

BEFORE THE OHIO POWER SITING BOARD

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

- - -

PROCEEDINGS

before Mr. Jay S. Agranoff and Mr. David Hicks,  
Administrative Law Judges, at the Ohio Power Siting  
Board, via Webex, called at 10:05 a.m. on Thursday,  
April 21, 2022.

- - -

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- - -

APPEARANCES:

Vorys, Sater, Seymour and Pease, LLP  
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Columbus, Ohio 43215

On behalf of the Applicant.

Ohio Farm Bureau Federation  
By Ms. Amy M. Milam  
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Columbus, Ohio 43215

On behalf of the Ohio Farm Bureau  
Federation.

Dave Yost, Ohio Attorney General  
By Ms. Jodi Bair  
and Mr. Thomas Shepherd,  
Assistant Attorneys General  
Public Utilities Section  
30 East Broad Street, 26th Floor  
Columbus, Ohio 43215

On behalf of the Staff of the OPSB.

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1                   Thursday Morning Session,  
2                   April 21, 2022.

3                   - - -

4                   ALJ HICKS: I think we can go ahead and  
5 go on the record.

6                   The Ohio Power Siting Board has set for  
7 hearing at this time and place Case No.  
8 20-1814-EL-BGN captioned in the Matter of the  
9 Application of Dodson Creek Solar, LLC, for a  
10 Certificate of Environmental Compatibility and Public  
11 Need.

12                  Once again, good morning to everyone. I  
13 am David Hicks and with me is Jay Agranoff and we are  
14 the Administrative Law Judges assigned by the Board  
15 to hear this case.

16                  At this time we will begin by taking  
17 appearances of counsel, and we will start with the  
18 Applicant.

19                  MS. SANYAL: Thank you, your Honor. On  
20 behalf of Dodson Creek Solar, LLC, Anna Sanyal and  
21 Mike Settineri of the law firm Vorys, Sater, Seymour  
22 and Pease, LLP, 52 East Gay Street, Columbus, Ohio  
23 43215.

24                  ALJ HICKS: Thank you.

25                  On behalf of Ohio Farm Bureau Federation.

1 MS. MILAM: Good morning, your Honors.  
2 Amy Milam on behalf of Ohio Farm Bureau Federation,  
3 280 North High Street, 6th Floor, Columbus, Ohio  
4 43215.

5 ALJ HICKS: Thank you.

6 On behalf of Board Staff.

7 MS. BAIR: Thank you, your Honor. Jodi  
8 Bair, Thomas Shepherd, Assistant Attorneys General,  
9 on behalf of the Staff of the Public Utilities  
10 Commission Power Siting Department, 30 East Broad  
11 Street, Columbus, Ohio 43215.

12 ALJ HICKS: Thank you.

13 I will also note that Dodson Township and  
14 Hamer Township are Intervenorors in the case. Their  
15 counsel, Ms. Anneka Collins, is not with us today.  
16 But for the record the Bench just wanted to note that  
17 Ms. Collins has made it clear to both the Bench and  
18 the other parties that her participation would be  
19 very limited, if at all, and that she understood and  
20 was fine with things proceedings if she was not  
21 present or not participating.

22 And she also sent an e-mail to the Bench  
23 and all of the parties on April 19 in which she  
24 indicated the Trustees of the Townships would have no  
25 cross for any of the witnesses and that they had no

1 objection to the filed Stipulation.

2 And one other note for the record is that  
 3 Intervenors Robert and Laurie Banks filed a notice of  
 4 withdrawal from the proceeding yesterday, April 20,  
 5 2021, and so they have withdrawn as a party of record  
 6 in the case. I'm assuming everyone has seen that,  
 7 and it's seen on the docket now. But just for the  
 8 record we will note they have officially withdrawn  
 9 from the proceeding.

10 Just a few more preliminary remarks here,  
 11 just point out this adjudicatory hearing is taking  
 12 place pursuant to the parameters set forth in the  
 13 entries of March 29, 2022, and April 3, 2022,  
 14 specifically the hearing is being held through Webex  
 15 which enables parties to participate by video  
 16 conference while affording the public access to the  
 17 hearing via the internet.

18 Just a few preliminary issues. Again, if  
 19 anyone has any technical difficulties, as we have all  
 20 experienced in these various Webex hearings, you have  
 21 a couple of options. There's the chat function.  
 22 Just keep in mind those are recorded and could be  
 23 seen by everyone but are not a part of the official  
 24 record. We also have Micah Schmidt is on chairing  
 25 things here. If you have any issues, the legal line



1 is (614) 466-6843.

2 I'll again note nonparties are going to  
 3 be able to observe the hearing, but their microphones  
 4 and cameras will not be on. Any witnesses that are  
 5 currently as attendees will be promoted if and when  
 6 they are called to testify. As usual, you are just  
 7 asked to avoid unnecessary background noise. If you  
 8 are not speaking or have the need to quickly speak,  
 9 keep your microphone muted. It will help avoid cross  
 10 chatter and any background noise that could make  
 11 things hard to -- for our court reporter.

12 As usual, counsel should leave their  
 13 cameras on at all times except during breaks or if  
 14 you have co-counsel who is taking over and is  
 15 handling things at that moment.

16 Witnesses again should only have access  
 17 to filings in the case or other documents that have  
 18 been identified as potential exhibits and already  
 19 exchanged between the parties. And any witnesses  
 20 should not attempt to communicate through other means  
 21 with anyone privately during their testimony or seek  
 22 out information in other documents that have not  
 23 previously been identified or filed in the case.

24 Unless someone here says anything  
 25 otherwise, I am going to assume there is no need for

1 things like a closed record or anything of that  
2 nature. And it's also my understanding that a Joint  
3 Stipulation has already been filed in this case  
4 between the parties and that the parties have agreed  
5 to waive cross-examination for all of the witnesses.

6 I know the Bench has a few questions for  
7 some witnesses that have been identified, but  
8 otherwise, again, we understand that everyone has  
9 waived cross-examination. To the extent that any  
10 exhibits are admitted today that are not docketed, we  
11 would just ask that you send those to the court  
12 reporter by tomorrow. The e-mail for that, I am  
13 guessing you all have it; but in case you don't, it's  
14 kspencer@aando.com.

15 Anything else from any of the parties  
16 before we officially proceed? I will take silence as  
17 a no.

18 Okay. I am going to hand it off to Judge  
19 Agranoff, and he will take it away.

20 ALJ AGRANOFF: Thank you.

21 Good morning, everybody. At this point  
22 in time would the Applicant seek to have the marking  
23 of their identified exhibits.

24 MS. SANYAL: Sure. I can go ahead either  
25 after we call our sponsoring witness, or we can do it

1 now, whatever works for you, your Honor.

2 ALJ AGRANOFF: If you want to basically  
3 just go through your list and that way they will be  
4 marked and then we can deal with any specific  
5 exhibits that pertain to any of the witnesses that  
6 you are going to be calling.

7 MS. SANYAL: Okay. Company Exhibit 1 is  
8 the Dodson Creek Solar application. Company --

9 ALJ AGRANOFF: What was the filing date  
10 on that?

11 MS. SANYAL: May 27, '21.

12 ALJ AGRANOFF: Thank you. It shall be so  
13 marked.

14 (EXHIBIT MARKED FOR IDENTIFICATION.)

15 MS. SANYAL: Then Company Exhibit 1C as  
16 in confidential is the confidential portion of the  
17 application, also filed on May 27, 2021.

18 ALJ AGRANOFF: That shall be so marked.

19 (EXHIBIT MARKED FOR IDENTIFICATION.)

20 MS. SANYAL: Company Exhibit 2 is the  
21 first supplement to the application and that was  
22 filed June 29, 2021.

23 ALJ AGRANOFF: That shall be so marked.

24 (EXHIBIT MARKED FOR IDENTIFICATION.)

25 MS. SANYAL: Company Exhibit 3 is the

1 proof of service of the application which was filed  
2 on the docket on July 29, 2021.

3 ALJ AGRANOFF: That shall be so marked.  
4 (EXHIBIT MARKED FOR IDENTIFICATION.)

5 MS. SANYAL: And Company Exhibit 4 is a  
6 compilation of various proofs of publications and  
7 associated newspaper publications. This is a  
8 compilation exhibit and it has been provided to the  
9 court reporter.

10 ALJ AGRANOFF: That shall be so marked.  
11 (EXHIBIT MARKED FOR IDENTIFICATION.)

12 MS. SANYAL: Company Exhibit 5 is another  
13 compilation document. It's responses to Staff Data  
14 Requests, and it's been filed on the docket on  
15 September 3, 2021.

16 ALJ AGRANOFF: It shall be so marked.  
17 (EXHIBIT MARKED FOR IDENTIFICATION.)

18 MS. SANYAL: Then we have Company  
19 Exhibit 5C as in confidential which is confidential  
20 portions of a phase I archeological reconnaissance  
21 report which was provided as a Data Response.

22 ALJ AGRANOFF: That shall be so marked.  
23 (EXHIBIT MARKED FOR IDENTIFICATION.)

24 MS. SANYAL: Company Exhibit 6 is a  
25 Memorandum of Understanding between the Ohio State

1 Historic Preservation Office and the Applicant. This  
2 was not filed on the docket, and it has been provided  
3 to the court reporter.

4 ALJ AGRANOFF: That shall be so marked.

5 (EXHIBIT MARKED FOR IDENTIFICATION.)

6 MS. SANYAL: Company Exhibit 7 is the  
7 direct testimony of Lindsey Hesch which was filed on  
8 November 19, 2021.

9 ALJ AGRANOFF: That shall be so marked.

10 (EXHIBIT MARKED FOR IDENTIFICATION.)

11 ALJ AGRANOFF: That's the testimony that  
12 Ms. Pelissero is going to be adopting.

13 MS. SANYAL: Correct, your Honor. We  
14 have Company Exhibit 8 which is the direct testimony  
15 of Courtney Pelissero which was filed on April 6,  
16 2022.

17 ALJ AGRANOFF: That shall be so marked.

18 (EXHIBIT MARKED FOR IDENTIFICATION.)

19 MS. SANYAL: Company Exhibit 9 is the  
20 direct testimony of Eddie Duncan which was filed on  
21 November 19, 2021.

22 ALJ AGRANOFF: That shall be so marked.

23 (EXHIBIT MARKED FOR IDENTIFICATION.)

24 MS. SANYAL: Company Exhibit 10 is the  
25 supplemental testimony of Mr. Duncan and this one was

1 filed April 6, 2022.

2 ALJ AGRANOFF: That shall be so marked.

3 (EXHIBIT MARKED FOR IDENTIFICATION.)

4 MS. SANYAL: Company Exhibit 11 is the  
5 direct testimony of Mark Bonifas filed November 19,  
6 2021.

7 ALJ AGRANOFF: That shall be so marked.

8 (EXHIBIT MARKED FOR IDENTIFICATION.)

9 MS. SANYAL: Company Exhibit 12 is  
10 Mr. Bonifas's supplemental testimony which was filed  
11 April 6, 2022.

12 ALJ AGRANOFF: It shall be so marked.

13 (EXHIBIT MARKED FOR IDENTIFICATION.)

14 MS. SANYAL: Company Exhibit 13 is the  
15 direct testimony of Mr. Eric Koch, spelled K-O-C-H.  
16 And this was filed November 19, 2021.

17 ALJ AGRANOFF: It shall be so marked.

18 (EXHIBIT MARKED FOR IDENTIFICATION.)

19 MS. SANYAL: Company Exhibit 14 is the  
20 direct testimony of Mr. Andrew Lines filed on  
21 November 19, 2021.

22 ALJ AGRANOFF: So marked.

23 (EXHIBIT MARKED FOR IDENTIFICATION.)

24 MS. SANYAL: Company Exhibit 15 is the  
25 direct testimony of Mr. Gordon Perkins which was

1 filed on November 19, 2021.

2 ALJ AGRANOFF: It shall be so marked.

3 (EXHIBIT MARKED FOR IDENTIFICATION.)

4 MS. SANYAL: Company Exhibit 16 is the  
5 direct testimony of Mr. Robert Hanley, also filed on  
6 November 19, 2021.

7 ALJ AGRANOFF: So marked.

8 (EXHIBIT MARKED FOR IDENTIFICATION.)

9 MS. SANYAL: Company Exhibit 17 is the  
10 direct testimony of Mr. Brent Finley filed  
11 November 19, 2021.

12 ALJ AGRANOFF: So marked.

13 (EXHIBIT MARKED FOR IDENTIFICATION.)

14 MS. SANYAL: And finally Joint Exhibit 1  
15 is the Joint Stipulation which was filed on April 6,  
16 2022.

17 ALJ AGRANOFF: So marked.

18 (EXHIBIT MARKED FOR IDENTIFICATION.)

19 ALJ AGRANOFF: Thank you. At this point  
20 in time why don't we call the first witness for which  
21 the Bench had questions and then we can at the end of  
22 all the testimonies move for the admission of all the  
23 exhibits.

24 MS. SANYAL: Sure. And would that be  
25 Ms. Pelissero, your Honor?

1 ALJ AGRANOFF: Please.

2 MS. SANYAL: Sure. The Applicant calls  
3 Ms. Courtney Pelissero to the stand.

4 MR. SCHMIDT: Ms. Pelissero, you have  
5 been promoted. If you can enable your audio and  
6 video.

7 ALJ AGRANOFF: There you are. Good  
8 morning.

9 MS. PELISSERO: Good morning.

10 ALJ AGRANOFF: If you could please raise  
11 your right hand.

12 (Witness sworn.)

13 ALJ AGRANOFF: Thank you.

14 Please proceed, Ms. Sanyal.

15 MS. SANYAL: Thank you, your Honor.

16 - - -

17 COURTNEY PELISSERO

18 being first duly sworn, as prescribed by law, was  
19 examined and testified as follows:

20 DIRECT EXAMINATION

21 By Ms. Sanyal:

22 Q. Ms. Pelissero, good morning.

23 A. Good morning.

24 Q. I will just go through and have you  
25 identify some of the exhibits that we marked earlier.



1 So if we could start with Company Exhibit 1, could  
2 you identify for the record what that is.

3 A. Dodson Creek's solar application filed on  
4 May 27, 2021.

5 Q. Thank you. What is Company Exhibit 1C?

6 A. That is the confidential portion of the  
7 application filed on May 27, 2021.

8 Q. Thank you. What is Company Exhibit 2?

9 A. That's the first supplement to the  
10 application filed June 29, 2021.

11 Q. And could you identify for the record  
12 what is Company Exhibit 3.

13 A. That is the proof of service of the  
14 application filed on July 29, 2021.

15 Q. And could you please identify for the  
16 record Company Exhibit 4.

17 A. That was a compilation of various proofs  
18 of publications that have all been filed.

19 Q. Thank you. And will you please identify  
20 for the record Company Exhibit 5.

21 A. Our responses to Staff Data Requests  
22 filed September 3, 2021.

23 Q. And will you please identify for the  
24 record Company Exhibit 5C.

25 A. That is the confidential portion of the

1 phase I archeological reconnaissance report provided  
2 in response to the Data Request and filed on July 15,  
3 2021.

4 Q. Thank you. Will you identify for the  
5 record what is Company Exhibit 6.

6 A. That is the Memorandum of Understanding  
7 between the Ohio State Historic Preservation Office  
8 and Dodson Creek Solar.

9 Q. And then turning to Company Exhibit 7,  
10 will you please identify Company Exhibit 7.

11 A. That is the direct testimony of  
12 Lindsey Hesch filed on November 19, 2021.

13 Q. And, Ms. Pelissero, I understand you are  
14 adopting Ms. Hesch's testimony today, correct?

15 A. Yes, that is correct.

16 Q. And then do you have any changes to that  
17 particular piece of testimony?

18 A. Yes, I do have a few minor changes.

19 Q. Okay. If you could go over those changes  
20 very slowly so the court reporter can take them down.

21 A. Okay. On page 5, lines 21 and 22, where  
22 originally said "Company Exhibit 2," it should be  
23 changed to "Company Exhibit 5."

24 Q. Thank you.

25 A. And then on page 5, line 23, "Company

1 Exhibit 3" should be changed to "Company Exhibit 2."

2 Q. Okay. And then the next one, please.

3 A. On page 6, line 4, "Company Exhibit 4"  
4 should be changed to "Company Exhibit 3."

5 Q. Okay. And then the next one, please.

6 A. Page 6, line 11, "Company Exhibit 5"  
7 should be changed to "Company Exhibit 4."

8 Q. Okay. Any others?

9 A. Yes, one more. Page 6, line 16, "Company  
10 Exhibit 5" should be changed to "Company Exhibit 4."

11 Q. And any other changes to that?

12 A. No. That is all.

13 Q. Okay. And then let's turn to Company  
14 Exhibit 8, please.

15 A. That is my direct testimony filed on  
16 April 6, 2022.

17 Q. And was Company Exhibit 8 prepared by you  
18 or under your direction?

19 A. Yes.

20 Q. Okay. And do you have any changes to  
21 Company Exhibit 8 today?

22 A. No, I do not.

23 Q. And if I were to ask you the same  
24 questions that are in your direct testimony, would  
25 your answers remain the same?

1 A. Yes, they would.

2 Q. Okay. Let us turn to Joint Exhibit 1.  
3 Could you please identify for the record what is  
4 Joint Exhibit 1.

5 A. That is the Joint Stipulation filed on  
6 April 6, 2022.

7 MS. SANYAL: Okay. And, your Honor,  
8 Ms. Pelissero is now available for cross-examination.

9 ALJ AGRANOFF: Thank you. It is my  
10 understanding that the parties have indicated that  
11 they did not have any cross-examination of  
12 Ms. Pelissero; is that still correct?

13 MS. BAIR: That's correct. Staff has no  
14 cross.

15 MS. MILAM: That's correct. No cross  
16 from OFBF.

17 ALJ AGRANOFF: Thank you.

18 - - -

19 EXAMINATION

20 By ALJ Agranoff:

21 Q. I do have some clarifying questions,  
22 Ms. Pelissero. If you could please indulge me in  
23 taking a look at your direct testimony that was  
24 marked as Company Exhibit 8. Do you have that in  
25 front of you?

1           A.    Yes, I do.

2           Q.    And if you could please take a look at  
3 page 2 of that testimony. Let me know when you are  
4 there.

5           A.    I am there.

6           Q.    Okay. Specifically question 6.

7           A.    Okay.

8           Q.    And you discuss beginning in line 19  
9 about the fact that you are addressing changes made  
10 to Conditions 1, 12, 13, 15, 16, 17, 18, 19, 21, 23,  
11 24, 25, 27, 32, and 34. I assume that was of the  
12 Staff Report; is that correct?

13          A.    Yes. The -- what I am describing here  
14 are changes to the Stipulation -- the changes to  
15 the -- edits to the proposed Staff conditions that  
16 have been represented in the Joint Stipulation.

17          Q.    Okay. So basically those conditions that  
18 you were referencing that I had just delineated,  
19 those were conditions that were set forth in the  
20 Staff Report; is that correct?

21          A.    Yes. That is my understanding.

22          Q.    Okay. And it's your understanding that  
23 there was not going to be an actual then amended  
24 Staff Report as a result of your proposed changes.

25          A.    Correct. That is my understanding.

1           Q.    Thank you.  And then if you could please  
2           turn to page 6 of your testimony and let me know when  
3           you are there.

4           A.    I am there.

5           Q.    Okay.  And if you're not the best witness  
6           to answer this particular question, certainly you can  
7           indicate as such and then let me know who  
8           specifically would be the better of the witnesses to  
9           answer the question.  But what I am trying to  
10          ascertain is you discuss on line 12 the fact that the  
11          Applicant has committed to substitute or replace any  
12          failed plantings during the first five years after  
13          construction in order to ensure that at least  
14          90 percent of the vegetation screening has survived  
15          as of the five-year point.  Do you see that?

16          A.    Yes, I do.

17          Q.    Okay.  And then you also discuss  
18          beginning on line 14 where you say the Applicant must  
19          meet the vegetative screening which will consist of  
20          various landscape modules for the life of the  
21          project.  Can you reconcile for me or explain to me  
22          how the at least 90 percent commitment is able to  
23          coexist or how you distinguish between that and the  
24          commitment of maintaining the vegetative screening  
25          for the life of the project?

1           A.    Yes.  It's my understanding that the  
2   sentences where describing the 90 percent, that is  
3   referencing for the first five years, so after your  
4   five, then we are committing to the vegetation  
5   survival rate of at least 90 percent.  And then for  
6   the lifetime of the project after those five years,  
7   we are committing to replacing or supplementing  
8   vegetation to meet our vegetation screening plan.

9           Q.    How are those two distinguishable?  I  
10   guess I don't understand how one is different than  
11   the other.

12          A.    I was not involved in the creation of the  
13   vegetation screening plan.  So Gordon Perkins may be  
14   the best expert to answer those questions.

15               ALJ AGRANOFF:  Okay.  And, Ms. Sanyal, is  
16   that particular witness available?

17               MS. SANYAL:  Yes.  We do have him on  
18   standby.  And, your Honor, after your questioning, if  
19   we could maybe have a brief recess, we might even  
20   have Ms. Pelissero answer that question a little bit  
21   more in detail for you.  So we could do both.

22               ALJ AGRANOFF:  Okay.  Whichever you  
23   believe is the more effective way of getting to the  
24   answers is okay by me.  I just would like to have  
25   that clarification on the record.

1 MS. SANYAL: Sure. After -- after your  
2 questioning, if I could just have one moment to  
3 confer and we can quickly figure that out for you.

4 ALJ AGRANOFF: Okay. Thank you.

5 Q. (By ALJ Agranoff) The next question I  
6 have, and again, the same caveat, if you feel you are  
7 not the best witness to answer this particular  
8 question, then certainly indicate as such. And this  
9 has to do with your discussion -- same page of your  
10 testimony and same question, which was question and  
11 answer 18, but you have a discussion where down at  
12 the bottom of that page, line 23, you discuss  
13 Condition 30. And I have a question with respect to  
14 Condition 30. If you could please take a look at  
15 that particular condition contained in Joint  
16 Exhibit 1.

17 A. Yes. Just one moment. I will find it.

18 Q. Okay. Thank you.

19 A. Okay. I have located it.

20 Q. Okay. Thank you. And if you take a look  
21 at one, two, three, four, fourth line down in  
22 Condition 30.

23 A. Okay.

24 Q. It discusses "Damaged field tile systems  
25 shall be promptly repaired or rerouted to at least



1 original conditions or the modern equivalent." Do  
2 you see that?

3 A. Yes, I do.

4 Q. Okay. And I was interested in knowing  
5 whether or not there is any definition or parameters  
6 specific to the utilization of the term "promptly."

7 A. I am not aware of a time frame that  
8 defines promptly that is laid out in this condition.

9 Q. Okay. Do you know whether another  
10 witness may have better knowledge of that term?

11 A. Mark Bonifas is our drain tile expert, so  
12 he may be able to provide more information.

13 Q. Okay. Thank you. And then if you could  
14 take a look at page 7 of your testimony. Let me know  
15 when you are there.

16 A. I am there.

17 Q. And in particular line 8.

18 A. Okay.

19 Q. And there is a discussion there about the  
20 "Stipulation authorizes an environmental specialist  
21 to stop construction activities for up to 48 hours in  
22 or near the impacted sensitive area(s)." Do you see  
23 that?

24 A. Yes, I do.

25 Q. And what I am curious about is there any

1 contemplated plan that would be then utilized to the  
2 extent that the problem still exists beyond 48 hours?

3 A. Let me take a look at the condition that  
4 is being discussed in my testimony. Maybe it is  
5 Condition --

6 MS. SANYAL: Condition 23.

7 THE WITNESS: Thank you.

8 A. In my review of that condition, I do not  
9 see a discussion or contemplation for what would  
10 occur if beyond those 48 hours there was still a  
11 circumstance that needed to be reviewed. I would  
12 anticipate that would be a discussion between  
13 Applicant and Staff.

14 ALJ AGRANOFF: Okay. Thank you. Those  
15 are my limited clarifying questions. Based on those  
16 questions, does counsel have any follow-up that they  
17 would like to ask?

18 MS. SANYAL: May we take a very brief  
19 recess, your Honor, so I may confer with my client?

20 ALJ AGRANOFF: Certainly.

21 MS. SANYAL: Okay. How about --

22 ALJ AGRANOFF: We can take 5 minutes, and  
23 we can come back at 10:40.

24 MS. SANYAL: Thank you, your Honor.

25 ALJ AGRANOFF: Thank you.

1 (Recess taken.)

2 ALJ AGRANOFF: Let's go back on the  
3 record.

4 Ms. Sanyal.

5 MS. SANYAL: Yes, your Honor. I am just  
6 waiting -- there we go. Ms. Pelissero is back on  
7 video.

8 - - -

9 REDIRECT EXAMINATION

10 By Ms. Sanyal:

11 Q. Ms. Pelissero, just one brief question  
12 for you. Do you remember Administrative Law Judge  
13 Agranoff just asked you about Condition 16 that's  
14 discussed in your testimony? Could you explain a  
15 little bit further what is meant by each of the two  
16 prongs of that condition?

17 A. Yes, I can. So it's a two-pronged  
18 approach. The first prong relates to the first five  
19 years, and we are committing to at year five at least  
20 90 percent of the vegetative screening will have  
21 survived as of the five-year point.

22 The second prong relates to the lifetime  
23 of the project. So for the lifetime of the project,  
24 we are committing to keeping the screening plan as  
25 proposed. It needs to perform as we proposed and if

1     there is any issue with the screening or it wasn't  
2     performing as we had proposed, then we are committing  
3     to replacing or supplementing the vegetation and  
4     that's for the lifetime of the project.

5             Q.     Do you have any -- is that all,  
6     Ms. Pelissero?

7             A.     Yes, that is all.

8             MS. SANYAL:   Okay.   Your Honor, that is  
9     all the questions we have.

10            ALJ AGRANOFF:   Any additional questions  
11     from counsel?

12            MS. BAIR:   No questions from Staff, your  
13     Honor.

14            MS. MILAM:   No, your Honor.

15            MS. SANYAL:   And, your Honor, if that did  
16     not, you know, completely answer your question, we do  
17     have Mr. Perkins available.

18                             - - -

19                             FURTHER EXAMINATION

20     By ALJ Agranoff:

21             Q.     If Ms. Pelissero could just explain to me  
22     then how the second prong is intended to be  
23     implemented in year six.

24             A.     It is my understanding that the second  
25     prong relates to the lifetime of the project, so from

1 day one through the lifetime of the project, we will  
2 ensure that the vegetative screening is performing  
3 as -- as proposed.

4 Q. And how is that different than the level  
5 of performance in years one through five?

6 A. The extra performance during the prong  
7 described for the first five years is an extra  
8 performance commitment that we are making that at  
9 least 90 percent of all of the modules will be  
10 performing and established.

11 The second prong ties in a bit more to  
12 each of the different modules where we are committing  
13 to module one, two, three all performing as proposed  
14 and will be replaced as needed.

15 ALJ AGRANOFF: Okay. I appreciate your  
16 clarifications. Thank you.

17 THE WITNESS: You are welcome. Thank  
18 you.

19 ALJ AGRANOFF: If there is no further  
20 questions from counsel, then I believe Ms. Pelissero  
21 is free to go.

22 THE WITNESS: Thank you.

23 MS. SANYAL: And, your Honor, at this  
24 time I would move to admit several exhibits. And we  
25 can do them one by one or...

1 ALJ AGRANOFF: Well, you can just do them  
2 individually so we can be clear.

3 MS. SANYAL: Okay. Initially I would  
4 move to admit Company Exhibit 1 which is the  
5 application.

6 ALJ AGRANOFF: Any objection?  
7 There being none --

8 MS. BAIR: No objection.

9 ALJ AGRANOFF: There being no objection,  
10 Company Exhibit 1 or Applicant Exhibit 1 shall be  
11 admitted as part of the record at this time.

12 MS. SANYAL: I next move for Company  
13 Exhibit 1C to be moved into the record.

14 ALJ AGRANOFF: Any objections?

15 MS. BAIR: No objection.

16 ALJ AGRANOFF: There being no objection,  
17 Applicant Exhibit 1C shall be admitted at part of the  
18 record at this time, and I believe that you have  
19 previously denoted, Ms. Sanyal, that that is a  
20 confidential?

21 MS. SANYAL: Correct, your Honor.

22 ALJ AGRANOFF: And, therefore, Applicant  
23 Exhibit 1C shall be kept under seal.

24 (EXHIBIT ADMITTED INTO EVIDENCE.)

25 MS. SANYAL: Thank you, your Honor. I

1 next move Company Exhibit 2 to be admitted into the  
2 record. This is the first supplement to the  
3 application.

4 ALJ AGRANOFF: Any objections?

5 Hearing none, Applicant Exhibit 2 shall  
6 be admitted as part of the record.

7 (EXHIBIT ADMITTED INTO EVIDENCE.)

8 MS. SANYAL: I next move Company  
9 Exhibit 3 which is the proof of service of the  
10 application into the record.

11 ALJ AGRANOFF: Any objections?

12 There being none, Company Exhibit 3 shall  
13 be admitted as part of the record.

14 (EXHIBIT ADMITTED INTO EVIDENCE.)

15 MS. SANYAL: I next move Company  
16 Exhibit 4 which is proofs of publications to be  
17 admitted into the record.

18 ALJ AGRANOFF: Any objections?

19 There being none, it shall be admitted.

20 (EXHIBIT ADMITTED INTO EVIDENCE.)

21 MS. SANYAL: Next move Company Exhibit 5  
22 which are responses to Staff Data Requests to be  
23 admitted into the record.

24 ALJ AGRANOFF: Any objections?

25 There being none, it shall be admitted as

1 part of the record.

2 (EXHIBIT ADMITTED INTO EVIDENCE.)

3 MS. SANYAL: I move Company Exhibit 5C  
4 which is the confidential archeological  
5 reconnaissance report to be admitted into the record.

6 ALJ AGRANOFF: Thank you. Any  
7 objections?

8 There being none, Company Exhibit 5C  
9 shall be admitted as part of the record under seal.

10 (EXHIBIT ADMITTED INTO EVIDENCE.)

11 MS. SANYAL: I next move Company  
12 Exhibit 6 which is the Memorandum of Understanding  
13 between the Ohio State Historic Preservation Office  
14 and the Applicant to be admitted into the record.

15 ALJ AGRANOFF: Any objections?

16 There being none, Applicant Exhibit 6  
17 shall be admitted as part of the record.

18 (EXHIBIT ADMITTED INTO EVIDENCE.)

19 MS. SANYAL: I move Company Exhibit 7  
20 which is the direct testimony of Ms. Lindsey Hesch to  
21 be admitted into the record.

22 ALJ AGRANOFF: Any objections?

23 Hearing none, it shall be admitted as  
24 part of the record.

25 (EXHIBIT ADMITTED INTO EVIDENCE.)



1 MS. SANYAL: And next move Company  
2 Exhibit 8 which is the direct testimony of  
3 Ms. Courtney Pelissero to be admitted into the  
4 record.

5 ALJ AGRANOFF: Any objections?  
6 Hearing none, it shall be admitted as  
7 part of the record.

8 (EXHIBIT ADMITTED INTO EVIDENCE.)

9 MS. SANYAL: And, lastly, your Honor, I  
10 move Joint Exhibit 1 which is the Joint Stipulation  
11 to be admitted into the record.

12 ALJ AGRANOFF: Any objections?  
13 Hearing none, it shall be admitted as  
14 part of the record.

15 (EXHIBIT ADMITTED INTO EVIDENCE.)

16 ALJ AGRANOFF: And at this time,  
17 Ms. Sanyal, are you prepared to call your next  
18 witness?

19 MS. SANYAL: Yes, your Honor. I would  
20 like to call Mr. Eddie Duncan to the stand.

21 ALJ AGRANOFF: If Mr. Duncan can be  
22 promoted, please.

23 MR. SCHMIDT: Mr. Duncan, you've been  
24 promoted. If you can enable your audio and video.

25 MR. DUNCAN: Can you hear me?

1 ALJ AGRANOFF: I can see you and --

2 MR. DUNCAN: Can you hear me?

3 ALJ AGRANOFF: And I can hear you. Check  
4 both boxes. If you could please raise your right  
5 hand.

6 (Witness sworn.)

7 ALJ AGRANOFF: Thank you.

8 Please proceed, Ms. Sanyal.

9 MS. SANYAL: Thank you, your Honor.

10 - - -

11 EDDIE DUNCAN

12 being first duly sworn, as prescribed by law, was  
13 examined and testified as follows:

14 DIRECT EXAMINATION

15 By Ms. Sanyal:

16 Q. Good morning, Mr. Duncan.

17 A. Good morning.

18 Q. Good to see you. Will you please spell  
19 your name for the record and also provide your  
20 business address for the record.

21 A. Yes. First name is Eddie, E-D-D-I-E;  
22 last name is Duncan, D-U-N-C-A-N. And my business  
23 address is RSG, 55 Railroad Row, White River  
24 Junction, Vermont 05001.

25 Q. Thank you, Mr. Duncan. And do you have

1 what has been previously marked as Company Exhibit 9  
2 in front of you?

3 A. I do.

4 Q. Okay. And could you please identify for  
5 the record what Exhibit 9 is.

6 A. This is my direct testimony submitted in  
7 2021.

8 Q. Okay. And do you have any changes to  
9 Exhibit 9?

10 A. I do not.

11 Q. Okay. And if I asked you -- and I forgot  
12 to ask you one question. Was Exhibit 9 prepared by  
13 you or under your direction?

14 A. It was prepared by me, yes.

15 Q. Okay. And if I were to ask you the same  
16 questions that are in your direct testimony today,  
17 would your answers remain the same?

18 A. Yes, they would.

19 Q. Okay. And let's turn to Company  
20 Exhibit 10. Do you have a copy of that in front of  
21 you?

22 A. I do.

23 Q. Okay. And will you please identify for  
24 the record what is Company Exhibit 10.

25 A. This is a supplemental testimony I

1 submitted in -- I believe it was submitted April of  
2 2022.

3 Q. Okay. And any changes to Company  
4 Exhibit 10?

5 A. No changes.

6 Q. Okay. And was this prepared by you or  
7 under your direction?

8 A. Yes, it was prepared by me.

9 Q. Okay. And again, if I were to ask you  
10 the questions that are in Company Exhibit 10, would  
11 your answers remain the same?

12 A. Yes, they would.

13 MS. SANYAL: Thank you, Mr. Duncan.

14 Your Honor, Mr. Duncan is available for  
15 cross-examination.

16 ALJ AGRANOFF: Thank you. And as we  
17 indicated previously, I believe counsel for the other  
18 parties have already indicated that they do not have  
19 any cross-examination of this particular Company  
20 witness. I assume that is still the case.

21 MS. BAIR: That is correct, your Honor.  
22 Staff has no cross-examination.

23 MS. MILAM: Correct, your Honor. No  
24 cross from Farm Bureau.

25 ALJ AGRANOFF: Thank you.

EXAMINATION

By ALJ Agranoff:

Q. Mr. Duncan, I do have just a few clarifying questions for you specific to your supplemental direct testimony that has been marked as Applicant Exhibit 10. Do you have that in front of you?

A. I do.

Q. Thank you. And if you could turn to page 2 of that particular testimony.

A. I'm there.

Q. And there's reference on line 22 and 23 to a NEMA, N-E-M-A, TR1 standard. I don't believe that earlier in your testimony that particular reference is defined. And if you could please explain to me what that is.

A. Yeah. The NEMA TR1 standard is the standard for emissions for transform -- sound emissions from transformers. And so manufacturers need to meet sound emissions that are met in NEMA -- the NEMA TR1 standard. Oftentimes the emissions are less but that's the -- that's the standard that we go to as the absolute maximum for a manufactured transformer.

Q. What does NEMA stand for?

1           A.    You know, I have to admit I'm so used to  
2    using NEMA I forget off the top of my head, but I  
3    would be happy to get that to you.

4           Q.    Okay. You don't know though right now as  
5    to what that stands for?

6           A.    I don't recall off the top of my head,  
7    yeah.

8           Q.    Okay. You said it's a national standard?

9           A.    It is, yeah. It's a national standard  
10   that's used by manufacturers for -- it's kind of the  
11   maximum allowable noise -- sets the maximum allowable  
12   noise emissions for transformers of a given size. So  
13   there's a whole table that, you know, if your  
14   transformer is this size, sound emissions should be  
15   no louder than X.

16           MS. SANYAL: Your Honor, if I may, you  
17   know, we could take a brief recess, and the witness  
18   could refresh his memory to make sure you have that  
19   acronym spelled out for you.

20           ALJ AGRANOFF: Okay. Do you want to take  
21   2 minutes?

22           MS. SANYAL: Sure.

23           ALJ AGRANOFF: Okay. Let's go off the  
24   record.

25                   (Discussion off the record.)

1 ALJ AGRANOFF: Okay. Let's go back on  
2 the record.

3 Ms. Sanyal, I believe you have an update.

4 MS. SANYAL: I do. I believe Mr. Duncan  
5 is prepared to let you know what the acronym is.

6 Mr. Duncan, go ahead.

7 THE WITNESS: Yeah. It is the National  
8 Electrical Manufacturers Association. I apologize  
9 about that, your Honor. I could have guessed, but I  
10 wanted to make sure I had it right so.

11 Q. (By ALJ Agranoff) Thank you for that  
12 clarification. And then if you could please turn to  
13 page 3 of your testimony -- your supplemental  
14 testimony.

15 A. I'm there.

16 Q. Okay. And in particular line 3 where you  
17 begin the sentence "If the sound power level of the  
18 installed inverter," do you see that?

19 A. Yeah, yep. Line 4 -- oh, I see, at the  
20 end of line 3. Got it.

21 Q. Right. And I just would like to  
22 understand how if the sound power level of the  
23 installed inverter is 2 dBA or more above the sound  
24 power level used in the updated construction model,  
25 how do you then assure that there will be still

1 compliance with the applicable sound level limit?

2 A. That's a great question, your Honor. The  
3 projected sound levels for this project are the  
4 maximum at a non-participating residence is  
5 36 decibels, and the applicable daytime limit is  
6 41 decibels which equates to a 5 decibel difference.  
7 And so if we have an inverter that is different -- a  
8 difference of 2 decibels, say 2 decibels higher, and  
9 the projected sound levels would be 2 decibels higher  
10 and so that worst case location receptor would be 38  
11 instead of 36 which is still below that daytime  
12 threshold of 41 decibels.

13 Q. But what happens if it's more than 2?

14 A. If it's more than 2, the results at the  
15 receptors will generally go up 1 -- 1 for 1, so  
16 it's -- if the inverter sound power was 3 decibels  
17 higher, then the sound levels at the receptors would  
18 be 3 decibels higher. If the sound power was  
19 4 decibels higher, then the sound levels at the  
20 receptors would be 4 decibels higher.

21 Q. What happens as a result of that increase  
22 it goes beyond the maximum that you said is permitted  
23 which I believe you said was 41?

24 A. Yeah. 41 is the daytime threshold based  
25 on the existing ambient sound levels in the area. So



1 if it were to -- if the selected inverter were 5  
2 decibels above or more than 5 decibels above the  
3 modeled sound power level, then mitigation would need  
4 to be implemented in order to ensure that sound  
5 levels do not go above that 41 decibels.

6 ALJ AGRANOFF: Thank you.

7 Based on my clarifying questions, does  
8 counsel have anything further?

9 MS. SANYAL: No, your Honor.

10 MS. BAIR: No, your Honor.

11 MS. MILAM: No, your Honor.

12 ALJ AGRANOFF: Thank you, Mr. Duncan.

13 THE WITNESS: You're welcome. Thank you,  
14 your Honor.

15 ALJ AGRANOFF: Ms. Sanyal.

16 MS. SANYAL: Yes, your Honor. I would  
17 move for the admission of Company Exhibits 9 and 10  
18 which is the direct and supplemental testimony of  
19 Mr. Duncan.

20 ALJ AGRANOFF: Any objections?

21 There being none, Company Exhibits 9 and  
22 10 shall be admitted as part of the record at this  
23 time.

24 (EXHIBITS ADMITTED INTO EVIDENCE.)

25 ALJ AGRANOFF: And, Ms. Sanyal, if you

1 are prepared to call your next witness.

2 MS. SANYAL: Yes, your Honor. I would  
3 like to call to the stand Mr. Mark Bonifas.

4 ALJ AGRANOFF: If Mr. Bonifas could  
5 please be promoted.

6 MR. SCHMIDT: Mr. Bonifas, you have been  
7 promoted. If you can enable your audio and video.

8 MR. BONIFAS: Can you hear me?

9 ALJ AGRANOFF: Yes. There you are. Good  
10 morning, Mr. Bonifas.

11 MR. BONIFAS: Good morning.

12 ALJ AGRANOFF: If you could please raise  
13 your right hand.

14 (Witness sworn.)

15 ALJ AGRANOFF: Thank you.

16 Please proceed, Ms. Sanyal.

17 MS. SANYAL: Thank you, your Honor.

18 - - -

19 MARK BONIFAS

20 being first duly sworn, as prescribed by law, was  
21 examined and testified as follows:

22 DIRECT EXAMINATION

23 By Ms. Sanyal:

24 Q. Good morning, Mr. Bonifas.

25 A. Good morning.

1           Q.    Do you have -- actually before we do  
2   that, could you please spell your name out and  
3   provide your business address for the record.

4           A.    Mark Bonifas.  I am with Verdantas,  
5   formerly Hull & Associates.  Our address is 6397  
6   Emerald Parkway, Suite 200, Dublin, Ohio 43016, and  
7   my last name is B-O-N-I-F-A-S.

8           Q.    Thank you, Mr. Bonifas.  And do you have  
9   in front of you what has been previously marked as  
10   Company Exhibit 11?

11          A.    Yes.

12          Q.    Okay.  And could you describe for the  
13   record what is Company Exhibit 11.

14          A.    That is my direct testimony.  It was  
15   filed on the docket in -- November 19, 2021.

16          Q.    Thank you.  And was your direct testimony  
17   prepared by you or under your direction?

18          A.    Yes.

19          Q.    Okay.  And do you have any changes to  
20   Company Exhibit 11?

21          A.    No.

22          Q.    Okay.  And if I were to ask you the  
23   questions that are in this exhibit again today, would  
24   your answers remain the same?

25          A.    Yes, they would.

1 Q. Okay. Let's turn to Company Exhibit 12.  
2 And could you please identify for the record what is  
3 Company Exhibit 12.

4 A. That is my supplemental testimony filed  
5 on the docket on April 6 of 2022.

6 Q. Okay. And was Company Exhibit 12  
7 prepared by you or under your direction?

8 A. Yes, it was.

9 Q. Okay. Do you have any changes --

10 A. I do.

11 Q. -- to Company Exhibit 12? Okay. If you  
12 could go over them very slowly for the court  
13 reporter.

14 A. Okay. On line 11.

15 Q. What page are you in?

16 A. Page 1.

17 Q. Okay.

18 A. Line 11, the No. "31" should be changed  
19 to "32."

20 Q. Okay. Any other changes, Mr. Bonifas?

21 A. No.

22 Q. Okay. And if I were to ask you the  
23 questions that are in Company Exhibit 12, subject to  
24 the minor change you made, would your answers remain  
25 the same?

1           A.    Yes, they would.

2                   MS. SANYAL:  Okay.  Your Honor,  
3   Mr. Bonifas is now available for cross-examination.

4                   ALJ AGRANOFF:  Thank you.  And as we  
5   previously stated, I do not believe that counsel for  
6   any of the parties has any intent of cross-examining  
7   based on prior representations that have been made to  
8   the Bench.  I would assume that's still the case.

9                   MS. BAIR:  Yes, that's the case.  Staff  
10   has no cross, your Honor.

11                  MS. MILAM:  Correct, your Honor.

12                  ALJ AGRANOFF:  Thank you.

13                                 - - -

14                                 EXAMINATION

15   By ALJ Agranoff:

16                  Q.    And I do have two clarifying questions  
17   for you, Mr. Bonifas, specifically with respect to  
18   your supplemental testimony that has been marked as  
19   Applicant Exhibit 12.  Do you have that document in  
20   front of you?

21                  A.    I do.

22                  Q.    Okay.  If you could please turn to page 2  
23   of that testimony.

24                  A.    Okay.

25                  Q.    And I had asked this question previously

1 of Ms. Pelissero, and I will ask you the same  
2 question, and that's with respect to lines 19 and 20,  
3 there's reference to "promptly repair." Do you see  
4 that?

5 A. I do.

6 Q. And I was interested in knowing whether  
7 or not there is any parameters intended with respect  
8 to the word "promptly."

9 A. It's -- it's difficult to put an actual  
10 time frame on something like that, so the word  
11 "promptly" is used to mean as soon as reasonably  
12 possible because there is a lot of different factors  
13 that go into something like this. It depends on the  
14 type of damage. It depends on the weather conditions  
15 during that time frame and the soil conditions in  
16 that location. So again, hard to put an actual, you  
17 know, number of days on that but it would be as soon  
18 as reasonably possible given the circumstances.

19 Q. Okay. Thank you. And then with respect  
20 to a scenario there is a dispute as to whether or not  
21 a particular field tile drainage system warrants a  
22 repair or a replacement, do you know whether or not  
23 there is any intended process that would be utilized  
24 to resolve that particular dispute?

25 A. I believe that there is a complaint

1 resolution plan that has been part of the application  
2 for the project, and I believe that would be  
3 utilized, you know, for that type of situation.

4 ALJ AGRANOFF: Okay. Thank you.

5 Based on my two questions, does counsel  
6 for any of the parties have any additional questions?

7 MS. BAIR: Staff has no questions. Thank  
8 you.

9 MS. MILAM: No, your Honor. Thank you.

10 ALJ AGRANOFF: Ms. Sanyal, anything  
11 further?

12 MS. SANYAL: I have no further questions.

13 ALJ AGRANOFF: Okay. Thank you,  
14 Mr. Bonifas.

15 THE WITNESS: Thank you, your Honor.

16 ALJ AGRANOFF: Ms. Sanyal.

17 MS. SANYAL: Your Honor, at this time I  
18 would like to move for the admission of Company  
19 Exhibits 11 and 12 which is the direct and  
20 supplemental testimonies of Mr. Bonifas.

21 ALJ AGRANOFF: Any objections?

22 Hearing none, Applicant Exhibits 11 and  
23 12 shall be admitted as part of the record at this  
24 time.

25 (EXHIBITS ADMITTED INTO EVIDENCE.)

1 MS. SANYAL: And, your Honor, at this  
2 time if you did not have any questions for any of the  
3 other Applicant's witnesses, we would stipulate for  
4 the admission of the testimony of those witnesses  
5 pursuant to the discussion we've had previously.

6 ALJ AGRANOFF: Any objections from other  
7 counsel?

8 Hearing none, I believe that would be  
9 Applicant's Exhibit -- Applicant Exhibits 13 through  
10 17; is that correct?

11 MS. SANYAL: Correct, your Honor. And it  
12 would cover the testimony of Mr. Eric Koch, Andrew  
13 Lines, Gordon Perkins, Robert Hanley, and Brent  
14 Finley. And I would formally like to move for the  
15 admission of those records.

16 ALJ AGRANOFF: Hearing no objection,  
17 Applicant's Exhibits 13 through 17 shall be admitted  
18 as part of the record at this time.

19 (EXHIBITS ADMITTED INTO EVIDENCE.)

20 MS. SANYAL: Thank you, your Honor.

21 ALJ AGRANOFF: You're welcome.

22 MS. SANYAL: And that would conclude the  
23 Applicant's presentation of witnesses and exhibits.

24 ALJ AGRANOFF: And I believe that leaves  
25 us with Ms. Bair.



1 MS. BAIR: Thank you, your Honor. Before  
2 moving my exhibits into evidence, did you want me to  
3 call Mr. Bellamy to the stand? I believe you  
4 indicated you may have some questions or you may not.

5 ALJ AGRANOFF: I think I'm fine at the  
6 moment. Thank you though.

7 MS. BAIR: Okay. Staff -- and as we  
8 discussed, the parties have stipulated that we can  
9 move these -- the testimony into the record without  
10 cross-examination, but I will identify Staff  
11 testimony that I would like to move into the record  
12 that was filed on April 15, 2022; Staff Exhibit 1,  
13 Mr. Conklin's testimony; Staff Exhibit 2, Eric  
14 Morrison's testimony; Staff Exhibit 3, Allison  
15 DeLong's testimony; Staff Exhibit 4, Thomas  
16 Crawford's testimony; Staff Exhibit 5, Andrew  
17 Conway's testimony; Staff Exhibit 6, James O'Dell's  
18 testimony; Staff Exhibit 7, Matthew Butler's  
19 testimony; Staff Exhibit 8, Mark Bellamy's testimony;  
20 Staff Exhibit 9, Robert Holderman's testimony; Staff  
21 Exhibit 10, Jess Stottsberry's testimony; and then I  
22 would also like to move into evidence the Staff  
23 Report as Staff Exhibit 11 that was filed on  
24 October 22, 2021.

25 And those are all of the exhibits that I

1 have, your Honor.

2 ALJ AGRANOFF: Thank you. And just as a  
3 clarification, Mr. -- Staff Witness is it Holder -- I  
4 think we said Holderman.

5 MS. BAIR: No, Holderbaum,  
6 H-O-L-D-E-R-B-A-U-M.

7 ALJ AGRANOFF: Okay. Thank you.

8 MS. BAIR: That's Staff Exhibit 9.

9 ALJ AGRANOFF: Okay. Any -- well, we  
10 shall mark each of those exhibits accordingly.

11 (EXHIBITS MARKED FOR IDENTIFICATION.)

12 MS. BAIR: Thank you.

13 ALJ AGRANOFF: And would you care to move  
14 for the admission if you have not already?

15 MS. BAIR: Yes, your Honor. I would like  
16 to move for the admission of Staff Exhibits 1 through  
17 11.

18 ALJ AGRANOFF: Any objections?

19 Hearing none, the aforementioned exhibits  
20 shall be admitted as part of the record at this time.

21 (EXHIBITS ADMITTED INTO EVIDENCE.)

22 MS. BAIR: Thank you, your Honor.

23 ALJ AGRANOFF: You're welcome.

24 Is there any other matters that we need  
25 to address at this point in time?

1                   Hearing none, I believe we are adjourned.

2                   (Thereupon, at 11:13 a.m., the hearing  
3 was adjourned.)

4                                   - - -

5                                   CERTIFICATE

6                   I do hereby certify that the foregoing is  
7 a true and correct transcript of the proceedings  
8 taken by me in this matter on Thursday, April 21,  
9 2022, and carefully compared with my original  
10 stenographic notes.

11

12

13                                   \_\_\_\_\_  
14                                   Karen Sue Gibson, Registered  
                                  Merit Reporter.

15                   (KSG-7271)

16                                   - - -

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**4/27/2022 12:03:06 PM**

**in**

**Case No(s). 20-1814-EL-BGN**

Summary: Transcript In the Matter of the Application of Dodson Creek Solar, LLC,  
for a Certificate of Environmental Compatibility and Public Need. electronically filed  
by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue  
Mrs.