

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application of)	
Dodson Creek Solar, LLC for a)	Case No. 20-1814-EL-BGN
Certificate of Environmental)	
Compatibility and Public Need)	

**JOINT MOTION TO CONTINUE DEADLINES, MEMORANDUM IN SUPPORT,
AND REQUEST FOR EXPEDITED RULING**

Pursuant to Ohio Adm.Code 4906-2-07, Dodson Creek Solar, LLC (“Applicant”), Robert and Laurie Banks and the Ohio Farm Bureau Federation, collectively referred to as the “Parties,” respectfully request, as explained further below, that the November 24, 2021 deadline for Ohio Power Siting Board Staff and intervenors to file their expert and factual testimony, established in the August 20, 2021 Entry, be suspended. Additionally, the Parties also request that the December 1, 2021 evidentiary hearing be called and continued, after which the Parties will provide the Administrative Law Judge with potential dates for a revised procedural schedule. The Applicant has consulted with counsel for the Board of Trustees for Dodson Township and the Board of Trustees for Hamer Township, and counsel for the Ohio Power Siting Board Staff, and none of those parties oppose this motion.

Also, pursuant to Ohio Adm.Code 4906-2-27(C), the Parties request an expedited ruling

on this Motion. Good cause exists for granting this Motion and ruling on an expedited basis, as set forth in the accompanying Memorandum in Support.

Respectfully submitted,

/s/ Anna Sanyal

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**MEMORANDUM IN SUPPORT OF
JOINT MOTION TO CONTINUE DEADLINES AND
REQUEST FOR EXPEDITED RULING**

Dodson Creek Solar, LLC (“Applicant”), Robert and Laurie Banks, and the Ohio Farm Bureau Federation, collectively referred to as the “Parties,” respectfully request that the November 24, 2021 deadline for Ohio Power Siting Board Staff (“Staff”) and intervenors to file their expert and factual testimony, established in the August 20, 2021 Entry, be suspended. Additionally, the Parties also request that the December 1, 2021 evidentiary hearing be called and continued. Finally, the Parties request the Administrative Law Judge hold a prehearing conference after the call and continue session so that the Parties can provide the Administrative Law Judge with potential dates for a revised procedural schedule. The Parties also anticipate providing the Administrative Law Judge with an update on how settlement discussions are proceeding.

The Parties anticipate settlement discussions, which may yield a possible stipulation in this proceeding, will not be complete prior to the currently scheduled evidentiary hearing date. Consequently, to allow time for negotiations and to potentially enter into a stipulation, the Parties request that the Administrative Law Judge call the case, as scheduled, on December 1, 2021, but continue the case to a later date. Furthermore, the Parties also request an extension of the November 24, 2021 deadline for Staff and intervenors to file expert and factual testimony, with the date for filing to be set at the December 1, 2021 call and continue.

There is good cause for extending the deadlines for filing of expert and factual testimony, as well as continuing the evidentiary hearing. First, the parties anticipate engaging in settlement discussions regarding certain issues and conditions presented in the Staff Report of Investigation, and extending the deadlines and continuing the hearing would provide time for the parties to focus on settlement discussions. Also, to the extent a settlement is reached, the additional time will

provide the Parties an opportunity to address the settlement in their filed testimony. Second, no prior continuance of these deadlines has been requested, and there will be no harm by granting this request.

Prior to the filing of this Motion, Applicant contacted the other parties in this proceeding, and no party opposes the Motion. Additionally, while Staff, the Board of Trustees for Dodson Township and the Board of Trustees for Hamer Township are not signatory parties to this Motion, the Applicant has confirmed that none object to this continuance request. No party objects to an expedited ruling on the Motion, given the current Staff and intervenor testimony deadline of November 24, 2021. Thus, good cause exists to grant the Motion and to do so on an expedited basis.

WHEREFORE, for the above reasons, the Parties request that the Administrative Law Judge grant the Motion to extend the deadlines as identified above and continue the evidentiary hearing.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served on the persons below via electronic mail on November 22, 2021 to:

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Summary: Motion Joint Motion to Continue Deadlines, Memorandum in Support,
and Request for Expedited Ruling electronically filed by Ms. Anna Sanyal on behalf
of Dodson Creek Solar, LLC