

BEFORE THE OHIO POWER SITING BOARD

**In the Matter of the Application of
Kingwood Solar I LLC for a Certificate
of Environmental Compatibility and
Public Need**

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Case No. 21-0117-EL-BGN

**INTERVENOR GREENE COUNTY BOARD OF COMMISSIONERS RESPONSES TO
APPLICANT'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS**

The Greene County Board of Commissioners hereby submits its responses to the First Set of Interrogatories and Requests for Production of Documents from Applicants Kingwood Solar I LLC.

GENERAL OBJECTIONS

1. The County reserves all proper objections to the materiality, relevance and/or admissibility of the subject matter of the responses provided to the discovery requests. All responses are provided subject to and without waiving the general objections as well as the objections listed in the individual responses.

2. The County objects to the definitions and instructions submitted with the discovery requests to the extent that they attempt to impose obligations that exceed the requirements set forth in the Ohio Administrative Code.

3. The County objects to the discovery requests to the extent that they seek information and documents protected from disclosure by the attorney-client privilege, the work-product doctrine, or any other privilege available by statute, rule, or common law. No such privileged information will be disclosed.

4. The County objects to each discovery request to the extent that it seeks information

or documents already within Applicant's knowledge, possession, custody, or control, or is equally or more easily available to Applicant, on the grounds that such request is unduly burdensome or oppressive.

5. The County objects to the discovery requests to the extent that they are vague, unduly burdensome, oppressive, harassing, or contrived to cause annoyance or embarrassment, or seek information that is neither admissible at trial nor is reasonably calculated to lead to the discovery of admissible evidence.

6. The County states that its responses to the discovery requests are based upon information known or believed to be true at the time of this response. The County expressly reserves the right to amend or supplement their responses if they learn of new information or documents through further factual investigation and/or discovery.

7. In responding to the discovery requests, the County conducted, is conducting, and/or will conduct a reasonable and diligent investigation. To the extent the discovery requests ask the County to take any action other than this, the County objects because the discovery requests are unreasonably burdensome and oppressive.

8. The County's responses are provided with the understanding that they will not be construed as an admission of any definition or instruction used by Applicant as either factually correct or legally binding upon the County. Any definitions or terms used in these responses are used only for purposes of responding to Applicant's discovery and for no other purpose.

9. The County further objects to the discovery requests to the extent they assume alleged facts that are in dispute.

RESPONSES TO INTERROGATORIES

Interrogatory No. 1. Did any County Representative have any communication with a staff member or representative of the Ohio Power Siting Board regarding the Kingwood Solar Project between April 1, 2021 and November 14, 2021?

Response:

Objection. Overly broad and ambiguous. The County further objects to this Request as it is not reasonably calculated to discover information relevant to this matter.

Without waiving said objection, yes.

Interrogatory No. 2. If the answer to Interrogatory No. 1 is yes, for each communication identify who was involved in the communication, the date of the communication, the form of the communication, and the topic of the communication.

Response:

Objection. Overly broad and ambiguous. The County further objects to this Request as it is not reasonably calculated to discover information relevant to this matter.

Without waiving said objection, see attached documents.

Additionally, Executive Assistant to the County Administrator Vicki Abel fielded a call on or about October 27 or October 28, 2021, from a person identifying herself as a staff member of the Power Siting Board and asking whether the Board of Commissioners would be taking a position. She informed the caller that a resolution was on the Board's agenda for the October 28, 2021 meeting.

Interrogatory No. 3. Did any County Representative have any communication with an employee or representative of the Public Utilities Commission of Ohio regarding the Kingwood Solar Project between April 1, 2021 and November 14, 2021?

Response:

Objection. Overly broad and ambiguous. The County further objects to this Request as it is not reasonably calculated to discover information relevant to this matter.

Without waiving said objection, yes.

Interrogatory No. 4. If the answer to Interrogatory No. 3 is yes, for each communication identify who was involved in the communication, the date of the communication, the form of the communication, and the topic of the communication.

Response:

Objection. Overly broad and ambiguous. The County further objects to this Request as it is not reasonably calculated to discover information relevant to this matter.

Without waiving said objection, see attached documents.

Interrogatory No. 5. Did any County Representative have any communication with a staff member or representative of the Ohio Power Siting Board regarding passing a resolution regarding the Kingwood Solar Project between April 1, 2021 and November 14, 2021?

Response:

Objection. Overly broad and ambiguous. The County further objects to this Request as it is not reasonably calculated to discover information relevant to this matter.

Without waiving said objection, yes.

Interrogatory No. 6. If the answer to Interrogatory No. 5 is yes, for each communication identify who was involved in the communication, the date of the communication, the form of the communication, and the topic of the communication.

Response: See Response to Interrogatory No. 2.

Interrogatory No. 7. Did any County Representative have any communication with an employee or representative of the Public Utilities Commission of Ohio regarding passing a resolution regarding the Kingwood Solar Project between April 1, 2021 and November 14, 2021?

Response:

Objection. Overly broad and ambiguous. The County further objects to this Request as it is not reasonably calculated to discover information relevant to this matter.

Without waiving said objection, no.

Interrogatory No. 8. If the answer to Interrogatory No. 7 is yes, for each communication identify who was involved in the communication, the date of the communication, the form of the communication, and the topic of the communication.

Response: N/A

Interrogatory No. 9. Identify the person or persons who drafted the language of Resolution No. 21-10-28-8, passed by the County on October 28, 2021.

Response:

Objection. Calls for attorney-client privileged information and attorney work product. The County further objects to this Request as it is not reasonably calculated to discover information relevant to this matter.

Without waiving said objections, and without intention waiver of privilege of contents of communications with legal counsel, or work product privilege, the Resolution was prepared by legal counsel.

Interrogatory No. 10. For Interrogatory No. 1 through Interrogatory 9, identify all persons answering these interrogatories.

Response: Brandon Huddleson, County Administrator

As to Objections:

/s/Thaddeus M. Boggs

Respectfully submitted,

/s/ Thaddeus M. Boggs

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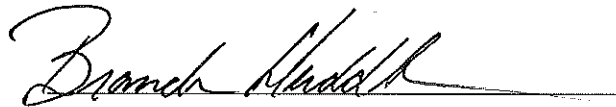
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Attorneys for Greene County

VERIFICATION

STATE OF OHIO }
 }ss
COUNTY OF GREENE }

I, Brandon Huddleson first having been duly cautioned and sworn, hereby states that the foregoing Answers to the Interrogatories are true to the best of my knowledge and belief.



Sworn to and subscribed before me, a Notary Public, this 10th day of March, 2022.



VICKI L ABEL
Notary Public - State of Ohio
Commission Expires Sept 28, 2026



Notary Public

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following via email on
this 11th day of March, 2022.

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/s/*Thaddeus M. Boggs*

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**This foregoing document was electronically filed with the Public Utilities
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Summary: Exhibit Applicant Exh 79 electronically filed by Mr. Ken Spencer on
behalf of Armstrong & Okey, Inc.