

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 current procedural schedule, established by the Administrative Law Judge (“ALJ”) on January 26, 2022, be suspended. Additionally, the Parties also request that the February 24, 2022 evidentiary hearing be converted into a status conference, during which the Parties will provide the ALJ with potential dates for a revised procedural schedule. The Applicant has consulted with counsel for the Board of Trustees for Dodson Township, the Board of Trustees for Hamer Township, and counsel for the Ohio Power Siting Board Staff; 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
Michael J. Settineri (0073369), Counsel of Record
Anna Sanyal (0089269)
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, OH 43215
(614) 464-5462
(614) 719-5146 (fax)
mjsettineri@vorys.com / aasanyal@vorys.com

Attorneys for Dodson Creek Solar, LLC

/s/ Jack A. Van Kley (per authorization AS)
Jack A. Van Kley (0016961)
Van Kley & Walker, LLC
132 Northwoods Blvd., Ste C-1
Columbus, OH 43235
(614) 431-8900
(614) 431-8905 (fax)
jvankley@vankleywalker.com

Attorney for Robert and Laurie Banks

/s/ Amy M. Milam (per authorization AS)
Chad A. Endsley (0080648)
Chief Legal Counsel
Leah F. Curtis (0086257)
Amy M. Milam (0082375)
Ohio Farm Bureau Federation
280 North High Street
P.O. Box 182383
Columbus, OH 43218-2383
(614) 246-8258
(614) 246-8658 (fax)
cendsley@ofbf.org
lcurtis@ofbf.org
amilam@ofbf.org
Attorneys for Ohio Farm Bureau Federation

**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 February 14, 2022 deadline to file a stipulation and Applicant testimony in support of the stipulation and the February 18, 2022 deadline for Ohio Power Siting Board Staff (“Staff”) and intervenors to file their expert and factual testimony, established in the January 26, 2022 Entry, be suspended. Additionally, the Parties also request that the February 24, 2022 evidentiary hearing be converted into a status conference. The Parties intend to provide the Administrative Law Judge (“ALJ”) during the status conference with potential dates for a revised procedural schedule and an update on how settlement discussions are proceeding.

As the ALJ is aware, the parties in this proceeding continue to be engaged in discussions regarding a possible stipulation in this proceeding. The ALJ previously granted a second extension via the January 26, 2022 Entry; however settlement discussions are still ongoing. To allow time for continued negotiation, the Parties request that the ALJ suspend the procedural schedule in this proceeding. The Parties will work towards identifying specific dates for the evidentiary hearing, the filing of a potential stipulation and Applicant testimony in support of the stipulation, and Staff and intervenor testimony as they negotiate, and will inform the ALJ of these dates during the February 24, 2022 status conference.

Accordingly, there is good cause for continuing the hearing and suspending the deadlines for the various procedural dates identified above. The parties continue to be engaged in settlement discussions regarding certain issues and conditions presented in the Staff Report of Investigation, and continuing the hearing and suspending related procedural deadlines will allow the parties to

not only continue their settlement discussions, but also, to the extent a settlement is reached, to address the settlement in their filed testimony.

Prior to the filing of this Motion, the 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 stipulation (and any testimony supporting the stipulation) filing date of February 14, 2022. 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 ALJ grant the Motion to extend the deadlines as identified above and continue the evidentiary hearing.

Respectfully submitted,

/s/ Anna Sanyal

Michael J. Settineri (0073369), Counsel of Record
Anna Sanyal (0089269)
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, OH 43215
(614) 464-5462
(614) 719-5146 (fax)
mjsettineri@vorys.com
aasanyal@vorys.com

Attorneys for Dodson Creek Solar, LLC

/s/ Jack A. Van Kley (per authorization AS)

Jack A. Van Kley (0016961)
Van Kley & Walker, LLC
132 Northwoods Blvd., Ste C-1
Columbus, OH 43235
(614) 431-8900
(614) 431-8905 (fax)
jvankley@vankleywalker.com

Attorney for Robert and Laurie Banks

/s/ Amy M. Milam (per authorization AS)

Chad A. Endsley (0080648)

Chief Legal Counsel

Leah F. Curtis (0086257)

Amy M. Milam (0082375)

Ohio Farm Bureau Federation

280 North High Street

P.O. Box 182383

Columbus, OH 43218-2383

(614) 246-8258

(614) 246-8658 (fax)

cendsley@ofbf.org

lcurtis@ofbf.org

amilam@ofbf.org

Attorneys for Ohio Farm Bureau Federation

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 February 14, 2022 to:

/s/ Anna Sanyal
Anna Sanyal

Jodi Bair
jodi.bair@ohioattorneygeneral.gov

Anneka P. Collins
acollins@hcprosecutor.org

Thomas Shepherd
thomas.shepherd@ohioattorneygeneral.gov

*Counsel for Dodson and Hamer Townships,
Highland County, Ohio*

*Counsel for Staff of the Ohio Power Siting
Board*

Jack A. Van Kley
jvankley@vankleywalker.com

Chad A. Endsley
cendsley@ofbf.org

Counsel for Robert and Laurie Banks

Leah F. Curtis
lcurtis@ofbf.org

Amy M. Milam
amilam@ofbf.org

Attorneys for Ohio Farm Bureau Federation

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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