

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Grover Hill Wind,)
LLC for a Certificate of Environmental Compatibility) Case No. 22-269-EL-BTX
and Public Need to Construct a Transmission Line in)
Paulding County, Ohio.)

**MOTION FOR A VIRTUAL HEARING,
MEMORANDUM IN SUPPORT, AND REQUEST FOR EXPEDITED RULING**

Pursuant to Ohio Administrative Code (“O.A.C.”) Rule 4906-2-27(A) Grover Hill Wind, LLC (“Applicant”) files this motion requesting that the Ohio Power Siting Board (“Board”), on an expedited basis, hold the hearing for January 12, 2023 remotely, rather than in-person.

The Applicant has consulted with the Board’s Staff and they do not oppose this motion or the request for an expedited ruling. Therefore, the Applicant submits that, for the reasons more fully set forth in the following memorandum in support, good cause exists to grant this motion on an expedited basis in accordance with O.A.C. Rule 4906-2-27(C).

Respectfully submitted,

/s/ Matthew C. McDonnell

Matthew C. McDonnell (0090164)

(Counsel of Record)

Christine M.T. Pirik (0029759)

Terrence O’Donnell (0074213)

Dickinson Wright PLLC

180 E. Broad Street, Suite 3400

Columbus, Ohio 43215

Phone: (614) 591-5486

Email: mmcdonnell@dickinsonwright.com

cpirik@dickinsonwright.com

todonnell@dickinsonwright.com

Attorneys for Grover Hill Wind, LLC

**MEMORANDUM IN SUPPORT OF
MOTION FOR A VIRTUAL HEARING AND REQUEST FOR EXPEDITED RULING**

On May 2, 2022, as supplemented on May 13, June 8, August 31, and September 8, 2022, the Applicant filed an Application to construct a transmission line (“Project”) in Paulding County, Ohio (the “Application”). On September 29, 2022, the Board issued an entry establishing the procedural schedule in this case, which, among other things, set the location of the adjudicatory hearing as Hearing Room 11-D at the offices of the Public Utilities Commission of Ohio in Columbus, Ohio.

Pursuant to Ohio Adm.Code 4906-2-27(A), the Applicant requests that the adjudicatory hearing scheduled for January 12, 2023, be held remotely. Converting the hearing to a virtual hearing would provide additional efficiency by removing the need for out of state travel. Further, it will conform to Board precedent while still ensuring that members of the public can observe the proceedings.

The Applicant’s witness would need to travel to Ohio from out of state to appear at the hearing. Conducting a virtual hearing would avoid the time and expense associated with that travel.

Further, the only parties to this case are the Applicant and the Board’s Staff. The parties are currently working to finalize a Joint Stipulation and Recommendation that will be filed in this docket shortly. In light of the fact that this matter will likely be fully stipulated, the adjudicatory hearing should be relatively short.

In addition, the Applicant notes that the Board, on its own, has previously converted adjudicatory hearings in other Board proceedings from an in-person setting to a remote technology

event, by granting a similar motion. *See, e.g., Ross County Solar*, Case No. 20-1380-EL-BGN, Entry (Aug. 11, 2021); *Sycamore Creek Solar*, Case No. 20-1762-EL-BGN, Entry (Sept. 23, 2021).

To ensure that notice to members of the public is preserved, the Applicant would propose to publish notice of the updated virtual access should the Motion be granted. In addition, the Applicant would offer to post signage at Hearing Room 11-D with instructions regarding how to access the virtual hearing and otherwise ensure that any members of the public that may show up at the hearing room to participate in the hearing are able to do so by giving them access to the hearing remotely.

Prior to filing of this Motion, the Applicant contacted Staff and Staff indicated that they do not oppose this Motion and do not object to an expedited ruling on this motion. Given the short time frame before the adjudicatory hearing, the Applicant requests that this motion be granted on an expedited basis for good cause shown.

Respectfully submitted,

/s/ Matthew C. McDonnell

Matthew C. McDonnell (0090164)

Christine M.T. Pirik (0029759)

Terrence O'Donnell (0074213)

Dickinson Wright PLLC

180 East Broad Street, Suite 3400

Columbus, Ohio 43215

(614) 591-5486

mmcdonnell@dickinsonwright.com

cpirik@dickinsonwright.com

todonnell@dickinsonwright.com

Attorneys for Grover Hill Wind, LLC

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 15th day of December.

/s/ Matthew C. McDonnell
Matthew C. McDonnell (0090164)

Counsel:

Werner.Margard@ohioago.gov
Shaun.Lyons@ohioago.gov

Administrative Law Judge:

jesse.davis@puco.ohio.gov

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

12/15/2022 2:48:57 PM

in

Case No(s). 22-0269-EL-BTX

Summary: Motion - Motion for a Virtual Hearing, Memorandum in Support, and
Request for Expedited Ruling electronically filed by Mr. Matthew C. McDonnell on
behalf of Grover Hill Wind, LLC