

**BEFORE
THE OHIO POWER SITING BOARD**

In The Matter of The Application of **Scioto Farms Solar Project, LLC**, for a Certificate of Environmental Compatibility and Public Need For The Construction of a Solar Powered Electric Generation Facility in Wayne Township, Pickaway County, Ohio)

Case No. 21-868-EL-BGN

**JOINT MOTION TO CALL AND CONTINUE THE EVIDENTIARY HEARING AND
EXTEND DEADLINES FOR FILING PARTIES' TESTIMONY AND STIPULATIONS
AND REQUEST FOR AN EXPEDITED RULING AND MEMORANDUM IN SUPPORT**

Pursuant to Ohio Administrative (“OAC”) Rule 4906-2-27(A) and (C), Scioto Farms Solar, LLC (“Scioto Farms” or “Applicant”) the Ohio Farm Bureau Federation (“OFBF”), the Ebenhack Family, the International Brotherhood of Electrical Workers (“IBEW”), the Ohio Partners for Affordable Energy (“OPAE”) – collectively the “Joint Parties”—and request that the Ohio Power Siting Board (“OPSB” or “Board”) or its Administrative Law Judge (“ALJ”) call and continue the evidentiary hearing in this proceeding that is currently scheduled for July 11, 2022. The Joint Parties submit this motion to allow time to address issues and coordinate potential resolution with the other parties, local stakeholders, government officials, and community organizations. The Joint Parties also move to continue deadlines for the filing of the Parties’ testimony and stipulations, which are currently set for June 1, 2022 for Applicant’s testimony; June 6, 2022 for the testimony for intervenors and the Board’s Staff; and June 10, 2022 for the stipulation.

The Joint Parties, who represent the majority of parties in this proceeding, request expedited treatment of this motion. The remaining parties—Wayne Township and the Staff of the Ohio Power Siting Board—have been contacted and confirmed that they do not oppose this motion.

Respectfully submitted on behalf of:

SCIOTO FARMS SOLAR PROJECT, LLC

/s/ Dylan F. Borchers

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**OHIO PARTNERS FOR AFFORDABLE ENERGY and
BROTHERHOOD OF ELECTRICAL WORKERS,
LOCAL 575**

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EBENHACK FAMILY

/s/ Jack A. Van Kley

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THE OHIO POWER SITING BOARD**

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MEMORANDUM IN SUPPORT

In accordance with Ohio Revised Code (“R.C.”) Chapter 4906 and OAC Chapter 4906-4, Scioto Farms Solar, LLC (“Scioto Farms” or “Applicant”) filed an application for a certificate to construct a solar-powered electric generation facility (“Project” or “Facility”) in Pickaway County, Ohio (the “Application”) on December 13, 2021. The OPSB Staff issued its Staff Report of Investigation on May 10, 2022 (“Staff Report”). On April 6, 2022, the administrative law judge issued an entry setting a procedural schedule, including the local public hearing scheduled for May 25, 2022 and the adjudicatory hearing scheduled for July 11, 2022.

Pursuant to OAC Rule 4906-2-27, Scioto Farms requests that the Board call and continue the evidentiary hearing in this proceeding that is currently scheduled for July 11, 2022, as well as the currently scheduled deadlines for the filing of the Parties’ testimony and stipulations. The purpose of this request to provide the Applicant additional time to work with the other parties, as well as other stakeholders, including local government, to address concerns and identify potential avenues for resolution. Scioto Farms therefore requests that the schedule be continued and that the previously scheduled July 11, 2022 adjudicatory hearing be converted to a status and scheduling

conference. This suspension shall not impact any previously elapsed procedural deadlines and the local public hearing scheduled on May 25, 2022.

The movants also request expedited treatment of this motion because Applicant testimony is due June 1, 2022. This motion is not submitted for purposes of delay. Rather, Scioto Farms seeks suspension of the procedural schedule to ensure that it will have sufficient time to work cooperatively with the other parties and local stakeholders in order to reach a potential resolution on concerns raised by other stakeholders. For example, the Staff Report of Investigation identified issues of concern about the Project raised by stakeholders who are not otherwise formal parties to this proceeding (Staff Report, p. 44). The modification to the procedural schedule, as requested herein, will enable further engagement with these stakeholders, and the Project believes there is an opportunity to address these concerns cooperatively with the parties. This is the first call and continue requested by Scioto Farms, and similar requests for modification of procedural schedules have been commonly granted.¹

Accordingly, Scioto Farms request that the administrative or Board grant this motion.

Respectfully submitted on behalf of:

SCIOTO FARMS SOLAR PROJECT, LLC

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¹ See, Entry (December 9, 2021), Case No. 21-293-EL-BGN (granting first suspension request of Cepheus Energy Project); Entry (March 25, 2022), Case No. 21-293-EL-BGN (granting second suspension request of Cepheus Energy Project); Entry (November 12, 2021), Case No. 20-1605-EL-BGN (granting suspension request of Birch Solar).

OHIO FARM BUREAU FEDERATION

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion was served via electronic mail upon the parties of record listed following parties listed below by electronic mail, this 23rd day of May 2022.



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Case No(s). 21-0868-EL-BGN

Summary: Text Joint Motion To Call and Continue The Evidentiary Hearing and
Extend Deadlines For Filing Parties' Testimony and Stipulations and Request For
An Expedited Ruling And Memorandum In Support electronically filed by Teresa
Orahoad on behalf of Dylan F. Borchers