

**BEFORE
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) Case No. 20-1680-EL-BGN
to Construct a Solar-Powered Electric)
Generation Facility in Clinton County, Ohio.)

DIRECT TESTIMONY OF

**Josh Hreha
Senior Renewable Development Manager
Invenergy LLC**

**on behalf of
Yellow Wood Solar Energy, LLC**

September 19, 2022

/s/ Christine M.T. Pirik

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1 **1. Please state your name, current title, and business address.**

2 My name is Josh Hreha. I am a Senior Renewable Development Manager for Invenergy
3 LLC. (“Invenergy”). My business address is One South Wacker Drive, Suite 2000,
4 Chicago, IL 60606.

6 **2. Please summarize your educational background and professional experience.**

7 I received a Bachelor of Science, with a major in Building Construction Management from
8 Purdue University, as well as a Master of Business Administration with a specialization in
9 Architecture from Drury University. Early in my career, I focused on completing complex
10 design and construction projects within the healthcare industry. I aided in the design and
11 construction of an Intensive Care Unit department expansion, an Orthopedic Surgery
12 Center renovation, as well as modifications to the Medical/Surgical Wing at the Cox Health
13 Medical Center South Campus.

14
15 After receiving my Masters, I shifted my career to the Ownership/Developer role within
16 the design, building, and construction industries where for approximately 9 years I ran the
17 development efforts for mixed-use multifamily, office, retail, industrial, and other use type
18 projects. In the Spring of 2020, I was hired on at Invenergy and began the development
19 work on renewable energy projects. A copy of my resume is attached to my testimony as
20 Attachment JH-1.

22 **3. On whose behalf are you offering testimony?**

23 I am testifying on behalf of Yellow Wood Solar Energy, LLC (“Applicant” or “Yellow
24 Wood”), which is seeking to develop the proposed Yellow Wood Solar facility (“Project”)
25 in Clinton County, Ohio (the “County”). Yellow Wood is an affiliate of Invenergy Solar
26 Project Development LLC, which is an affiliate of Invenergy Renewables LLC. Invenergy
27 Renewables LLC is, in turn, an affiliate of Invenergy LLC.

29 **4. What is your role with respect to the Yellow Wood Project?**

30 In my position as Senior Renewable Development Manager, I oversee and manage all
31 facets of planning, community engagement, due diligence, and development for the

1 Project. I oversee the permitting process for the Project, including the production of the
2 various studies required to complete the application (“Application”) before the Ohio Power
3 Siting Board (“Board”) for a certificate of environmental compatibility and public need
4 (“Certificate”).
5

6 **5. Are you familiar with the Application that Yellow Wood filed in this case?**

7 Yes, I was involved in the preparation of the Application. On February 24, 2021, Yellow
8 Wood filed its Application for a Certificate with the Board.¹ Since that time, there has
9 been four supplements to the Application filed on February 24, 2021, and seven responses
10 to data requests from the Board’s Staff (“Staff”).² Together, I refer to those documents as
11 the “Application.”
12

13 **6. What is the purpose of your testimony?**

14 The purpose of my testimony is the following:

- 15 • Provide background concerning Yellow Wood’s Application.
- 16 • Sponsor parts of the Application including the Project overview, schedule, complaint
17 resolution, insurance, interconnection, and financial information.
- 18 • Sponsor some of the exhibits to the Application, including Application Exhibits D, H,
19 and I.
- 20 • Sponsor the admission of the Application.
- 21 • Introduce the witnesses who will present additional direct testimony in support of the
22 Application.
- 23 • Support the Applicant’s commitment to comply with the commitments made in the
24 Application, supplements to the Application, responses to data requests from the Staff,

¹ Applicant Exhibit 1.

² Applicant Ex. 2, First Supplement to Application filed June 17, 2021; Applicant Exhibit 3, Second Supplement to Application filed August 19, 2021; Applicant Exhibit 4, Third Supplement to Application filed September 3, 2021; Applicant Exhibit 5, Fourth Supplement to Application filed October 8, 2021; Applicant Exhibit 6, Response to First Data Request filed April 9, 2021; Applicant Exhibit 7, Response to Second Data Request filed April 20, 2021; Applicant Exhibit 8, Supplemental Response to First Data Request filed April 21, 2021; Applicant Exhibit 9, Response to Third Data Request filed on August 23, 2021; Applicant Exhibit 10, Response to Fourth Data Request filed September 24, 2021; Applicant Exhibit 11, Response to Fifth Data Request filed June 7, 2022; and Applicant Exhibit 12, Response to Sixth Data Request filed on July 26, 2022.

1 and the conditions in the Stipulation filed on August 8, 2021 (“Stipulation”).

2
3 **7. Are the Application, including all exhibits and figures attached to the Application, the**
4 **supplements to the Application, and all responses to the data requests from the Staff,**
5 **true and accurate to the best of your knowledge?**

6 Yes, they are.

7
8 **8. Did the Applicant cause the Application and notices to be served on property owners,**
9 **tenants, adjacent property owners, various local government officials, and libraries?**

10 Yes. The certificates of service were filed and have been marked as Applicant Exhibits 13,
11 and 15 through 17.

12
13 **9. Did the Applicant cause notices of the public information meetings, the Application,**
14 **and the hearings to be published in a newspapers of general circulation in Clinton**
15 **County, Ohio?**

16 Yes. Proofs of publication were filed and have been marked as Applicant Exhibits 14, and
17 16 through 17.

18
19 **10. Who are the additional witnesses supporting the Yellow Wood Application in this**
20 **proceeding?**

- 21 • Sonia Chandrasekharan (Applicant Exhibit 19): Supports the Project components,
22 including Application Exhibit A to the Application filed on February 24, 2021, and
23 the ForgeSolar glare assessment contained in Appendix B to Exhibit N filed with
24 the Application on February 24, 2021, the Visual Impact Assessment, as well as the
25 Third Supplement to the Application filed on September 3, 2021.
- 26 • Mike Doczi (Applicant Exhibit 20): Supports the Conceptual Construction Route
27 Study contained in Exhibit B to the Application filed on February 24, 2021.
- 28 • Ryan Rupprecht (Applicant Exhibit 21): Supports the following exhibits filed with
29 the Application on February 24, 2021, as well as any related responses to data
30 requests received from the Staff: Exhibit C, Site Characterization Study Report;
31 Exhibit M, Vegetation Management Plan; Exhibit N, Visual Resource Assessment

1 and Mitigation Plan; Exhibit Q, Drain Tile Mitigation Plan; Exhibit R, Wetland and
2 Waterbody Delineation Report; and Exhibit S, Ecological Assessment.

- 3 • Ryan Peterson (Applicant Exhibit 22): Supports the following exhibits filed with
4 the Application on February 24, 2021, the supplements to the Application, as well
5 as any related responses to data requests received from the Staff: Exhibit O,
6 Cultural Resources Memorandum and Phase I Cultural Workplan; Exhibit P,
7 Historic Architecture Reconnaissance Survey; Supplement to Application filed
8 June 17, 2021, State Historic Preservation Office (“SHPO”) Architecture
9 Concurrence Letter; Second Supplement to Application filed August 19, 2021,
10 Phase I Archaeological Reconnaissance Report; and Fourth Supplement to
11 Application filed October 8, 2021, Memorandum of Understanding between SHPO
12 and Yellow Wood.
- 13 • Rich Kirkland (Applicant Exhibit 23): Supports the Property Value Impact Study
14 contained in Exhibit E to the Application filed on February 24, 2021.
- 15 • David Loomis (Applicant Exhibit 24): Supports Exhibit F to the Application filed
16 on February 24, 2021, the Economic Impact and Land Use Analysis.
- 17 • Raleigh Barnes (Applicant Exhibit 25): With Calvert Street, supports Exhibit G
18 filed with the Application on February 24, 2021, Public Outreach, as well as any
19 related responses to data requests received from the Staff.
- 20 • JoAnne Blank (Applicant Exhibit 26): Supports Exhibit J to the Application filed
21 on February 24, 2021, the Decommissioning Plan.
- 22 • Michael Hankard (Applicant Exhibit 27): Supports the Pre-Construction Noise
23 Analysis contained in Exhibit K to the Application filed on February 24, 2021, as
24 well as the sound assessment filed with the Third Supplement to the Application on
25 September 3, 2021.
- 26 • Rohit Singh (Applicant Exhibit 28): Supports the Preliminary Geotechnical
27 Engineering Report contained in Exhibit L to the Application filed on February 24,
28 2021, as well as any related responses to data requests received from the Staff.

29
30 My testimony, together with the other witnesses testifying for Yellow Wood in this case,
31 supports Joint Exhibit 1 filed in the case on August 8, 2022, which is the Joint Stipulation

1 and Recommendation filed by Yellow Wood, the Staff, and the Ohio Farm Bureau
2 Federation (“OFBF”) (“Stipulation”), and approval of Yellow Wood’s Application for a
3 Certificate to construct the Project.
4

5 **11. Have you reviewed the Stipulation that was filed in this proceeding on August 8, 2022**
6 **and the Certificate Conditions recommended in the Stipulation?**

7 Yes I have. In addition to all of the commitments the Applicant made in the Application
8 and the responses to data requests from the Staff, the Applicant commits to comply with
9 all of the Certificate Conditions set forth in the Stipulation.
10

11 **12. Please provide a summary and overview of the proposed facility.**

12 As described in detail in the Application, the Project will be an up to 300 megawatts
13 (“MW”) of energy generated by various arrays of solar panels that create direct current
14 electricity. The bi-facial, Toxicity Characteristic Leaching Procedure (“TCLP”) certified,
15 solar panels are mounted on tracking systems, which are in turn secured to the ground via
16 a foundation pile system. The electricity from the panels is routed, via underground
17 conductors, to inverters that then turn this direct current electricity into alternating current
18 electricity. Alternating current electricity is then routed, via underground conductors, to a
19 substation where this voltage is increased so that it may then be injected into the PJM
20 Interconnection LLC (“PJM”) electrical grid.
21

22 The facility’s arrays of solar panels will be fenced in with locally aesthetic looking
23 ‘Agriculture Fencing’ or ‘Deer Fencing’ that will be a composition of wood posts and
24 woven metal mesh. The total Project area fenced in will be less than 2,500 acres. As
25 committed to by the Applicant in the Response to the Sixth Data Request from Staff filed
26 on July 26, 2022, the Applicant has incorporated the following minimum setbacks from
27 the Project’s solar modules:

- 28 • at least 150 feet from nonparticipating parcel boundaries;
- 29 • at least 300 feet from nonparticipating residences existing as of the filing of the
30 Application; and
- 31 • at least 150 feet from the edge of pavement of any state, county, or township road

1 within or adjacent to the Project area.

2
3 In addition, the Applicant will have vegetative screening modules installed at locations
4 where there are sensitive receptor points (homes, etc.). A mix of diverse native plantings
5 will be installed and managed throughout the array areas that will promote soil stability,
6 soil health, and area pollinator resources.

7
8 Like any construction project, the facility will obtain an Ohio Environmental Protection
9 Agency ("OEPA"), Stormwater Pollution Prevention Plan ("SWPPP"), National Pollutant
10 Discharge Elimination System ("NPDES") OH000005 permit to ensure earthwork and
11 drainage improvements associated with the Project are done properly. The Project is
12 prevented from affecting the area drainage and has committed to rectifying any such
13 potential issues.

14
15 The Project will have a local and onsite staff to manage the facility, perform vegetative
16 management and weed control duties, and ensure the facility is in good working order. The
17 facility will be insured and its decommissioning at the end of its useful life will be bonded
18 at all times.

19
20 **13. What is the general purpose of the facility?**

21 The general purpose of the Project is to generate electricity that will be delivered to, and
22 sold at various wholesale energy markets for interested counterparties to procure this
23 competitive and renewably sourced energy.

24
25 **14. Will the facility comply with all applicable regulations?**

26 Yes, the facility is designed to comply with all applicable state and federal regulations, and
27 Yellow Wood is committed to ensuring that the final layout adheres to all applicable state
28 and federal regulations. The Applicant is committed to obtaining all necessary state and
29 federal approvals.

30

15. **Please describe the Applicant's public information program to provide the local community information about the Project.**

After initial interest by local farmers in a solar project was identified, Yellow Wood worked to preliminarily assess local transmission grid infrastructure and other Project design attributes to confirm that a viable and appropriate project could be formed in the area. The Applicant then worked to finalize land agreements for the Project along with performing a suite of third party, Project-area specific, subject matter experts due diligence for the Project that is included as a part of this Application. After this due diligence confirmed the viability and appropriateness for a project, the team worked to engage the community about the Project and its due diligence, which is noted more fully in the testimony of Raleigh Barnes, Applicant Exhibit 25. A formal meeting list with public officials includes, but are not limited to:

Clinton County Commissioners

- Fall 2020 - Invenergy and Clinton County Commissioners
- Meeting – February 22, 2021 – Invenergy, Calvert Street, and Clinton County Commissioners
- Commissioners' Public Hearing – June 19, 2021
- Additional Invenergy Meeting requests to understand Commissioners' concerns

Clark Township

- Fall 2020 - Invenergy Presentation
- Meeting – February 11, 2021
- Meeting – March 11, 2021
- Meeting – April 8, 2021

Jefferson Township

- Fall 2020 - Invenergy Presentation
- Meeting – December 7, 2020, Clinton County Soil and Water Conservation District ("S&W District")
- Fall 2020 - Invenergy Presentation
- Meeting – April 6, 2021, Clinton County Regional Planning Commission
- Fall 2020 - Invenergy Initial Meeting
- Meeting – April 8, 2021

- Meeting – June 29, 2021
- Virtual Meeting – February 22, 2022
- Virtual Meeting – June 21, 2022

16. In your experience, what are some of the common public comments that arise during the development of a utility-scale solar generation facility?

Public comments that arise during the development of a utility-scale solar generation facility typically reflect both project support and project opposition. Supportive comments typically reflect the property rights of landowners that wish to host the project, the economic development and increased tax base and school funding, the desire for a cleaner electric grid, minimal impact to community resources, and the jobs created by the Project, to name a few. In opposition, comments tend to question the need for the Project, perceived health impacts, and the perceived aesthetic the Project would create. As reflected in the testimony of Raleigh Barnes, Applicant Exhibit 25, the comments submitted in the docket are fairly even between those supporting and those with concerns about the Project. It is noteworthy that supporters of the Project include the Clinton County Trails Coalition and Wilmington-Clinton Chamber of Commerce.

17. Did you attend the local public hearing held on October 20, 2021?

Yes. On October 20, 2021, 36 people offered testimony at the local hearing held at the Clinton County Fairgrounds. 25 residents spoke in support of the Project at the Board's public hearing, with only 9 residents who spoke against the project.

18. Please describe, generally, the topics raised by those testifying at the local public hearing and in the written public comments in the docket.

The local public hearing contained a mix of comments both in favor of the Project and in opposition. Those testifying in support of the Project had diverse comments, including the economic development and increased tax base and school funding, the desire for a cleaner electric grid, minimal impact to community resources, the support of farmer's private property rights, and the jobs created by the Project, to name a few. In opposition, comments

1 tend to question the need for the Project, potential perceived health impacts, and the
2 perceived aesthetic the Project would create.

3
4 **19. Please explain how Yellow Wood has addressed any concerns raised regarding the**
5 **Project.**

6 As described in this and other testimony, Yellow Wood has worked diligently to
7 understand concerns raised by local Project area landowners and political leaders charged
8 with understanding the facts of perceived issues and making decisions on behalf of all
9 county constituents. The below is a summary of concerns heard along with responses and
10 ways in which the concerns were worked to be addressed with the party that communicated
11 them.

- 12 • Concern - The Project was perceived to not have setbacks
 - 13 ○ Response/Resolution: The Project has committed to the below minimum setbacks
 - 14 from the Project's solar modules:
 - 15 ▪ 150 feet from nonparticipating boundary lines
 - 16 ▪ 300 feet from nonparticipating residences
 - 17 ▪ 150 feet from rights-of-ways ("ROWS")
- 18 • Concern - Comparison of the Yellow Wood Project to other nearby projects that are
19 not aesthetically pleasing or do not have setbacks
 - 20 ○ Response/Resolution: The Yellow Wood Project is being developed by the
 - 21 Applicant who is not an affiliate or associated with the nearby projects. In fact, one
 - 22 nearby project filed its application in June 2017, almost four years before the
 - 23 Yellow Wood Application was filed,³ which shows that the design vintage of the
 - 24 nearby project is significantly older than Yellow Wood's.

25
26 It is important to note that Yellow Wood has committed to a number of conditions
27 in its Application and the Stipulation that were not required or common several
28 years ago, including, but not limited to: significant minimum setbacks; extensive
29 landscape screening; additional noise limitation provisions; aesthetically pleasing

³ See *Hillcrest Solar I, LLC*, Case No. 17-1152-EL-BGN, Application (June 29, 2017).

1 “deer fencing” (not institutional chain link and barbed wire fencing); and a drain
2 tile plan that includes funding for perceived drainage issues.

3 • Concern - Lack of accountability from the Board on such projects, leading to the
4 request from the commissioners to have design approval rights over the Project

5 ○ Response/Resolution: The Applicant believes the Board and the subject matter
6 experts that work at the Board are the appropriate individuals to review and regulate
7 this novel property use for private property landowners. Additionally, the Board
8 has a compliance division that will be responsible for monitoring the Project and
9 enforcing all Certificate conditions. Again, the Board has jurisdiction and
10 compliance oversight – but Yellow Wood has committed to and will work closely
11 with the local government officials and community. In fact, this commitment is
12 codified via numerous conditions in the Stipulation, including:

- 13 ■ Condition 2 – the County may participate at preconstruction meetings;
- 14 ■ Condition 3 – the Applicant will submit construction and operations plans to
15 the S&W District;
- 16 ■ Condition 4 – the Applicant will submit as-built specifications for the entire
17 facility to the County and the S&W District after operation;
- 18 ■ Condition 5 – the Applicant will submit detail engineering drawings to the
19 County;
- 20 ■ Condition 7 – the Applicant will submit corrosion analysis to the S&W District;
- 21 ■ Condition 11- the Applicant will provide information to the County on dates
22 when construction begins, when construction is completed, and when
23 commercial operation begins;
- 24 ■ Condition 12 – the Applicant will provide the County copies of all permits
25 received within 7 days of receipt;
- 26 ■ Condition 21 – the Applicant will hold in-progress design meetings with the
27 S&W District on stormwater and engage with the S&W District periodically
28 through construction;
- 29 ■ Condition 26 – the Applicant will coordinate with the County on road
30 agreements;

- 1 ▪ Condition 30 – for the County maintenance program of County easements, the
- 2 Applicant will obtain design approvals and rights to construct or modify the
- 3 ditch/tile from the S&W District;
- 4 ▪ Condition 31 – the Applicant will fund a \$50,000 fund to inspect perceived
- 5 drainage issues, along with the commitment to fix any issues that are found;
- 6 and
- 7 ▪ Condition 32 – the Applicant will send the decommissioning plan to County.
- 8 • Concern- Existing area drainage disruption
- 9 ○ Response/Resolution: The Applicant has made significant provisions with regard
- 10 to this concern, including:
- 11 ▪ Design and construction coordination with the S&W District Manager;
- 12 ▪ By Ohio law precedence, a construction project cannot cause
- 13 stormwater/drainage damage on neighboring land;
- 14 ▪ The Project will obtain an OEPA SWPPP permit for the design and construction
- 15 of its earthwork and drainage infrastructure components; and
- 16 ▪ Setting up a third-party investigatory fund for any future drainage issues while
- 17 also completely reimbursing any damages from any issues discovered as a result
- 18 of the Project.
- 19 • Concern - Productive farmland removal causing or contributing to a global food crisis
- 20 ○ Response/Resolution: Property rights and the free market economy should
- 21 determine the highest and best use of property in the United States. The Yellow
- 22 Wood Project represents approximately 2,397 acres of land use compared to
- 23 approximately 896,600,000 acres of total farm land in the state, which is a .000267
- 24 percent use of the approximate total.⁴ Additionally, the project is not sited within
- 25 an area that is designated as Farmland of Statewide importance as designated by
- 26 the Natural Resources Conservation Service and the U.S. Department of
- 27 Agriculture.
- 28 • Concern - Decommissioning responsibility concerns

⁴ https://www.nass.usda.gov/Statistics_by_State/Ohio/Publications/Ag_Across_Ohio/2021/aao2103.pdf

- Response/Resolution: In accordance with Stipulation Condition 32, the Project will be bonded at all times for the decommissioning, removal, and restoration of the Project area back to its existing condition as it stands today.

20. What positive benefits will the Project provide to the local community?

The Project will bring many benefits to the local community and the state. Exhibit F to the Application (Economic Impact and Land Use Analysis) sponsored by David Loomis, Applicant Exhibit 24, shows the tax, jobs, and ancillary economic impact that the Project would bring to the County. Additionally, through the Project's interconnection network upgrades, the Project would be improving components of the local PJM transmission grid, as well as contributing to the diversity of generation assets on the grid.

21. Please explain the Complaint Resolution Plan and Notices contained in Exhibits G and H of the Application, respectively.

The Complaint Resolution Plan ("Plan") contained in Exhibits G and K submitted with the Application on February 24, 2021, provides a framework whereby community members can voice their complaints regarding the Project construction or operation directly to Yellow Wood.

In accordance with Stipulation Condition 27, Yellow Wood is required to file the final Plan with the Board at least 30 days prior to the start of construction and send a notices via certified mail to all affected property owners and tenants, including those individuals who were provided notice of the public informational meeting, residences located within one mile of the Project area, parties to this case, County Commissioners, township trustees, emergency responders, airports, schools, and libraries, as well as anyone who has requested updates regarding the Project at least seven days before start of construction. In addition, the Applicant must provide notices again at least seven days before the Project begins operation.

Stipulation Condition 27 further requires that, during the construction and operation of the facility, Yellow Wood must submit to Staff a complaint summary report by the 15th

1 of April, July, October, and January of each year through the first five years of
2 operation. The report must include a list of all complaints received through the
3 Applicant's complaint resolution process, a description of the actions taken toward the
4 resolution of each complaint, and a status update if the complaint has yet to be
5 resolved. Yellow Wood will also post the complaint resolution plan and contact
6 information near construction entrance or office areas.

7
8 **22. Are you aware that the Board must make certain determinations under Ohio Revised**
9 **Code ("R.C.") 4906.10 before issuing a certificate for the construction, operation, and**
10 **maintenance of a major utility facility?**

11 Yes. I am aware that there are eight criteria considered by the Board in making its
12 determination for the issuance of a certificate.

13
14 **23. Does R.C. 4906.10(A)(1), which requires the Board to determine that the basis of need**
15 **for the facility, apply to Board's review of this Application?**

16 No. R.C. 4906.10(A)(1) applies only to an electric transmission line or a gas pipeline, and
17 is not applicable to this generating facility.

18
19 **24. Does the Application, as agreed to through the Stipulation, enable the Board to**
20 **determine the nature of the probable environmental impact of the facility?**

21 Yes. The Application addresses all of the subject matter areas necessary for the Board to
22 determine the nature of the probable environmental impact of the facility. The Application
23 includes detailed surveys, assessments, and reports related to probable socioeconomic
24 impacts, ecological impacts, and public services, facilities, and safety. The Application
25 narrative and exhibits and figures, along with subsequent data request responses, provides
26 all of the information necessary to determine the probable impacts. Further, each of these
27 topics are supported by witnesses in the case.

28
29 **25. Based on the Applicant's commitments in the Application, along with the conditions**
30 **in the Stipulation, does the facility represent the minimum adverse environmental**

1 **impact, considering the state of available technology and the nature and economics of**
2 **the various alternatives, and other pertinent considerations?**

3 Yes. Yellow Wood's commitment to comply with all commitments in the Application and
4 the conditions set forth in the Stipulation supports a determination that the facility
5 represents the minimum adverse environmental impact, considering the state of available
6 technology and the nature and economics of the various alternatives, and other pertinent
7 considerations.

8
9 **26. Based on the Applicant's commitments in the Application, along with the conditions**
10 **in the Stipulation, is the facility consistent with regional plans for expansion of the**
11 **electric power grid of the electric systems serving this state and interconnected utility**
12 **systems and that the facility will serve the interests of electric system economy and**
13 **reliability?**

14 Yes. The regional plans for expansion of the electric power grid of the electric systems
15 serving the state are determined by PJM. The Applicant submitted an interconnection
16 request to PJM within the AE2 grouping. The Feasibility Study for the Project was received
17 in July 2019, and the subsequent System Impact Study Report from PJM was received
18 April 2021.

19
20 In accordance with Stipulation Condition 15, Yellow Wood has committed that it will not
21 commence any construction of the facility until it has executed an Interconnection Service
22 Agreement and Interconnection Construction Service Agreement with PJM that includes
23 the construction, operation, and maintenance of system upgrades necessary to integrate the
24 proposed facility into the regional transmission system reliably and safely.

25
26 **27. Based on the Applicant's commitments in the Application, along with the conditions**
27 **in the Stipulation, does the facility comply with the requirements established by the**
28 **state of Ohio for: air pollution control; solid and hazardous waste; water pollution**
29 **control; permitting for a major increase in withdrawal of waters; and aeronautical**
30 **requirements?**

1 Yes. The Application addresses air pollution topics and demonstrates that there is no
2 pollutant emissions associated with the Project and no emissions are created by the
3 operations of the Project.

4
5 In accordance with Stipulation Condition 33, the Project will only utilize Tier 1 equipment
6 suppliers to ensure the solar modules are not hazardous to people or the environment as
7 Tier 1 equipment passes TCLP U.S. Environmental Protection Agency testing standards.
8 TCLP is designed to determine the mobility of both organic and inorganic analytes present
9 in liquid, solid, and multiphasic wastes. In accordance with Stipulation Condition 33, at
10 the time of Project decommissioning and removal, retired panels and their components that
11 are not recycled or repurposed, which are then marked for disposal, shall be sent to an
12 engineered landfill.

13
14 The Application addresses water and water pollution and demonstrates that the Project has
15 no water pollutants associated with the operations of the Project. The Project does not
16 anticipate any impacts to public or private wells or water supplies during the construction
17 and operation of the Project, as the Project allows for rainwater to clean the panels and will
18 not have a well to obtain water from at the site.

19
20 The Applicant has committed to adhering to the OEPA's Guidance on Post-Construction
21 Storm Water Controls for Solar Panel Arrays, in accordance with Condition 21 of the
22 Stipulation. Further, the Project is not subject to any aeronautical requirements. Further,
23 Yellow Wood will comply with Conditions 30 and 31 in the Stipulation addressing repair
24 and replacement of drain tile.

25
26 **28. Based on the Applicant's commitments in the Application, along with the conditions**
27 **in the Stipulation, does the facility serve the public interest, convenience, and**
28 **necessity?**

29 Yes. The Application addresses public interest, convenience, and necessity through
30 discussion and analysis of topics such as, but not limited to, the following:

- 31
- The socioeconomic impacts of the Project;

- 1 • Drain tile commitment and \$50,000 commitment Stipulation Condition 31(b);
- 2 • The guarantee for liability insurance;
- 3 • A decommissioning bond ensuring the financial means to remove the equipment
- 4 and return the land to substantially its current condition;
- 5 • A complaint resolution process;
- 6 • The implementation of community requests and feedback, including, but not
- 7 limited to, setback, screening, drainage protections, noise limitations, vegetation
- 8 management protocols, and fencing styles;
- 9 • Coordination with the County on perceived concerns – as explained above;
- 10 • Meeting subsequent local design standards for such projects as explained above;
- 11 • Stipulation Condition 25 - pollinator friendly – no noxious weeds;
- 12 • Stipulation Condition 17 – 90% vegetation survived; and
- 13 • The creation of over 300 new jobs in Clinton County and 1,235 new jobs in the
- 14 State of Ohio, These workers, and the Project, have direct and in-direct (ancillary
- 15 services) economic benefits (See Testimony of Dr. Loomis, Applicant Exhibit 24).

16
17 Discussion of these topics as well as others, as presented in the Application and witness
18 testimony in this case, enables the Board to determine that the facility will serve the public
19 interest, convenience, and necessity.

20
21 **29. Does the Application, as agreed to through the Stipulation, enable the Board to**
22 **determine what the facility's impact will be on the viability as agricultural land of any**
23 **land in an existing agricultural district?**

24 Yes. Approximately 2,397 acres that are currently being farmed in row crops will have
25 solar facilities on them. The Vegetation Management Plan contained in Exhibit M to the
26 Application filed on February 24, 2021, as well the conditions set forth in the Stipulation,
27 will ensure that, throughout the life of the Project, a mix of native and pollinator seeding
28 will increase biodiversity and soil nutrients and has the potential to increase pollinators on
29 adjacent farmed parcels. After the Project is decommissioned, the Project Area can again
30 be used for row crops or other agricultural projects. All impacts of the Project are

1 temporary. The use of this land for a solar project is optimal because of its ability to
2 maintain farmland within the community.

3
4
5 **30. Based on the Applicant's commitments in the Application, along with the conditions**
6 **in the Stipulation, does the facility incorporate maximum feasible water conservation**
7 **practices, considering available technology and the nature and economics of the**
8 **various alternatives?**

9 Yes.

10
11 **31. Are you aware that the Board utilizes a three-part test to evaluate stipulations?**

12 Yes.

13
14 **32. With regard to the first part of the Board's three-part test for stipulations, do you**
15 **believe that the settlement was the product of serious bargaining among capable,**
16 **knowledgeable parties?**

17 Yes. Counsel for parties and all intervenors were invited to all settlement negotiations of
18 the parties. Representatives of the parties involved in the deliberations leading to the
19 Stipulation were aware of and knowledgeable about the issues addressed in the Stipulation.

20
21 **33. With regard to the second part of the Board's three-part test for stipulations, do you**
22 **believe the settlement, as a package, benefits the public interest?**

23 Yes. As a package, the Stipulation ensures that the construction and operation of the
24 facility provides benefits to the public interest. As detailed above in my testimony, the
25 added aesthetic components to the Project (setbacks, landscape screening, and 'deer
26 fencing'), along with other robust commitments and obligations (pollinators with
27 significant weed management, drainage protection, noise limits), allow the Project to
28 benefit the local and regional economy through jobs created during construction and
29 operation in addition to new sources of tax revenue. The Stipulation further benefits the
30 public interest by requiring the Project to meet certain requirements during construction of

1 the Project specifically designed to minimize the temporary construction impacts of the
2 Project.

3
4
5 **34. With regard to the third part of the Board's three-part test, to your knowledge, does**
6 **the settlement package violate any important regulatory principle or practice?**

7 No.

8
9 **35. Are your opinions and conclusions in your testimony made with a reasonable degree**
10 **of certainty based on your experience in design and construction of property**
11 **development?**

12 Yes.

13
14 **36. Does this conclude your testimony?**

15 Yes. However, I reserve the right to update my testimony to respond to any further
16 testimony, reports, and/or evidence submitted in this case.

17
18
19

CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below this 19th day of September, 2022.

/s/ Christine M.T. Pirik

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Attachment JH – 1
Josh Hreha
Resume

Josh Hreha

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Work Experience

Invenergy, Chicago IL; March 2020 - Current

"Invenergy is a leading privately held, global developer and operator of sustainable energy solutions. We solve the energy challenges facing our customers and communities. We are powered by decades of entrepreneurial experience and unparalleled execution. We provide power generation and storage solutions at scale around the world to create a cleaner energy future. Invenergy performs most work in-house, leading to superior results, lower costs and satisfied customers."

Senior Development Manager

Projects Overview:

- Ohio (Project Lead)
 - Pleasant Prairie SolarThe PostHouse, Evansville Indiana; \$39.5M. Mixed use with office, retail, sustainable components, and 154 residential units.
 - Yellow Wood Solar
- PA (State Lead Developer)
 - Pipeline Generation for Wind, Solar, and Storage Solutions
- WV (State Lead Developer)
 - Short Mountain Wind, Hardy County West Virginia;
 - Pipeline Generation for Wind, Solar, and Storage Solutions

As Senior Development Manager, reporting is directly to the Senior Vice President for Development. The roles and responsibilities of this position, including the leadership of direct reports and consultants, include the following:

Coordinating all functional support areas of development for project pursuits and in-progress developments. These functional support areas include land assemblage, due diligence, design, estimating, permitting, outreach, offtake, and financial and real estate closings.

Land Assemblage/Project Pursuit:

- Manage land agent resources to engage with landowners in a project pursuit area to garner participation.
- Lead negotiations with landowners and legal teams.
- Process agreements with land administration teams.
- Coordinate with transmission engineers on MISO South and PJM queue position application and ISCA/GIA processes.

Due Diligence

- Procure consultants to obtain the necessary due diligence to meet internal standards, project design requirements, and permitting requirements- from a land use, ecological, and regulatory perspective for utility scale generation
- Coordinate both onsite and offsite studies.
- Review and finalize all reports for applicable use as public facing due diligence.

Design

- Coordinate on project design as a result of procured land rights, supply chain resources, and project due diligence.

Estimating

- Engage with finance and estimating teams in the generation of financial models for each project.

Permitting

- Lead local and state regulatory and land use required permitting. Areas of focus include public service applications, ecological and cultural permitting with ecological consultants and agencies such as USACE, USFW, SHPO.

Public Outreach

- Lead outreach team members to aid in the engagement of local project political stakeholders and resident stakeholders to ensure correct project information and benefits are disseminated.

Offtake

- Aid in the response of origination team lead offtake opportunities from C&I and Utility potential customers.

Real Estate Closings

- Coordinate with legal, survey, and land administration team members for project real estate and transaction level needs such as ALTA surveys, Estoppels, and other needs.

Scannell Properties, Indianapolis IN; 2018 - 2020

"We are a privately-owned real estate development and investment company that focuses on build-to-suit and speculative development projects throughout the United States, Canada and Europe. In business since 1990, we offer experienced leadership, a history of successful commercial development projects, broad geographic reach and expertise in a wide range of building types."

Development Manager

Projects Overview:

- The PostHouse, Evansville Indiana; \$39.5M. Mixed use with office, retail, sustainable components, and 154 residential units.
- Pullman Pointe, Fishers Indiana; \$32M. Mixed use with retail and 190 units.

As Development Manager, reporting is directly to the Managing Director of Multifamily and Mixed-Use Projects. The roles and responsibilities of this position include the following:

Pre-Land Purchase Agreement Execution:

- Conduct new market analysis, site discovery, zoning and entitlement discovery, and seller coordination.

Post Land Purchase Agreement Execution:

- Oversee the due diligence and entitlement process. This process begins with conceptual design, estimating, and pro forma finalization. With conceptual design solidified, Environmental, Geotechnical, Architectural, and Engineering services are then procured.
- Manage entitlement and permitting process including: ALTA Survey, Hard Cost and Soft Cost budgeting analysis for pro forma, Corps of Engineers and FEMA coordination, environmental phase 1 and phase 2 analysis and remediation, and asbestos abatement.
- Ongoing coordination and relationship management with local municipalities as the entitlement process progresses.
- Procure Design/Construction/Contracting Services via RFP or pre-qualification process or coordinate with Self Perform division.
- Contract generation and review.
- Finalize project design while coordinating with all project stakeholders: Property Management, Maintenance, IT, and Construction.

Post Permitting and Land Closing:

- Owners Representative Role including- Weekly Owner/Architect/Contractor meeting, potential change order review, and schedule supervision.
- Ongoing project budget management, forecasting, and reporting.
- Project move in, Certificate of Occupancy, and close out coordination.

Trinitas Ventures, Lafayette IN; 2013 - 2018

Trinitas develops, constructs, and manages high quality housing communities throughout the United States. "We are real estate solution experts in a highly specialized niche with a proven track record in development, construction, and property management."

Development Manager

Projects Overview:

- The Lux, Chapel Hill North Carolina: 500 Bed + Development with bicycle trail and substantial outdoor amenities. Project was a development through a Special Use Permit approved by the Town of Chapel Hill. Approximately \$35M budget.
- The Alpha, Tuscaloosa Alabama: 600 Bed + Development on top of podium with attached Parking Structure. Approximately \$30M budget.
- 8|N Lofts, Lincoln Nebraska: 7 Story prefabricated metal wall panel complex with sky deck amenity area in an urban downtown. Approximately \$30M budget.

As Development Manager at Trinitas, reporting was directly to the Vice President of Development as well as the Executive Vice President of Development and Construction. The roles and responsibilities of this position are similar to those described under the Scannell Development Manager Position.

The Beck Group, Headquarters- Dallas TX; 2009-2012

Beck has been recognized with over five awards in the last five years from the Design-Build Institute of America (DBIA) and named one of Engineering News-Record's top 100 design-build firms. Recognition as one of Fortune magazine's Top 100 Companies to Work For and one of Building Design + Construction magazine's top 11 firms in the nation conveys Beck's rare nature in not just how they do business but who they are as a business.

Senior Project Engineer/Program Manager/BIM Manager

Project Overview:

CoxHealth Hospital ICU Department Expansion and Renovation, Springfield Missouri; 27 new Neurotrauma Intensive Care Units, 40,000sf of new construction, 20,000SF of existing ICU cosmetic renovation. With a total project cost of \$21M, services performed include Design-Build (CM at risk), as well as Program Management.

Construction Management Responsibilities included:

- Led design review process and architect, owner, and contractor coordination.
- Managed permitting process with local municipality.
- Coordinated bidding process for subcontract formulation and execution per budgetary requirements.
- Wrote, reviewed, executed and engaged trade subcontracts.
- Supervised over 20 subcontractors and vendors as construction progressed.
- Maintained project schedule updates and monthly progress reporting.
- Managed the entire project MEP 3D coordination process.

Program Manager Responsibilities included:

- Managed and maintained Owner budget within project limitations and constraints.
- Produced ICU department phasing plans and move coordination as construction progress advanced.
- Led all communications of project coordination and status with and between departments.
- Coordinated owner medical equipment needs and procurement.

Education

Bachelor of Science: Building Construction Management;
Purdue University; West Lafayette, IN

Master of Business Administration; Specialization- Architecture; Drury
University; Springfield, MO

Skills

Navisworks ®; Revit ® 3D building information modeling software; Attainia; CAD; On-Screen- Take-Off (Estimating Application); SureTrak scheduling software; Synchro scheduling and modeling software; CMiC construction management software; MS 365 Office Suite; BlueBeam PDF;

Certifications

- NABCEP Entry Level Solar Certification
- LEED Accredited Professional

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

Summary: Testimony - Direct Testimony of Josh Hreha electronically filed by
Christine M.T. Pirik on behalf of Yellow Wood Solar Energy, LLC