



## Power Siting Board

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Ohio House of Representatives  
Ohio Senate

May 2, 2022

Michael J. Settineri  
Anna Sanyal  
Attorneys for Chipmunk Solar LLC  
Vorys, Sater, Seymour, and Pease LLP  
50 E. Gay Street  
Columbus, OH 43215

### **Application for Certificate of Environmental Compatibility and Public Need**

**Case:** 400 MW Chipmunk Solar LLC

**Case Number:** 21-0960-EL-BGN

Dear Mr. Settineri and Ms. Sanyal:

This letter is to inform you that the above referenced application, filed with the Ohio Power Siting Board (Board) on March 3, 2022, along with Chipmunk Solar LLC's data request responses, has been found to comply with Chapters 4906-01, et seq., of the Ohio Administrative Code (Ohio Adm.Code). This means the Board's staff (Staff) has received sufficient information to begin its review of this application. During the course of its investigation, the Staff may request additional information to ensure Staff can continue to conduct its review of the application, including but not limited to:

- Additional geotechnical studies to include the approximate 340 acres of the project area that was previously excluded from onsite geotechnical evaluation due to the lease rights not being secured at the time (April-May 2021) the initial project area geotechnical studies were conducted.
- Additional discussion regarding plans for site grading and potential impacts to agricultural drainage.
- A memorandum of understanding coordinated with the Ohio State Historic Preservation Office (OHPO) concerning National Register of Historic Places eligible or potentially eligible historic resources that are potentially adversely affected by the project.
- Final concurrence with OHPO of the architectural survey for the project area.

The passage of Senate Bill 52 (S.B. 52) provides new opportunities for county commissioners and township trustees to participate in the siting of solar and wind projects in their communities. The Chipmunk Solar project is one of the first projects partially impacted by the new legislation; it is grandfathered under S.B. 52 except for the ad hoc board member requirement, which is effectuated following a completeness determination.

Pursuant to Board rules, the certified application and supplements must now be filed with the Board in accordance with the provisions of Ohio Adm.Code Rules 4906-3-06 and 4906-3-07. In summary form, these rules require:

1. Serving copies of the certified application upon appropriate government officials and public agencies. In this regard, please inform these officials in writing that if they wish to intervene in the proceedings, they must file a notice of intervention with the Board within thirty days of being served a copy of the application.



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## 2. Filing Proof of Service with the Board.

Upon completion of these requirements, you will be notified of the effective date of filing and the date and details of the public hearing.

Please be informed that under Section 4906.04 of the Ohio Revised Code (R.C.), the applicant shall not commence to construct any portion of the facility prior to obtaining a certificate from the Board.

Also be informed that to assist your company in meeting the provisions of Ohio Power Siting Board rules, the Board will serve as a clearinghouse for the distribution to and service of the application and supplements upon the following state agencies:

Public Utilities Commission of Ohio  
Ohio Environmental Protection Agency  
Ohio Department of Agriculture  
Ohio Development Services Agency  
Ohio Department of Health  
Ohio Department of Natural Resources  
Ohio Department of Transportation  
Ohio Historical Society

Upon filing, pursuant to R.C. 4906.06(F) and Ohio Adm.Code Rule 4906-3-12, the amount of \$150,000 is an application fee. You will receive an invoice from the Public Utilities Commission of Ohio, Finance Department. Payment of the application fee is due within 30 days. Please file proof of payment in the docket.

Depending on the complexity of the Staff investigation, the application fee may not cover all costs associated with this case. Additional invoicing may be necessary.

If you have any questions regarding the above, please contact me at (866) 270-6772 or Jess Stottsberry at [Jess.Stottsberry@puco.ohio.gov](mailto:Jess.Stottsberry@puco.ohio.gov).

Sincerely,

A handwritten signature in black ink that reads "Theresa White". The signature is written in a cursive, flowing style.

Theresa White  
Executive Director  
Ohio Power Siting Board

cc: Nathan Wiles, Project Development Manager, Chipmunk Solar LLC

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**5/2/2022 3:11:56 PM**

**in**

**Case No(s). 21-0960-EL-BGN**

Summary: Correspondence regarding application completeness electronically filed  
by Mr. Matt Butler on behalf of Staff of OPSB