

THE OHIO POWER SITING BOARD

IN THE MATTER OF THE APPLICATION OF
BLOSSOM SOLAR, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED TO
CONSTRUCT A SOLAR-POWERED
ELECTRIC GENERATION FACILITY IN
MORROW COUNTY, OHIO.

CASE NO. 22-151-EL-BGN

ENTRY

Entered in the Journal on November 30, 2022

{¶ 1} Blossom Solar, LLC (Blossom) 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 for the facility 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 March 23, 2022, Blossom filed its preapplication notice informing the Board of a to be proposed 144 megawatt solar-powered electric generation facility to be constructed on 1,100 acres in Washington Township, Morrow County, Ohio (Project). Further, the notice stated that Blossom would be hosting a public information meeting on April 6, 2022, in Iberia, Ohio.

{¶ 4} On May 27, 2022, as amended on August 5, 2022, Blossom filed its application for a certificate to construct the Project.

{¶ 5} Pursuant to Ohio Adm.Code 4906-3-06, within 60 days of receipt of an application for a major utility facility, the Board Chair must either accept the application as complete and compliant with the content requirements of R.C. 4906.06 and Ohio Adm.Code Chapters 4906-1 through 4906-7 or reject the application as incomplete.

{¶ 6} On July 26, 2022, the Board notified Blossom that its application, including data request responses, was found to be sufficiently compliant with the requirements of

Ohio Adm.Code Chapters 4906-01, et seq., and provided sufficient information to permit Staff to commence its review and investigation.

{¶ 7} On August 9, 2022, Blossom filed proof of service of its accepted and complete application on local government officials and the main public library as required by Ohio Adm.Code 4906-3-07(A). Further, Blossom states that it maintains a copy of its accepted complete application on its website.

{¶ 8} On August 9, 2022, Blossom also filed, pursuant to Ohio Adm.Code 4906-3-07(A)(5), proof of submission of its application fee.

{¶ 9} By Entry issued on August 26, 2022, the Administrative Law Judge (ALJ) established the procedural schedule in this case such that the effective date of the application is August 26, 2022; the Staff was directed to file its Report of Investigation (Staff Report) by October 31, 2022; the local public hearing was scheduled for November 15, 2022, in Iberia, Ohio; the parties directed to file the list of issues on which they wished to pursue cross examination by November 22, 2022; testimony to be offered by Blossom is due by December 2, 2022; testimony to be offered by intervenors and Staff is due by December 9, 2022; any stipulation proposed by the parties is due by noon on December 15, 2022; and the evidentiary hearing is scheduled to commence on December 19, 2022, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio in Columbus, Ohio.

{¶ 10} On September 16, 2022, Blossom filed its proof of first notice of the accepted, complete application and publication. The notice was published on August 24, 2022, and September 7, 2022, in the *Morrow County Sentinel*, a newspaper of general circulation in Morrow County.

{¶ 11} The Staff Report was filed on October 31, 2022.

{¶ 12} Ohio Farm Bureau Federation (OFBF) and Ohio Environmental Council (OEC) filed motions to intervene, and the motions were granted by Entry issued on November 2, 2022.

{¶ 13} Issues lists were timely filed by Blossom and OEC.

{¶ 14} On November 30, 2022, a joint motion for a continuance of the procedural schedule and a request for expedited ruling was filed by Blossom, OFBF, and OEC (Movants). Movants request that the due date for parties' testimony and any stipulation be continued such that the stipulation would be due on December 9, 2022, Blossom's testimony would be due on December 12, 2022, and Staff and intervenor testimony would be due on December 14, 2022. Movants state that the parties are engaged in settlement discussions and have resolved several issues. Further, Movants reason that extending and modifying the procedural schedule, as proposed, will allow the parties to focus on settlement negotiations and, to the extent a settlement is reached, require the parties to file a single set of testimony in support of the stipulation as opposed to two sets of testimony. Counsel for Blossom declares that counsel for Staff was consulted, and Staff does not oppose this motion or the request for an expedited ruling.

{¶ 15} The ALJ finds the joint motion to modify the procedural schedule such that any stipulation is due December 9, 2022, Blossom's testimony is due December 12, 2022, and Staff and intervenor testimony is due December 14, 2022, to be reasonable. The ALJ notes that the evidentiary hearing will commence, as previously scheduled, on December 19, 2022, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio, in Columbus, Ohio.

{¶ 16} It is, therefore,

{¶ 17} ORDERED, That Movants' motion to continue the procedural schedule as discussed in Paragraph 15, be granted. It is, further,

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

THE OHIO POWER SITING BOARD

/s/ Greta See

By: Greta See
Administrative Law Judge

MJA/hac

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in

Case No(s). 22-0151-EL-BGN

Summary: Administrative Law Judge Entry ordering that Movants' motion to continue the procedural schedule be granted such that any stipulation is due December 9, 2022, Blossom's testimony is due December 12, 2022, and Staff and intervenor testimony is due December 14, 2022, to be reasonable electronically filed by Heather A. Chilcote on behalf of Greta See, Administrative Law Judge, Power Siting Board