

**BEFORE
THE OHIO POWER SITING BOARD**

In The Matter of The Application of **Circleville)**
Solar, LLC, for a Certificate of Environmental)
Compatibility and Public Need For The) Case No. 21-1090-EL-BGN
Construction of a Solar Powered Electric)
Generation Facility in Pickaway County, Ohio)

**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”) 4906-2-27(A) and (C), Circleville Solar, LLC (“Circleville Solar” or “Applicant”), Jackson and Wayne Townships (“Townships”), the Pickaway County Engineer (“Engineer”), the Ohio Farm Bureau Federation (“OFBF”), and the Northeast Ohio Public Energy Council (“NOPEC”) (collectively the “Joint Parties”) hereby 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 October 25, 2022. The Joint Parties submit this motion to allow time to continue to address issues and coordinate potential resolution with the other parties, local stakeholders, government officials, and community organizations. Circleville Solar also moves to continue deadlines for the filing of the Parties’ testimony and stipulations, which are currently set for October 7, 2022 for Applicant’s testimony; October 18, 2022 for the testimony for intervenors and the Board’s Staff; and October 21, 2022 for the stipulation.

The Joint Parties request expedited treatment of this motion. OPSB Staff does not object to expedited treatment and all other parties have joined the motion.

Respectfully submitted on behalf of:

CIRCLEVILLE SOLAR, LLC

/s/ Dylan F. Borchers

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MEMORANDUM IN SUPPORT

In accordance with Ohio Revised Code (“R.C.”) Chapter 4906 and OAC Chapter 4906-4, Circleville Solar, LLC (“Circleville Solar” 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 30, 2021. The OPSB Staff issued its Staff Report of Investigation on June 10, 2022 (“Staff Report”). As directed by the June 29, 2022, and July 22, 2022 ALJ Entries, the evidentiary hearing was called as originally scheduled on July 26, 2022, and continued to October 25, 2022. On July 28, 2022, the ALJ issued an entry setting a new procedural schedule, including the adjudicatory hearing scheduled for October 25, 2022.

Pursuant to OAC 4906-2-27, the Joint Parties request that the Board call and continue the evidentiary hearing in this proceeding that is currently scheduled for October 25, 2022, as well as the currently scheduled deadlines for the filing of the Parties’ testimony and stipulations.

To date, the Joint Parties have engaged in settlement efforts, including additional local in-person meetings involving out-of-state personnel. Some of the Joint Parties have identified opportunities for refined condition commitments, additional investment in the local community, and potential modifications to the project layout in order to accommodate local requests. Pursuing these efforts toward a potential resolution of some or all of the issues in this proceeding will take

additional time. Finally, approval of this request will provide the Joint Parties with additional time due to the unavailability of counsel for one of the Joint Parties for most of August due to a previously schedule medical procedure, which was previously discussed with the administrative law judge off the record in during the prior scheduling conference.

The Joint Parties therefore request that the schedule be continued and that the previously scheduled October 25, 2022 adjudicatory hearing be converted to a status and scheduling conference. This suspension shall not impact any previously elapsed procedural deadlines.

The Joint Parties also request expedited treatment of this motion because Applicant testimony is due October 7, 2022. Expedited approval will provide schedule clarity for the Joint Parties in order for the Joint Parties to continue focusing resources on settlement efforts. OPSB Staff does not object to expedited treatment and all other parties have joined the motion.

Accordingly, the movants request that the administrative law judge or Board grant this motion.

Respectfully submitted on behalf of:

CIRCLEVILLE SOLAR, LLC

/s/ Dylan F. Borchers

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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 20th day of September 2022.



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Summary: Text Joint Motion to Call and Continue October 25, 2022 Hearing,
Request for Expedited Treatment and Memorandum in Support electronically filed
by Teresa Orahod on behalf of Dylan F. Borchers