

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of The Application of Moraine)
Wind LLC for Certification as an Eligible Ohio) Case No. 21-0516-EL-REN
Renewable Energy Resource Generating)
Facility.)

In the Matter of The Application of Rugby)
Wind LLC for Certification as an Eligible Ohio) Case No. 21-0517-EL-REN
Renewable Energy Resource Generating)
Facility.)

In the Matter of The Application of Elm Creek)
II for Certification as an Eligible Ohio) Case No. 21-0531-EL-REN
Renewable Energy Resource Generating)
Facility.)

In the Matter of The Application of Buffalo)
Ridge II for Certification as an Eligible Ohio) Case No. 21-0532-EL-REN
Renewable Energy Resource Generating)
Facility.)

In the Matter of The Application of Barton)
Windpower 1 for Certification as an Eligible) Case No. 21-0544-EL-REN
Ohio Renewable Energy Resource Generating)
Facility.)

In the Matter of The Application of Barton)
Windpower, LLC for Certification as an) Case No. 22-0380-EL-REN
Eligible Ohio Renewable Energy Resource)
Generating Facility.)

**CARBON SOLUTIONS GROUP, LLC’S MOTION FOR SUBPOENA DUCES TECUM
AND
MOTION TO PERMIT REMOTE TESTIMONY IN LIEU OF LIVE APPEARANCE**

(Expedited Treatment Requested)

Carbon Solutions Group, LCC (CSG) brings this motion under Rule 4901-1-25, O.A.C., to request issuance of a subpoena *duces tecum*. Expedited treatment is hereby requested in accordance with Rule 4901-1-25(A)(2), O.A.C.

The requested subpoena directs Mr. Aaron Berner, on behalf of PJM Interconnection, LLC (PJM) to appear at the hearing in this proceeding at 10:00 a.m. on December 6, 2022, or at such other date and time as mutually agreed among the parties and permitted by the Commission. Mr. Berner is employed by PJM as Manager, Transmission Planning and is believed to be knowledgeable of the DFAX studies cited in Staff testimony filed in this proceeding on August 26, 2022. In lieu of making Mr. Berner available to testify, PJM may comply with the subpoena by designating one or more of its officers, agents, employees or other persons duly authorized to testify on its behalf to testify about the purpose of the previously referenced DFAX studies, the methodologies employed in their creation, and the scope and limitations of any conclusions drawn therefrom.

Neither PJM nor Mr. Berner are parties to this proceeding. Accordingly, good cause exists for issuance of the attached subpoena. CSG will arrange for service of the subpoena and payment of applicable witness fees.

CSG also requests leave to permit Mr. Berner or PJM's designated agent to testify by videoconference or other remote means. Such requests have been routinely granted since the Covid 19 pandemic and have greatly reduced inconvenience to out-of-town and out-of-state witnesses. Allowing non-party witnesses to appear remotely is especially appropriate to eliminate unnecessary costs and inconvenience associated with travel.

A completed subpoena accompanies this motion. CSG will pick up a signed copy as directed by the Attorney Examiner.

Dated: November 21, 2022

Respectfully submitted,

/s/ Mark A. Whitt

Mark A. Whitt

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(All attorneys consent to service
by email)

ATTORNEY FOR CARBON
SOLUTIONS GROUP LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Subpoena was served by electronic mail on the 21st day of November, 2022 upon the following:

paul@carpenterlipps.com
bojko@carpenterlipps.com
wygonski@carpenterlipps.com
blittle@nisource.com
Christopher.miller@icemiller.com
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/s/Mark A. Whitt

One of the Attorneys for Carbon Solutions
Group, LLC

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO
SUBPOENA

TO:

**PJM Interconnection LLC and
Mr. Aaron Berner, Manager, Transmission Planning
2750 Monroe Blvd.
Audubon, PA 19403**

Upon application of Carbon Solutions Group, LLC (CSG) you are hereby required to appear before the Public Utilities Commission of Ohio as a witness for CSG in the following proceeding:

Case No. 21-516-EL-REN *et al.* (consolidated w/ Case Nos. 21-517-EL-REN, 21-531-EL-REN, 21-532-EL-REN, 21-544-EL-REN, 22-380-EL-REN).

Case Title: In the Matter of The Application of Moraine Wind LLC for Certification as an Eligible Ohio Renewable Energy Resource Generating Facility, *et al.*

You are to appear at the offices of the Commission, 180 East Broad Street, Columbus, Ohio, on the 6th day of December 2022, at 10:00 a.m. in hearing room (11th Floor, to be announced), or at such other date and time as instructed and mutually agreed with Mark Whitt, counsel for CSG.

You shall bring with you the following: Paper and electronic records and documents concerning or relating to DFAX studies provided by any employee of PJM Interconnection LLC to Staff of the Public Utilities Commission of Ohio between January 1, 2021 and the present.

In lieu of making Mr. Berner available to testify, PJM may comply with this subpoena by designating one or more of its officers, agents, employees or other persons duly authorized to testify on its behalf to testify in lieu of Mr. Berner regarding the purpose of the previously referenced DFAX studies, the methodologies employed in their creation, and the scope and limitations of any conclusions drawn therefrom.

Dated at Columbus, Ohio, this _____ day of _____, 20_____.

Attorney Examiner

Notice: If you are not a party or an officer, agent, or employee of a party to this proceeding, then witness fees for attending under this subpoena are to be paid by the party at whose request the witness is summoned. Every copy of this subpoena for the witness must contain this notice.

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on
11/21/2022 3:14:37 PM**

in

**Case No(s). 21-0516-EL-REN, 21-0517-EL-REN, 21-0531-EL-REN, 21-0532-EL-
REN, 21-0544-EL-REN, 22-0380-EL-REN**

Summary: Motion Motion for Subpoena Duces Tecum and Motion to Permit
Remote Testimony in Lieu of Live Appearance. electronically filed by Ms. Valerie A.
Cahill on behalf of Carbon Solutions Group, LLC