

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE OHIO POWER
SITING BOARD'S REVIEW OF OHIO
ADM.CODE CHAPTERS 4906-1, 4906-2,
4906-3, 4906-4, 4906-5, 4906-6, AND
4906-7.

CASE NO. 21-902-GE-BRO

ENTRY

Entered in the Journal on July 14, 2022

{¶ 1} R.C. 111.15(B) and R.C. 106.03(A) require all state agencies to conduct a review, every five years, of their rules and to determine whether to continue their rules without change, amend their rules, or rescind their rules.

{¶ 2} On August 31, 2021, the Ohio Power Siting Board (Board) opened this docket in order to review the rules in Ohio Adm.Code Chapters 4906-1 through 4906-7.

{¶ 3} On September 3, 2021, the administrative law judge (ALJ) scheduled a three-part workshop, which occurred as scheduled on October 4, 2021 and October 8, 2021.

{¶ 4} On September 20, 2021, the Ohio Energy Group (OEG) filed a motion to intervene together with a memorandum in support. In its filing, OEG describes that it meets the criteria for intervention on behalf of a group of large industrial electric and gas consumers who may be affected by this case.

{¶ 5} On June 16, 2022, the Board published an Entry inviting all interested persons to file initial and reply comments regarding proposed rule revisions by July 22, 2022 and August 12, 2022, respectively.

{¶ 6} On July 6, 2022, the Office of the Ohio Consumers' Counsel (OCC) filed a petition for leave to intervene together with a memorandum in support. In its filing, OCC claims that it meets the criteria for intervention on behalf of residential utility consumers who may be affected by this case.

{¶ 7} Upon review of the intervention filings of OEG and OCC, the ALJ finds that both OEG and OCC meet the intervention criteria set forth in R.C. 4903.221 and Ohio Adm.Code 4901-1-11. Accordingly, both OEG and OCC are granted intervention in this case. Though, in reaching this conclusion, the ALJ notes that intervention is not required in order for persons to file initial and reply comments in this rule review proceeding.

{¶ 8} On July 13, 2022, the Ohio Chamber of Commerce (Chamber) filed a motion for extension of initial and reply comment due dates, a request for an expedited ruling, and a memorandum in support. In its filing, the Chamber (1) describes its role as a business advocate that represents thousands of companies that operate in the state, and (2) indicates that additional time is needed to adequately respond to the technical and substantive changes contained in the Board's more than 200-hundred page proposed rule package. As a result, the Chamber requests that the deadlines for filing initial and reply comments be extended until August 5, 2022 and September 2, 2022, respectively.

{¶ 9} Upon review of the arguments in the Chamber's motion for extension of deadlines, the ALJ finds that the Chamber's request is reasonable. Accordingly, the deadlines for all persons for filing comments and reply comments in this case are extended until August 5, 2022 and September 2, 2022, respectively.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the intervention filings of OEG and OCC are granted, as described in Paragraph 7. It is, further,

{¶ 12} ORDERED, That the deadlines for all persons for filing initial and reply comments are extended until August 5, 2022 and September 2, 2022, respectively, as described in Paragraph 9. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be sent to parties of record in this case, as well as those in Case Nos. 16-1109-GE-BRO and 19-778-GE-BRO.

THE OHIO POWER SITING BOARD

/s/Michael L. Williams

By: Michael L. Williams
Administrative Law Judge

JRJ/hac

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7/14/2022 11:46:51 AM

in

Case No(s). 21-0902-GE-BRO

Summary: Administrative Law Judge Entry ordering that the intervention filings of OEG and OCC are granted and that the deadlines for all persons for filing initial and reply comments are extended until August 5, 2022 and September 2, 2022, respectively electronically filed by Heather A. Chilcote on behalf of Michael L. Williams, Administrative Law Judge, Ohio Power Siting Board