

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of)	
Kingwood Solar I LLC for a Certificate)	Case No. 21-0117-EL-BGN
of Environmental Compatibility and)	
Public Need)	

**APPLICANT’S REPLY TO STAFF’S MEMORANDUM CONTRA TO THE
MOTION FOR SUBPOENAS FOR OHIO POWER SITING BOARD STAFF**

Pursuant to Ohio Adm.Code 4906-2-23 and 4906-2-27, Kingwood Solar I LLC (the “Applicant”) is filing this reply to the Ohio Power Siting Board (“OPSB”) Staff’s March 4, 2022 memorandum contra to Applicant’s motion for subpoenas for various OPSB Staff. In its initial motion filed on February 25, 2022, the Applicant sought subpoenas to require certain members of OPSB Staff and other designated representatives of OPSB Staff, or employees of the Public Utilities Commission of Ohio, to appear at the hearing in this matter. Specifically, the Applicant sought to examine such individuals on various matters related to the Staff Report of Investigation (“Staff Report”), which was issued on October 29, 2021, and the scope and content of communications between the OPSB Staff and any employee of the Public Utilities Commission of Ohio with the Greene County Board of Commissioners or any representative of the Board of Commissioners.

The Applicant now seeks that the Administrative Law Judges (“ALJs”) hold their ruling on Applicant’s motion in abeyance until OPSB Staff witnesses testify. In its memorandum contra, OPSB Staff indicates that it has filed the testimony of ten separate OPSB Staff witnesses and therefore, the Applicant’s request to subpoena the individuals identified in its motion is moot. However, if these ten witnesses are without sufficient knowledge to respond to specific questions regarding the topics outlined in the Applicant’s motion, the ALJs should then direct OPSB Staff

to produce the appropriate individual or individuals who can answer these questions during the hearing. Notably, in its motion, the Applicant sought to depose certain individuals who were responsible for various sections in the Staff Report and individuals who spoke to any representative or employee of Greene County, Ohio, during a discrete time period (between October 1, 2021 and October 29, 2021). Therefore, the Applicant requests that the ALJs hold their ruling on Applicant's pending motion until appropriate.

Respectfully submitted,

/s/ Anna Sanyal

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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 sent via electronic mail on March 8, 2022 to:

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Summary: Reply Applicant's Reply to Staff's Memorandum Contra to the Motion for
Subpoenas for Ohio Power Siting Board Staff electronically filed by Ms. Anna
Sanyal on behalf of Kingwood Solar I LLC