio 45133.

4 As a landowner in a project, I feel that
5 as farmers we do our -- our due diligence and we too
6 hire our lawyers to protect what we have invested in,
7 what our families have invested in, and what
8 generational heirs that we have become of have
9 invested in.

10 Our legal counsel was probably just as
11 expensive, but we weren't able to combine together to
12 form a unified set and make it more affordable for
13 us.

14 And I am here to not just talk about the
15 money that the PILOT program brings in, the money
16 that's been discussed that these farmers are getting.
17 I'm talking about the overall impact this has on the
18 community. PJM is losing 3,724 megawatts of power
19 generated right here in the southern Ohio-northern
20 Kentucky area, Killen station, Stuart station, and
21 the Zimmer plant are -- two of them are closed, one
22 is still scheduled to be closed soon.

23 That loss in the power produced in this
24 area is devastating. I'm not saying solar is the
25 only way to power the state of Ohio, but it is a

1 pretty good, viable source of energy to be produced
2 that can make that local impact right here in our
3 little town, our little counties, and our school
4 districts.

5 The PILOT payment is a win-win for both.
6 If you -- if the county turns down the PILOT payments
7 and you guys want that higher tax money to be paid by
8 these energy companies, you are only hurting your
9 school districts because as that being a tax money, a
10 taxed income, they pull state funding away from that
11 school district because they feel that it is -- they
12 will assess it, and it will become a higher
13 income-funded school. But as a PILOT -- and they
14 will cut that funding, so they can use their funding
15 other ways and across the board.

16 As a PILOT payment, it's a payment, not
17 tax revenue. It does not affect the tax revenue that
18 they get from the state. That is one thing that a
19 lot of people are overlooking here. It will affect
20 the tax revenue coming in to our school districts if
21 the PILOT does not go through.

22 The other thing that I have had to live
23 through because I did live 2.1 miles away from
24 Hillcrest solar farm during construction, during
25 everything, I traveled through it every day,

1 sometimes two and three and four times a day. But
2 something that I think the community as a whole here
3 is missing is with that construction they brought
4 jobs. They brought people.

5 I am curious to know how much extra
6 income the local restaurants in Mt. Orab, Lynchburg,
7 Sardinia, and Mowrystown increased in that
8 construction time of those gentlemen and women that
9 came from afar to spend their money to eat at local
10 places because I am here to tell you they would
11 prefer those home-cooked meals from the country diner
12 or Dots versus the fast food.

13 You guys are missing out on an economic
14 opportunity if you have rental ground. I just spoke
15 with Mr. Bruce that represented the IBEW. The rule
16 of thumb that they have if they have to travel an
17 hour to get to work, they will find a place to stay.
18 If you are a landowner of a rental house, good thing
19 you are. I would invest your time to find more
20 rental properties because if you rent this to four
21 guys if you got a three-bedroom house and you got a
22 couch that will make out to a bed for the living
23 room, you can rent that out for four people \$100 a
24 week. That's a win for them because that's less than
25 any kind of Airbnb or hotel room around. And where

1 are the local hotels from around here that's close to
2 here? Right here in Wilmington. You take that \$400
3 a week, you multiply by four weeks in a month, that's
4 \$1,600 a month in rent that you could be getting.
5 You guys are missing the boat on that.

6 You're also missing the boat where they
7 will invest in this little community while they are
8 here. You guys need to open up your eyes and see the
9 opportunity that they can bring into this community
10 in that short time. It's like finding a \$100 bill on
11 the sidewalk. Are you going to walk by that \$100, or
12 are you going to stop and pick that up?

13 This impacts everybody. It impacts the
14 people that are for solar. It impacts the people
15 that are against solar, and I get it. I understand.
16 But it has a positive impact to the community as a
17 whole in the financial revenue that it brings in to
18 our communities, to our schools that are definitely
19 struggling and can really utilize this.

20 After construction is over, the dust will
21 settle. They clean the mud off the roads. The noisy
22 instruction will go and all that's left is the nice
23 green covering underneath the beautiful blue panels
24 that reflect the sky and the clouds, the humming of
25 the birds and the bees. And, you're right, somebody

1 brought up the quails coming back. Down in Hillcrest
2 they heard the covey of quails. I haven't heard
3 quails down there for years, and I've been there for
4 20.

5 It's a different type of wildlife. It's
6 a different type of view. Change is inevitable.
7 It's all going to happen. The best thing that we can
8 do here tonight is approve this solar project and
9 make a step in the right direction to save this
10 environment, to save this world for our future
11 generations. Thank you.

12 ALJ ST. JOHN: Thank you.

13 ALJ FULLIN: Thank you.

14 ALJ ST. JOHN: Any questions?

15 Next up is Ramona Eaglin who will be
16 followed by Kathy Harmon.

17 Good evening. Please raise your right
18 hand.

19 (Witness sworn.)

20 ALJ ST. JOHN: Thank you. Please state
21 and spell your name for the record.

22 MS. EAGLIN: Ramona Eaglin, R-A-M-O-N-A
23 E-A-G-L-I-N.

24 ALJ FULLIN: See if you can push that
25 microphone a little bit.

1 MS. EAGLIN: Closer.

2 ALJ FULLIN: Yeah. That's better.

3 MS. EAGLIN: I'm challenged. I'm
4 speaking in support of the Yellow Wood solar project
5 and our local education. The local schools are going
6 to get substantial benefits over the 30 years from
7 this project and will be able to improve our local
8 education and facilities. The three different school
9 districts will benefit from these -- this project
10 through the tax revenue which makes this project a
11 unique opportunity. We need to think of our future
12 generations in Clinton County.

13 And this project will take very good care
14 of our communities. I urge you to cast your support
15 for this project. I am also excited about the
16 positive use of this land, like she talked about the
17 wildlife. And it's just great to think of that.

18 Our family has farmed this land for
19 generations, and we are ready for solar. Please
20 support the Yellow Wood solar. Thank you.

21 ALJ FULLIN: Thank you.

22 ALJ ST. JOHN: Thank you. I don't
23 believe we got your address at the beginning. Would
24 you mind stating your address as well.

25 MS. EAGLIN: Oh, I'm sorry. The address

1 4109 Gladys Road, Lynchburg, Ohio 41 -- 45142. I'm
2 sorry.

3 ALJ ST. JOHN: Thank you.

4 Next on the list is Kathy Harmon.

5 MS. HARMON: I am going to pass

6 ALJ ST. JOHN: Okay. Thank you. And
7 then next on the list will be Trever Elam.

8 MR. ELAM: Quite an evening.

9 ALJ ST. JOHN: Please raise your right
10 hand.

11 (Witness sworn.)

12 ALJ ST. JOHN: Thank you. Please state
13 and spell your name for the record.

14 MR. ELAM: It's Trever, last name is
15 Elam, T-R-E-V-E-R E-L-A-M. I live at 8482 Oak Grove
16 Road, Lynchburg, Ohio 45142. I'm just a few -- I
17 don't know, maybe 5, 600 feet from where the project
18 begins if this project goes through.

19 And, you know, we've heard a lot of
20 conversations here tonight about pro, a lot against,
21 and there's really only one reason, and I apologize
22 for the statement that I am going to make, but I
23 think it needs to be said, that's the Power Siting
24 Board, the Ohio Power Siting Board. You -- the
25 process that you've developed and that you run by and

1 that you let these developers implore is lacking. We
2 all know it. You actually even came to multiple
3 meetings. We have you on record stating that you
4 believe that the process is flawed, but yet you are
5 sitting here tonight again continuing with the same
6 process.

7 You know, the question was asked once
8 before, and I still would like to see the answer
9 given today, have you ever even been out to inspect a
10 facility that's up and running or that has had a
11 complaint filed? You know, there are things like
12 the -- somebody spoke earlier, the eagle, you know,
13 the eagles are protected. They are a protected
14 class. And, you know, there has been adopted 660
15 foot setbacks for an eagle but yet there has not been
16 any adoption made for the people that are going to be
17 impacted by these in a negative aspect. And you can
18 say that the developers, they do, they have their
19 setback. Well, it is the developer setback.

20 The Power Siting Board process is flawed.
21 You have not developed your own setbacks that they
22 have to abide by. They tell you what you are going
23 to do. And that's the biggest part of this problem.

24 I will say in this conversation that I
25 don't really believe there is anything that's going

1 to be said here tonight that's going to make any
 2 difference whatsoever one way or the other. I don't
 3 care if you are for or if you are against. You see,
 4 this process is really set up it's just simply smoke
 5 and mirrors. It's simply set up to make the Ohio
 6 Power Siting Board look as though they are concerned
 7 and that the people -- about the people impacted by
 8 these giant industrial parks, but in all reality they
 9 are just here to make it look good, eventually apply
 10 the rubber stamp to another project that does not
 11 serve the people of Ohio.

12 The people of this community and for the
 13 entire state for that matter deserve better. You
 14 continue to move forward in the same manner with
 15 these projects even after admitting on numerous
 16 occasions that the process is flawed. You actually
 17 came to Lynchburg, the school, and I am sure some of
 18 you remember when we were there. It's on record
 19 multiple times that the term used was as flawed as
 20 the process is or that it is a flawed process. But
 21 yet we are here continuing with the same process.

22 You know, these -- these rules that were
 23 adopted, they were mostly adopted in the 1970s. We
 24 all know this, and these rules have remained mostly
 25 unchanged. They were really developed for power

1 plants that were built down on the river and this was
 2 even addressed during the same meeting that I am
 3 talking about prior. These rules, again, they remain
 4 mostly unchanged, and they do not support the scope
 5 of today's project. The people deserve better. The
 6 people deserve more than 5 minutes to speak at a
 7 meeting.

8 The people deserve to have their zoning
 9 protected. Jefferson Township is a zoned township.
 10 It's zoned residential and agriculture, and we can
 11 argue the fact that Clark Township isn't. Fine. Get
 12 rid of half your project. That's what you would be
 13 doing but the Power Siting Board doesn't care that
 14 the people have adopted residential and agricultural
 15 zoning. They step in, and they take over and say
 16 what you can do or what you are going to do. And
 17 that's wrong. That's simply wrong for the people
 18 that live here. We don't live here, we don't choose
 19 to live here to be in an industrial park. If we did,
 20 we would move somewhere else.

21 The people do deserve more than 5
 22 minutes. They deserve to be protected without having
 23 to spend thousands of dollars of their own money on
 24 an attorney. They deserve to have a voice in the
 25 process and not the current options that they have

1 now and to write a letter to the Ohio Power Siting
2 Board who has denied what, one wind project to this
3 point? That's the only one I know of. You've rubber
4 stamped every other project since 2017. I mean, as
5 far as solar projects developed became in 2017 was
6 the first one.

7 Let's see, we can go on; you know, you
8 denied that one. You can come speak at a meeting
9 such as this, but you can only speak if you don't
10 have a gag order or identified as an intervention
11 filing. The intervention filing that you had to
12 spend thousands of dollars on, yet you can't sit here
13 and discuss with people in the room how you feel
14 about what's going on and why you filed the
15 intervention.

16 And, you know, three, you can file your
17 intervention, and you can do this on your own, but
18 everyone including representatives of the Power
19 Siting Board and other attorneys would tell you not
20 to do that because the simple process -- the process
21 is simply too complex and too unable to be navigated
22 by a layman is what I was told.

23 So if you don't have a law degree,
24 it's -- you know, it's a very difficult process to
25 navigate, and it's wrong. This is plain and simple.

1 It's wrong. Throughout this process, and I've been
 2 involved in this more heavily than I ever really
 3 wanted to be, I believe that the Power Siting Board
 4 has displayed an extreme dereliction of duty in
 5 regards to protecting the people being negatively
 6 impacted by these projects. And you may find my
 7 words harsh or even offensive, but I can promise you
 8 that the people who are being negatively impacted by
 9 these projects find your refusal to stop the rubber
 10 stamping process a lot more offensive than a few
 11 harsh words.

12 And I will make the comment I'll reject
 13 anything and everything that I've said if you can
 14 tell me -- someone in this project that's impacted on
 15 more than one side, if you can tell me just a few
 16 names of someone that's in this project who's been
 17 impacted.

18 Matt Butler is the only one in this room
 19 that can do that. That's because he has been in
 20 contact with these people. He -- not throwing him
 21 under the bus but he understands we are not sitting
 22 in a good position. It's that simple. We have, you
 23 know, this process. This is it and it's wrong. It's
 24 completely wrong.

25 And, you know, I said my peace.

1 ALJ FULLIN: Thank you for your
2 testimony.

3 ALJ ST. JOHN: Thank you. Any questions?

4 ALJ FULLIN: No.

5 MR. ELAM: Thanks.

6 ALJ FULLIN: We've reached the end of the
7 list of people who signed up to testify tonight. And
8 before we finish, I would like a show of hands if
9 there is anyone else out there that didn't sign up,
10 or if they did, you haven't testified yet and they
11 are not an Intervenor in the case.

12 MR. GINGERICH: I will.

13 ALJ FULLIN: Okay. Is there anyone else?
14 I just want to see how many we have.

15 Okay. It looks like you're the only one.

16 MR. GINGERICH: Anybody want to go first?

17 ALJ FULLIN: Looks like you are up.

18 (Witness sworn.)

19 ALJ FULLIN: Again, begin by giving your
20 name, spelling your name, giving your address.

21 MR. GINGERICH: Dave Gingerich,
22 G-I-N-G-E-R-I-C-H, 5071 Kibler Road.

23 ALJ FULLIN: Thank you.

24 MR. GINGERICH: You made this for
25 midgets. I have a complaint with the Siting Board.

1 These people are talking about what's on top of the
 2 surface but what's below the surface that these
 3 developers are trying to acquire because I have a
 4 lease, and in my lease they want all my water, all of
 5 it. And in my lease they want my minerals. They
 6 asked for the right to drill a thousand feet and more
 7 to extract minerals. And on top of the surface, and
 8 you probably know more than I do, I watched you on
 9 the videos, on top of the -- first, they put these
 10 solar panels and calling it green.

11 Now, why do these green companies want my
 12 natural gas and want all the water underneath the
 13 surface of my property? No answer. That's what we
 14 get when I write a letter to you people. No answer.
 15 You don't explain anything. You don't investigate
 16 anything. I don't trust your process.

17 I wrote to Mary Mertz directly to ask her
 18 to protect our water because we have three
 19 Commissioners that are not competent to be
 20 Commissioners and handle this situation, but these
 21 legislatures have written and have give you the
 22 responsibility and tied your hands that you can't
 23 handle this.

24 We have David Daniels that sat on your
 25 Siting Board that I think is incompetent. He's

1 trying to pass a law in our county to where you do
2 not have the right to vote, do not have the right to
3 vote if you don't own 10 acres of ground. It doesn't
4 matter if you have a half a million dollar house and
5 you have an income of \$200,000. You will not have
6 the right to vote. Now, what are you people going to
7 do about that? Are you going to factor that in when
8 you make a decision on all of these solar facilities
9 in Highland County? I don't see it.

10 So we have incompetence in our
11 Commissioners, and one of them has sat on your Siting
12 Board for six years and got fired like the John
13 Kasich's. I understand why he fired him now. To try
14 to pass that kind of law.

15 But you need somebody to investigate why
16 Invenergy wants my gas and wants my water and why the
17 people that signed that lease -- I don't see any of
18 the Blevins here. If they are, they can stand up.
19 And Bill Foley, our Auditor, has signed a lease, and
20 it is on record that they will take all the water,
21 not just water, all the water. And you are telling
22 us, you're saying these people don't need water to
23 wash these panels? Why is it in these leases to take
24 all the water?

25 And I want you people to step up and

1 listen, and if you can't get some kind of authority
 2 from legislatures which, when they try to pass
 3 legislation, it looks like a turtle race, ridiculous,
 4 no commonsense to it, tradeoffs, to see if you can
 5 get some type of authority to understand why and do
 6 something about these companies that want this water.
 7 And they want this gas, and you need to do something
 8 where you can factor in if we've got Commissioners,
 9 which this county is blessed. They got some smart
 10 guys. You guys are good. We're not in Highland
 11 County, to factor that in when we write that in our
 12 letters.

13 That's all I got to say and if you have
 14 got a question, ask it.

15 ALJ FULLIN: I don't recall. Maybe you
 16 already gave your address, but if you didn't, please
 17 give it.

18 MR. GINGERICH: 5071 Kibler, K-I-B-L-E-R
 19 Road, Lynchburg, Ohio.

20 ALJ FULLIN: Thank you. Any questions?

21 MS. PIRIK: I just have one question.

22 ALJ FULLIN: Sorry. We have one
 23 question, sir.

24 MS. PIRIK: I'm sorry. I just have one
 25 quick question.

1 MS. GINGERICH: Yes.

2 MS. PIRIK: Are you talking about a
3 project in Highland County? I just want to be sure
4 I'm understanding.

5 MR. GINGERICH: Yes. It's the same
6 company that's in Brown County.

7 MS. PIRIK: Okay. Okay.

8 MR. GINGERICH: I will say this, these
9 projects are saying they are going to restore this
10 ground. That's bullcrap. I have got a relative
11 that's getting all the topsoil. They scrap it off,
12 give it to him, and he sells it. And that's a fact.
13 So this story that it's propagated by your developers
14 and you believe it, you are very naive. You need to
15 do some investigation. Teresa White made a statement
16 she's never seen a solar farm.

17 Matt, are you here? Can you hear me?

18 MR. BUTLER: I'm right here.

19 MR. GINGERICH: Am I correct? When we
20 were down, can you recollect? He's probably been to
21 so many meetings.

22 ALJ FULLIN: You're the one that's
23 testifying.

24 MR. GINGERICH: By the way he's great.
25 He's awesome. Give him a raise. But you're taking

1 the word -- I read the decommissioning plans. The
2 one down there on National Grid at Dodson Creek is a
3 joke. It looks like 6th graders wrote it. It's a
4 joke.

5 And when I see that soil getting scraped
6 off, I know where -- the man it's going to. He's
7 hauling off and selling it. It's not going to be
8 restored. So you need to get some kind of
9 investigation unit or whatever, and you need to be
10 able to have the same rules that the ODNR has when
11 they can go in and inspect the facility without
12 notifying because that is absolutely no teeth to bite
13 with if you have to get mother may I permission to go
14 in and inspect these people.

15 I hope that you paid attention to what I
16 said and that you will see -- seek the legislature to
17 give you more authority, you need it, and help us.

18 Do you have another question?

19 MS. PIRIK: No. I'm all done.

20 MR. GINGERICH: I know you are an
21 attorney. You can come up with a lot of questions.

22 ALJ FULLIN: I see another hand raised at
23 the back of the room. I believe you've already
24 testified so what's the nature of your question?

25 UNIDENTIFIED SPEAKER: I did. I kind of

1 wanted to make sure I understood something that Dave
2 said. Is that okay?

3 MR. GINGERICH: Come up here beside me.

4 UNIDENTIFIED SPEAKER: Sure.

5 ALJ FULLIN: Yeah. I think --

6 MR. GINGERICH: We are not going to
7 fight.

8 UNIDENTIFIED SPEAKER: He doesn't scare
9 me.

10 ALJ FULLIN: No. I think that's for you
11 guys to have outside the meeting.

12 UNIDENTIFIED SPEAKER: That's fine.

13 ALJ FULLIN: We've had testimony from
14 each of you. You've each had your chance to say your
15 opinions. And if you want to have any kind of
16 conversation about what got discussed here today, I
17 think that's fine, but I don't think that needs to be
18 on the record in this case at this time.

19 MR. GINGERICH: Thank you for letting me
20 speak. I do trust you, Chair French.

21 CHAIR FRENCH: Thank you.

22 ALJ FULLIN: Is there anyone else by a
23 show of hands that hasn't already testified that
24 wishes to testify now?

25 I see no hands raised. So with that I

1 want to say that I appreciate the courtesy that was
2 extended to the Board tonight. I appreciate the
3 community that came to both participate and testify
4 and those that just maybe came because they're of
5 interest in what is being decided in this case.

6 So I appreciate the hospitality that was
7 provided to us by letting us use this room for this
8 hearing. The Board came here with the purpose of
9 hearing from the community and the members of the
10 public about this case and I think we -- we
11 accomplished that tonight and accomplished that by
12 allowing testimony and by everyone allowing the
13 testimony to occur in the way it did.

14 So I thank you very much for that on
15 behalf of the Board, and I am going to ask Chairman
16 French if she has anything else that she wants to say
17 before we close.

18 CHAIR FRENCH: Thank you very much,
19 everyone. Good night. My name is Jenifer French
20 again. I am the Chair of the Public Utilities
21 Commission of Ohio as well as the Ohio Power Siting
22 Board. I've been in both of these positions for a
23 little over six months now. So I've been to a number
24 of these hearings, not too many yet.

25 So I want to thank you first for

1 welcoming us into your community and for everybody
2 coming out tonight to testify. As a recovering
3 lawyer and a former judge, I can tell you that I've
4 seen a lot of people testify, and it's always a
5 nerve-racking experience for people. It's hard to
6 get up here and talk in front of people, especially
7 about something that's in controversy, that you and
8 your neighbors are at odds with perhaps, right?

9 I know that's hard, so I just want to
10 thank all of you, and I want to tell you that, you
11 know, my whole life I've been in the business to
12 listening to opposite sides of things and, you know,
13 listening to people's different opinions, okay?
14 That's what I do. It's incredibly important to me
15 what everybody has to say tonight, what everybody
16 writes into and gets filed in the docket. It's very
17 important, and it's very important to our
18 decision-making process.

19 So I want to thank you, everyone, for who
20 spoke tonight and everybody who didn't who's just in
21 here just to be here. So thank you. Have a great
22 night. And 9:16, so thanks, everybody, for staying
23 this late as well.

24 ALJ FULLIN: I am bringing to a close
25 now. The hearing will be adjourned. The hearing

transcript will be submitted on the record for the
Board's consideration in this case. And once more,
thanks, everyone.

(Thereupon, at 9:16 p.m., the hearing was
adjourned.)

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CERTIFICATE

I do hereby certify that the foregoing is
a true and correct transcript of the proceedings
taken by me in this matter on Wednesday, October 20,
2021, and carefully compared with my original
stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-7173)

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in

Case No(s). 20-1680-EL-BGN

Summary: Transcript October 20th 2021 In the Matter of the Application of Yellow Wood Solar Energy, LLC, for a Certificate of Environmental Compatibility and Public Need for the Construction of a Solar-Powered Electric Generation Facility in Clinton County, Ohio. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.