

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the :
Application of Wild Grains:
Solar, LLC for a :
Certificate of :
Environmental : Case No. 21-823-EL-BGN
Compatibility and Public :
Need Located in Van Wert :
County, Ohio. :

- - -

PROCEEDINGS

before Jacky Werman St. John, Administrative Law
Judge, at the Public Utilities Commission of Ohio,
180 East Broad Street, Room 11-C, Columbus, Ohio,
called at 10:00 a.m. on Wednesday, May 25, 2022.

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APPEARANCES:

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On behalf of the Applicant Wild Grains
Solar, LLC.

Dave Yost, Ohio Attorney General
John H. Jones, Section Chief
By Werner L. Margard III, Esq.
Principal Assistant Attorney General
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and Shaun Lyons, Esq.
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On behalf of the Staff of the
Ohio Power Siting Board.

Ohio Farm Bureau Federation
By Amy M. Milam, Esq.
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On behalf of the Ohio Farm Bureau
Federation.

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INDEX

- - -

Witness	Page
Jeffrey Reinkemeyer	
Direct Examination by Ms. Herrnstein	10
Mark Bellamy	
Direct Examination by Mr. Margard	14
Examination by the ALJ St. John	17

- - -

Applicant Exhibit	Identified	Admitted
1 Application	7	13
2 Proofs of Service of Application on Local Public Officials and Libraries	7	13
3 Applicant's Data Request Responses	7	13
5 Letter dated 7/28/2021	7	13
6 Proofs of Publication	7	13
7 Phase 1 Archeological Survey	8	13
8 Direct Testimony of Mark Bastasch	8	13
9 Direct Testimony of Sean Hollowell	8	13
10 Direct Testimony of Gordon Perkins	8	13
11 Direct Testimony of Jeffrey Reinkemeyer	8	13
12 Direct Testimony of Jacob Runner	8	13
13 Direct Testimony of Scott Denham	8	13
14 Direct Testimony of Douglas J. Pippin	8	13

1	Applicant Exhibit	Identified	Admitted
2	15 Direct Testimony of Michael Kenneally	8	13
3			
4	16 Supplemental Direct Testimony of Jeffrey Reinkemeyer	9	13
5	- - -		
6	Joint Exhibit	Identified	Admitted
7	1 Joint Stipulation and Recommendation	9	19
8			
9	- - -		
10	Staff Exhibit	Identified	Admitted
11	1 Staff Report of Investigation	9	19
12	2 Prefiled Testimony of Tyler Conklin	9	19
13	3 Prefiled Testimony of Thomas Crawford	9	19
14			
15	4 Prefiled Testimony of Matthew Butler	9	19
16	5 Prefiled Testimony of Mark Bellamy	9	19
17	6 Prefiled Testimony of Jess Stottsberry	9	19
18			
19	7 Prefiled Testimony of Eric Morrison	9	19
20	8 Prefiled Testimony of Andrew Conway	9	19
21	9 Prefiled Testimony of Allison Renick	9	19
22	10 Prefiled Testimony of Allison DeLong	9	19
23			
24	11 Prefiled Testimony of Jason A. Cross	9	19
25	- - -		

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1 Wednesday Morning Session,

2 May 25, 2022.

3 - - -

4 ALJ ST. JOHN: The Ohio Power Siting
5 Board has scheduled for public hearing at this time
6 and place Case No. 21-823-EL-BGN which is captioned
7 In the Matter of the Application of Wild Grain Solar,
8 LLC for a Certificate of Environmental Compatibility
9 and Public Need.

10 My name is Jacky St. John, and I am the
11 Administrative Law Judge assigned by the Board to
12 hear this case. At this time I would like to take
13 appearances on behalf of the parties starting with
14 the Applicant.

15 MS. HERRNSTEIN: On behalf of the
16 Applicant, Kara Herrnstein and Dylan Borchers with
17 the law firm of Bricker and Eckler, 100 South Third
18 Street, Columbus, Ohio, 43215.

19 ALJ ST. JOHN: Thank you.

20 Next Ohio Farm Bureau Federation.

21 MS. MILAM: Good morning. Amy Milam on
22 behalf of Ohio Farm Bureau Federation, 280 North High
23 Street, Sixth Floor, Columbus, Ohio, 43215.

24 ALJ ST. JOHN: Thank you.

25 And on behalf of Staff.

MR. MARGARD: Thank you, your Honor, on behalf of the Staff of the Ohio Power Siting Board, Dave Yost, Ohio Attorney General; John Jones, Section Chief, Public Utilities Section; by Assistant Attorneys General Warner Margard, Robert Eubanks and Shaun Lyons, 30 East Broad Street, 26th floor, Columbus, Ohio.

ALJ ST. JOHN: Thank you. And I'll also note that we do have one member of the public with us today. Would you like to state your name on the record and any comments if you would like.

MR. POLING: My name is Keith Poling. I am a landowner close by this project, so I just have an interest. I'm a Columbus resident, so I thought why not, I'll find out what this is all about. Thank you for letting me do that.

ALJ ST. JOHN: Thank you for attending today.

Are there any questions from counsel or any preliminary matters that we need to discuss this morning?

(No response.)

ALJ ST. JOHN: Hearing none, I will go ahead and turn things over to the Applicant.

MS. HERRNSTEIN: Thank you, your Honor.

1 In advance of putting on the Applicant's first
2 witness, we would like to pre-mark the exhibits. All
3 of the exhibits are already on the docket, and the
4 numbering corresponds with the exhibits listed in the
5 filed Joint Stipulation.

6 At this time, I will read through them
7 all. Everyone settle in. Applicant Exhibit 1, the
8 Application filed on November 16th, 2021.

9 Applicant Exhibit 2, Proof of Service of
10 the Application on Local Public Officials and
11 Libraries as filed on February 10th, 2022.

12 Applicant Exhibit 3, which is Applicant's
13 Response to Staff's first, second, third, fourth,
14 fifth, sixth and seventh, including supplements, Data
15 Requests as filed on December 28th, 2021,
16 January 3rd, 2022, January 12, 2022, January 12,
17 2022, February 11, 2022, March 25, 2022, April 1st,
18 2022 and April 7th, 2022.

19 There is no Exhibit 4.

20 Applicant Exhibit 5, a copy of a letter
21 sent to property owners and tenants within the plan
22 site or contiguous to the plan site on July 28th,
23 2021 announcing that the public informational meeting
24 will be held on August 18th, 2021.

25 Applicant Exhibit 6, Proofs of

Publication filed on March 25th, April 27, 2022 in accordance with Ohio Revised Code 4906.06(C) for the first and second publications of the description of the application and hearing dates published on March 16th, 2022 and April 20th, 2022 in the Times Bulletin.

Applicant Exhibit 7, the Phase 1 Archeological Survey filed November 19th, 2021.

Applicant Exhibit 8, the Direct Testimony of Mark Bastasch filed on May 13th, 2022.

Applicant Exhibit 9, the Direct Testimony of Sean Hollowell filed on May 13th, 2022.

Applicant Exhibit 10, the Direct Testimony of Gordon Perkins filed on May 13th, 2022.

Applicant Exhibit 11, the Direct Testimony of Jeffrey Reinkemeyer filed on May 13th, 2022.

Applicant Exhibit 12, the Direct Testimony of Jacob Runner filed on May 13th, 2022.

Applicant Exhibit 13, the Direct Testimony of Scott Denham filed May 13th, 2022.

Applicant Exhibit 14, Direct Testimony of Douglas J. Pippin filed on May 13th, 2022.

Applicant Exhibit 15, Direct Testimony of Michael Kenneally filed May 13th, 2022.

Applicant Exhibit 16, Supplemental Direct
Testimony of Jeffrey Reinkemeyer filed on May 24th,
2022.

Joint Exhibit 1, the Joint Stipulation
and Recommendation signed on behalf of the Applicant,
the Ohio Farm Bureau Federation and OPSB Exhibit 1,
Staff Report of Investigation issued on April 18th,
2022; OPSB Staff Exhibit 2, the Prefiled Testimony of
the Tyler Conklin filed on May 19th, 2022; OPSB Staff
Exhibit 3, the Prefiled Testimony of Thomas Crawford
filed on May 19, 2022; OPSB Staff Exhibit 4, the
Prefiled Testimony of Matthew Butler filed on
May 19th, 2022.

OPSB Staff Exhibit 5, the Prefiled
Testimony of Mark Bellamy filed on May 19th, 2022;
OPSB Staff Exhibit 6, the Prefiled Testimony of Jess
Stottsberry filed on May 19th, 2022; OPSB Staff
Exhibit 7, the Prefiled Testimony of Eric Morrison
filed on May 19th, 2022; OPSB Staff Exhibit 8, the
Prefiled Testimony of Andrew Conway on May 19th,
2022; OPSB Staff Exhibit 9, the Prefiled Testimony
of Allison Renick filed on May 19th, 2022; OPSB Staff
Exhibit 10, the Prefiled Testimony of Allison DeLong
filed May 19th, 2022; OPSB Staff Exhibit 11, the
Prefiled Testimony of Jason A. Cross filed on

1 May 19th, 2022.

2 ALJ ST. JOHN: Okay. And before we go
3 ahead and mark those, just to get confirmation since
4 some of those are Staff's Exhibits, any objection to
5 marking those as noted?

6 MR. MARGARD: No, and gratitude to
7 counsel for marking Staff's Exhibits corresponding to
8 the markings that I have as well, so thank you.

9 ALJ ST. JOHN: Great. Thank you. Those
10 will be so marked.

11 (EXHIBITS MARKED FOR IDENTIFICATION.)

12 MS. HERRNSTEIN: I got on a roll, Wern.

13 MR. MARGARD: Yes, you did.

14 MS. HERRNSTEIN: At this time we would
15 like to call our first and only witness Jeffrey
16 Reinkemeyer.

17 (Witness placed under oath.)

18 - - -

19 JEFFREY REINKEMEYER

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

22 DIRECT EXAMINATION

23 By Ms. Herrnstein:

24 Q. Mr. Reinkemeyer, could you please state
25 your name, spelling, title and company name for the

1 record.

2 A. Yes, Jeffrey Joseph Reinkemeyer. I'm
3 Director of Eastern Renewables Development for
4 Avangrid Renewables, LLC. My name is spelled
5 J-E-F-F-R-E-Y, then Joseph, then Reinkemeyer is
6 R-E-I-N-as in Nancy-K-E-M-as in Mary-E-Y-E-R.

7 Q. Do you have the Exhibit binder in front
8 of you?

9 A. Yes.

10 Q. Do you have what has been marked as
11 Exhibit 11?

12 A. I do.

13 Q. I'll give you a moment to get to it. Is
14 Exhibit 11 your Prefiled Testimony that was filed on
15 May 13th, 2022?

16 A. Yes.

17 Q. If I were to ask you the same questions
18 today that are in Exhibit 11, would your answers be
19 the same?

20 A. Only one change would be the address that
21 I listed. The address I listed is my personal
22 address. I'd like to edit that to be the company.

23 Q. You're referring to your answer to
24 question 1?

25 A. Yes.

1 Q. What would that change be?

2 A. Change the address to 2701 Northwest
3 Vaughn Street, Suite 300, Portland, Oregon, 97210.

4 Q. Thank you. Would you have any additional
5 changes to your answers?

6 A. No.

7 Q. Do you have before you what has been
8 marked as Exhibit 16?

9 A. Yes, I do.

10 Q. Is that your Prefiled Supplemental
11 Testimony that was filed on May 24th, 2022?

12 A. Yes.

13 Q. If I were to ask you the same questions
14 today that are in Exhibit 16, would your answers be
15 the same?

16 A. Yes.

17 Q. And you have before you what has been
18 marked as Joint Exhibit 1?

19 A. I do.

20 Q. And is that the Joint Stipulation and
21 Recommendation that was entered into between the
22 Applicant, Ohio Farm Bureau Federation and the Ohio
23 Power Siting Board?

24 A. It is.

25 MS. HERRNSTEIN: I have no further

1 questions for this witness. I would move to enter
2 the exhibits into the record and tender this witness
3 for cross-examination.

4 ALJ ST. JOHN: Thank you. Are there any
5 cross questions from either party?

6 MR. MARGARD: No, your Honor.

7 MS. MILAM: No, your Honor.

8 ALJ ST. JOHN: And I have no questions.
9 Let's go ahead and take up the Applicant's exhibits
10 first. Are there any objections to admitting those
11 into the record at this time?

12 MR. MARGARD: No, your Honor.

13 MS. MILAM: No, your Honor.

14 ALJ ST. JOHN: Those will be admitted
15 into the record.

16 (EXHIBITS ADMITTED INTO EVIDENCE.)

17 ALJ ST. JOHN: We'll wait on the Joint
18 Exhibit and the Staff's Exhibits, but at this time,
19 you're excused.

20 Is there anything further from the
21 Applicant?

22 MS. HERRNSTEIN: Nothing further, your
23 Honor.

24 ALJ ST. JOHN: I'll go ahead and turn
25 things over to Staff.

1 MR. MARGARD: Thank you, your Honor.
2 Staff would call Mr. Mark Bellamy to the stand,
3 please.

4 (Witness placed under oath.)

5 - - -

6 MARK BELLAMY

7 being first duly sworn, as prescribed by law, was
8 examined and testified as follows:

9 DIRECT EXAMINATION

10 By Mr. Margard:

11 Q. Good morning. Please state your name and
12 business address, please.

13 A. My name is Mark Bellamy. It's
14 B-E-L-L-A-M-Y. My business address is 180 East Broad
15 Street, Columbus, Ohio, 43215.

16 Q. By whom are you employed and in what
17 capacity, please?

18 A. I'm employed by the Public Utilities
19 Commission of Ohio and The Ohio Power Siting Board,
20 and I'm a Utility Specialist.

21 Q. Do you have before you what's been marked
22 as Staff Exhibit No. 1?

23 A. Yes.

24 Q. And can you identify that for us, please.

25 A. That is the Staff Report of Investigation

1 in this case.

2 Q. Did you have any responsibilities for the
3 preparation of this report?

4 A. Yes. I wrote several sections of the
5 report, and I compiled it and am sponsoring it as the
6 lead Staff member on this case.

7 Q. Have you had an opportunity to review the
8 Staff Report prior to taking the stand today?

9 A. Yes.

10 Q. Are you aware of any corrections, changes
11 of any kind that need to be made to this report?

12 A. No.

13 Q. You also have before you what's been
14 marked as Staff Exhibit No. 5?

15 A. Yes.

16 Q. Can you identify that for me, please?

17 A. That is my Prefiled Testimony.

18 Q. And was this prepared by you or at your
19 direction?

20 A. Yes.

21 Q. And have you had an opportunity to review
22 that prior to taking the stand today?

23 A. Yes.

24 Q. And do you have any changes or
25 corrections of any kind to this document?

1 A. No.

2 Q. And if I were to ask you the questions
3 posed here, would your answers prior to the filing of
4 the stipulation have been the same?

5 A. Yes.

6 Q. You also have before you what has,
7 although I don't think your copy is marked, Joint
8 Exhibit 1, the Stipulation and Recommendation?

9 A. Yes.

10 Q. Are you familiar with that document?

11 A. I am.

12 Q. Were you involved in the negotiation of
13 that document?

14 A. Yes.

15 Q. Were you aware that that document made
16 some changes to Staff's proposed conditions that you
17 address in your testimony?

18 A. Yes.

19 Q. Having reviewed those changes, is Staff
20 satisfied with the conditions as proposed in the
21 Stipulation and Recommendation?

22 A. Yes.

23 Q. Do they address the concerns that you
24 raise in your Direct Testimony?

25 A. Yes.

1 MR. MARGARD: Thank you. I have nothing
2 further, your Honor. I would respectfully move the
3 admission of Staff's Exhibits.

4 ALJ ST. JOHN: Thank you. Are there any
5 questions for this witness from any of the other
6 parties?

7 MS. HERRNSTEIN: Nothing from us.

8 MS. MILAM: No questions.

9 - - -

10 EXAMINATION

11 By ALJ St. John:

12 Q. I have just two quick questions for you
13 regarding the Staff Report which has been marked as
14 Staff's Exhibit 1. On Page 11, there's a section
15 labeled Recreation, and in the second sentence of
16 that section, it starts out, it says, "Six of these
17 recreation areas..." and then it seems to start a new
18 sentence, "These recreational resources...." Could
19 you tell me what that phrase, "Six of these
20 recreation areas..." was meant to convey?

21 A. Yes. That sentence should read, "Six of
22 these recreation areas are potentially visible" --
23 I'm sorry, "Six of these recreation areas have
24 potential visibility of the project area."

25 Q. Okay. Thank you. And then my only other

question for you is on the same exhibit, the Staff Report, on Page 26 there's a section labeled "Vegetation" and there's a table underneath it. On the left-hand side of the column, it says, "Vegetation community type" and it lists the type of acreage. There's a section called "Developed, high intensity." Could you tell me what that acreage is referring to?

A. Yes. Developed high intensity is defined by the National Land Use Database as land that is highly developed in which a large number of people either reside or work or is on a commercial/industrial, and I believe in this case most of that acreage that is referenced there is the Blue Creek substation.

Q. Okay, understood.

ALJ ST. JOHN: All right. Thank you. Those were the only questions that I had, so at this time we'll take up the motion to admit Joint Exhibit 1, as well as Staff's Exhibits 1 through 11. Are there any objections to admitting these exhibits into the record?

MS. HERRNSTEIN: No objections.

MS. MILAM: No, your Honor.

ALJ ST. JOHN: Those exhibits will be

1 admitted.

2 (EXHIBITS ADMITTED INTO EVIDENCE.)

3 ALJ ST. JOHN: And at this time, is there
4 anything else from counsel that we should address
5 before we end the proceedings today?

6 MS. HERRNSTEIN: No, your Honor.

7 ALJ ST. JOHN: Hearing none, I want to
8 thank everyone for your participation today, and with
9 that we are adjourned.

10 (The hearing was concluded at 10:18 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is
a true and correct transcript of the proceedings
taken by me in this matter on Wednesday, May 25,
2022, and carefully compared with my original
stenographic notes.

Cynthia L. Cunningham

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

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in

Case No(s). 21-0823-EL-BGN

Summary: Transcript May 25th 2022 In the Matter of the Application of Wild Grains Solar, LLC for a Certificate of Environmental Compatibility and Public Need Located in Van Wert County, Ohio. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Cunningham, Cindy