

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Tymochtee)
Solar, LLC for a Certificate of Environmental)
Compatibility and Public Need to Construct a) Case No: 21-4-EL-BGN
Solar-Powered Electric Generation Facility in)
Wyandot County, Ohio.)

**MOTION FOR
EXTENSION OF TESTIMONY DUE DATE FOR APPLICANT
REQUEST FOR AN EXPEDITED RULING AND
MEMORANDUM IN SUPPORT**

Pursuant to Ohio Administrative Code (“O.A.C.”) Rules 4906-2-07 and 4906-2-27, Tymochtee Solar, LLC (“Applicant”) respectfully moves the Ohio Power Siting Board (“Board”) or its Administrative Law Judge (“ALJ”) for an extension of the due date for the filing of the Applicant’s testimony, which is currently set for Tuesday, November 2, 2021, pursuant to the ALJ’s August 17, 2021 Entry.

The Applicant has consulted with the Board’s Staff, as well as counsel for the Ohio Farm Bureau Federation, and they do not oppose this motion.

Therefore, the Applicant submits that, for the reasons more fully set forth in the following memorandum in support, good cause exists to grant this motion on an expedited basis, in accordance with O.A.C. Rule 4906-2-27(C).

Respectfully submitted,

/s/ Christine M.T. Pirik
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**MEMORANDUM IN SUPPORT OF
MOTION EXTENSION OF TESTIMONY DUE DATE FOR APPLICANT
AND REQUEST FOR AN EXPEDITED RULING**

On April 29, 2021, as supplemented on June 24, July 6, and September 13, 2021, the Applicant filed an application with the Board for a certificate to construct a solar-powered electric generation facility in Wyandot County, Ohio.

On August 17, 2021, the Board issued an entry establishing the procedural schedule in this case, which, among other things, set: Tuesday, October 26, 2021, as the date for the local public hearing in this case; Tuesday, November 2, 2021, as the due date for the filing of Applicant's testimony in this case; and, Tuesday November 9, 2021 as the due date for the filing of testimony by the Board's Staff and intervenors.

The Applicant believes that settlement discussion will lead to a stipulation resolving all issues in this matter. While the Applicant had been preparing a proposed stipulation, the Applicant held off on presenting the proposal to all of the parties until after the local public hearing was held so that the stipulation could reflect any relevant comments presented at the local hearing and allow the parties to take any comments made at the hearing into consideration during their settlement deliberations.

In light of the fact that the Applicant's testimony supporting the Application is due Tuesday, November 2, 2021, the Applicant is filing this request for a brief extension of time to file its testimony. Specifically, the Applicant requests that the Board or ALJ allow the Applicant to file its testimony on or before Tuesday, November 9, 2021. All other deadlines and the procedural schedule established by the ALJ's August 17, 2021 Entry would remain the same as set forth in the Entry.

Given the short time frame before the Applicant's testimony is currently due, the Applicant requests that this motion be granted on an expedited basis for good cause shown.

Respectfully submitted,

/s/ Christine M.T. Pirik
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CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below this 2nd day of November, 2021.

/s/ Christine M.T. Pirik

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Case No(s). 21-0004-EL-BGN

Summary: Motion for Extension of Testimony Due Date for Applicant Request for
an Expedited Ruling and Memorandum in Support electronically filed by Christine
M.T. Pirik on behalf of TYMOCHTEE SOLAR LLC, APEX CLEAN ENERGY
HOLDINGS LLC