

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
YELLOW WOOD SOLAR ENERGY LLC,
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION OF A SOLAR-
POWERED ELECTRIC GENERATION
FACILITY IN CLINTON COUNTY, OHIO.

CASE NO. 20-1680-EL-BGN

ENTRY

Entered in the Journal on August 22, 2022

{¶ 1} Yellow Wood Solar Energy LLC (Yellow Wood Solar, Applicant) is a person as defined in R.C. 4906.01.

{¶ 2} R.C. 4906.04 provides that no person shall construct a major utility facility in the state without first obtaining a certificate from the Ohio Power Siting Board (Board). In seeking a certificate, applicants must comply with the filing requirements outlined in R.C. 4906.06, as well as Ohio Adm.Code Chapters 4906-2 through 4906-4.

{¶ 3} On February 24, 2021, as supplemented on June 17, August 19, September 3, and October 8, 2021, Yellow Wood Solar filed an application with the Board for a certificate of environmental compatibility and public need to construct a 300 megawatt solar-powered electric generating facility in Clark and Jefferson townships in Clinton County, Ohio.

{¶ 4} On August 17, 2021, the Administrative Law Judge (ALJ) issued an Entry that established the procedural schedule to be followed in this case. Among other things, the August 17, 2021 Entry set: Wednesday, October 20, 2021, as the date for the local public hearing in this case; Monday, November 1, 2021, as the due date for the filing of the Applicant's testimony in this case; Tuesday, November 9, 2021, as the due date for the filing of testimony by intervenors and the Board's Staff (Staff); and Wednesday, November 10, 2021 as the deadline for the filing of any stipulation. The same Entry also scheduled an evidentiary hearing to occur on November 17, 2021.

{¶ 5} On October 18, 2021, the ALJ granted motions to intervene filed by the Ohio Farm Bureau Federation (OFBF); Clinton County Commissioners; Brad Cochran Farms LLC and Brad Cochran; Brian and Janet Collins; Margaret and Stephen Elam; G. Robert and Joyce Griffith; Alan and Deborah Hertlein; Brett Hertlein; JWP Family Farms LLC; Darla and Matthew Long; Benjamin and K. Nicole Oberrecht; Dianne Rhonemus; Jamie and Matthew Roberts; Janice Rowlands; Charles Simpson Jr. and Pamela McConnel; and Charles W. Thompson.

{¶ 6} On November 17, 2021, the evidentiary hearing was called and continued. At that time, Applicant committed to send bi-weekly emails to the ALJs to report the status of settlement negotiations.

{¶ 7} On August 8, 2022, Applicant filed a stipulation signed by Applicant, Staff, and OFBF.

{¶ 8} On August 16, 2022, a prehearing conference was held. At that conference, the parties discussed the procedural schedule and expected number of witnesses for the evidentiary hearing.

{¶ 9} At this time, the evidentiary hearing shall recommence on September 26, 2022, at 10:00 a.m. at the Commission offices, Hearing Room 11-C, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793. The parties should register at the lobby desk and then proceed to the 11th floor in order to participate in the hearing. Any accommodations necessary to ensure availability of social distancing and plexiglass dividers should be made in advance of the hearing. As pandemic restrictions are evolving, instructions regarding further safety requirements or accommodations for the hearing room may be forthcoming, either posted on the Commission website or communicated to the parties.

{¶ 10} Additionally, the ALJ finds that the procedural schedule should be adjusted as follows:

- a. All expert and factual testimony to be offered by Applicant shall be filed by September 19, 2022.
- b. All expert and factual testimony to be offered by intervenors and Staff shall be filed by September 21, 2022.

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That the hearing recommence on September 26, 2022, as set forth in Paragraph 9. It is, further,

{¶ 13} ORDERED, That the procedural schedule be adjusted as set forth in Paragraph 10. It is, further,

{¶ 14} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE OHIO POWER SITING BOARD

/s/ Jacky Werman St. John

By: Jacky Werman St. John
Administrative Law Judge

JRJ/dmh

**This foregoing document was electronically filed with the Public Utilities
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in

Case No(s). 20-1680-EL-BGN

Summary: Administrative Law Judge Entry ordering that the evidentiary hearing shall recommence on September 26, 2022, at 10:00 a.m. at the Commission offices, 11th Floor in Hearing Room 11-C electronically filed by Ms. Donielle M. Hunter on behalf of Jacky Werman St. John, Administrative Law Judge, Ohio Power Siting Board