

BEFORE THE OHIO POWER SITING BOARD

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In the Matter of the :  
Application of Blossom :  
Solar, LLC, for a :  
Certificate of :  
Environmental : Case No. 22-151-EL-BGN  
Compatibility and Public :  
Need to Construct a :  
Solar-Powered Electric :  
Generation Facility in :  
Morrow County, Ohio. :

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PROCEEDINGS

before Ms. Greta See, Administrative Law Judge, at  
the Ohio Power Siting Board, 180 East Broad Street,  
Room 11-C, Columbus, Ohio, called at 10:03 a.m. on  
Tuesday, March 7, 2023.

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APPEARANCES:

Vorys, Sater, Seymour and Pease, LLP  
By Ms. Anna Sanyal  
and Mr. Michael J. Settineri  
52 East Gay Street  
Columbus, Ohio 43215

On behalf of the Applicant.

Ohio Environmental Council  
By Ms. Karin Nordstrom  
1145 Chesapeake Avenue, Suite I  
Columbus, Ohio 43212

On behalf of the Ohio Environmental  
Counsel.

Ohio Farm Bureau Federation  
By Ms. Leah Finney Curtis  
280 North High Street, 6th Floor  
Columbus, Ohio 43215

On behalf of the Ohio Farm Bureau  
Federation.

Dave Yost, Ohio Attorney General  
John Jones, Section Chief  
Public Utilities Section  
By Mr. Thomas Lindgren  
and Ms. Rhiannon Howard,  
Assistant Attorneys General  
30 East Broad Street, 26th Floor  
Columbus, Ohio 43215

On behalf of the Staff of the PUCO.

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IDENTIFIED ADMITTED

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1 Tuesday Morning Session,  
2 March 7, 2023.

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4 ALJ SEE: Let's go on the record.

5 Scheduled for hearing today at this time  
6 is Case No. 22-151-EL-BGN entitled in the Matter of  
7 the Application of Blossom Solar, LLC, for a  
8 Certificate of Environmental Compatibility and Public  
9 Need.

10 My name is Greta See, and I am the  
11 Administrative Law Judge assigned to this case by the  
12 Board.

13 At this time I would like to take  
14 appearances of the parties starting with the  
15 Applicant.

16 MS. SANYAL: Thank you, your Honor. Anna  
17 Sanyal and Michael J. Settineri of the law firm  
18 Vorys, Sater, Seymour and Pease, LLP, 52 East Gay  
19 Street, Columbus, Ohio 43201 for the Applicant  
20 Blossom Solar, LLC.

21 ALJ SEE: Thank you.

22 On behalf of the Ohio Farm Bureau.

23 MS. CURTIS: Thank you, your Honor. Leah  
24 Curtis on behalf of the Ohio Farm Bureau, 280 North  
25 High Street, Columbus, Ohio 43215.

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ALJ SEE: Thank you.

On behalf of the Ohio Environmental  
Counsel.

MS. NORDSTROM: Karin Nordstrom on behalf  
of the Ohio Environmental Counsel, 1145 Chesapeake  
Avenue, Suite I, Columbus, Ohio 43202. Thank you.

ALJ SEE: Thank you.

And on behalf of the Staff of the Board.

MR. LINDGREN: Thank you, your Honor.  
Ohio Attorney General Dave Yost by Thomas Lindgren  
and Rhiannon Howard, Assistant Attorneys General, 30  
East Broad Street, 26th Floor, Columbus, Ohio 43215.

ALJ SEE: Thank you.

Ms. Sanyal.

MS. SANYAL: Thank you, your Honor. At  
this time I would like to call to the stand  
Mr. Patrick Buckley who is appearing on behalf of  
Blossom Solar. He is already seated at the stand.

ALJ SEE: Mr. Buckley, would you raise  
your right hand.

(Witness sworn.)

ALJ SEE: Thank you. Go ahead.

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PATRICK BUCKLEY

being first duly sworn, as prescribed by law, was  
examined and testified as follows:

DIRECT EXAMINATION

By Ms. Sanyal:

Q. And, Mr. Buckley, would you state your  
name and business address for the record.

A. Patrick Buckley, B-U-C-K-L-E-Y. Our  
address is 1105 Navasota, Austin, Texas 78702.

MS. SANYAL: And, your Honor, I would  
like to go ahead and mark a large number of exhibits.  
Thought I would get that out of the way before. But  
before I do that I would like to mention on the  
record we have three Applicant witnesses who will not  
be appearing today. And via communication with you  
and the other parties, the -- we have stipulated for  
the admission of the testimony of those three  
witnesses into the record without their presence, and  
those particular witnesses are Mark Bonifas, John  
Woods, and Brooke Harrison. And the particular  
exhibits in question are Company Exhibits 7, 8, and  
9. And we would -- we can move for the admission of  
those exhibits now or wait until the end of our  
presentation.

ALJ SEE: Let's go through first and

1 we'll take those later. And, yes, I am aware that  
2 the parties -- counsel for all the parties agreed to  
3 the admission of the testimony of Applicant Witnesses  
4 Bonifas, Woods, and Harrison so. Okay. Thank you.

5 MS. SANYAL: Okay. So I am going to  
6 identify a large number of exhibits. So Company  
7 Exhibit 1 is the Blossom Solar application. Company  
8 Exhibit 1-C is the confidential portion of the  
9 application.

10 ALJ SEE: Is there a 1-B?

11 MS. SANYAL: No. 1-C is just Exhibit 1  
12 and the confidential status.

13 ALJ SEE: Okay. Go ahead.

14 MS. SANYAL: And I would like to mark as  
15 Company Exhibit 2 the notice of footprint  
16 modification.

17 ALJ SEE: So marked.

18 (EXHIBIT MARKED FOR IDENTIFICATION.)

19 MS. SANYAL: Company Exhibit 3 is the  
20 proof of service of application.

21 ALJ SEE: Okay.

22 MS. SANYAL: I would like to mark Company  
23 Exhibit 4. It is a compilation of various proofs of  
24 publications.

25 ALJ SEE: Okay.



1 MS. SANYAL: I would like to mark Company  
2 Exhibit 5 which are various responses to Staff Data  
3 Requests.

4 ALJ SEE: Okay.

5 MS. SANYAL: Company Exhibit -- I would  
6 like to mark Company Exhibit 6 which is the direct  
7 testimony of Patrick Buckley.

8 ALJ SEE: Okay.

9 MS. SANYAL: I would like to mark Company  
10 Exhibit 7 which is the direct testimony of Mark  
11 Bonifas.

12 ALJ SEE: Go ahead.

13 MS. SANYAL: I would like to mark Company  
14 Exhibit 8 which is the direct testimony of John  
15 Woods.

16 ALJ SEE: Go ahead.

17 MS. SANYAL: And I would like to mark  
18 Company Exhibit 9 which is the direct testimony of  
19 Mark Harrison.

20 And then finally I would like to mark  
21 Joint Exhibit 1 which is the Joint Stipulation.

22 ALJ SEE: And Applicant Exhibits 1, 1-C,  
23 and 2 through 9 are so marked and Joint Exhibit 1.

24 (EXHIBITS MARKED FOR IDENTIFICATION.)

25 MS. SANYAL: Thank you, your Honor.

1 Q. (By Ms. Sanyal) Mr. Buckley, I am now  
2 going to have you identify those for the record, what  
3 the exhibits are that we just marked. Can you please  
4 identify for the record what has been marked Company  
5 Exhibit 1.

6 A. That's the Blossom Solar application.

7 Q. Okay. And can you please identify for  
8 the record Company Exhibit 1-C.

9 A. That's the confidential portion of the  
10 application.

11 Q. And can you please identify for the  
12 record Company Exhibit 2.

13 A. That's the notice of footprint  
14 modification.

15 Q. Can you please identify for the record  
16 Company Exhibit 3.

17 A. Proof of service of the application.

18 Q. Okay. And can you please identify for  
19 the record Company Exhibit 4.

20 A. Yes. That's the compilation of various  
21 proofs of publication.

22 Q. Can you please identify for the record  
23 Company Exhibit 5.

24 A. That's the various responses to Staff  
25 Data Requests.

1 Q. And just a clarification question, were  
2 you involved in preparing the responses to -- that  
3 are part of Company Exhibit 5?

4 A. Yes.

5 Q. Okay. Thank you. Can you please  
6 identify for the record what is Company Exhibit 6.

7 A. That is my direct testimony.

8 Q. And was Company Exhibit 6 prepared by you  
9 or under your direction?

10 A. Yes.

11 Q. Okay. And do you have any changes to  
12 Company Exhibit 6?

13 A. I do not.

14 Q. And if I asked you the questions in  
15 Company Exhibit 6 today, would your answers remain  
16 the same?

17 A. Yes.

18 Q. And then we are going to go to Joint  
19 Exhibit 1. Can you please identify for the record  
20 what is Joint Exhibit 1.

21 A. That's the Joint Stipulation.

22 Q. Okay. And then going back to Company  
23 Exhibit 6, I just have one -- a couple of  
24 clarification questions for you. On page 4, line 22,  
25 and page 5, line 1, you reference Company Exhibit 2

1 which is the notice of footprint modification. And  
2 can you explain why that notice of footprint  
3 modification was submitted.

4 A. So quite simply this is a removal, so  
5 it's a reduction of the footprint whereby we simply  
6 removed the gen-tie portion of the project from the  
7 application. That will be filed separately in the  
8 coming weeks. And the gen-tie, to be clear, is the  
9 transmission line or the extension cord that delivers  
10 the power from the substation to the point of  
11 interconnection in this case -- in this case which is  
12 the Galion 138 kV substation.

13 MS. SANYAL: Thank you, Mr. Buckley.

14 THE WITNESS: You're welcome.

15 MS. SANYAL: And at this time, your  
16 Honor, Mr. Buckley is available for  
17 cross-examination.

18 ALJ SEE: Ms. Curtis, any questions for  
19 this witness?

20 MS. CURTIS: No questions, your Honor.

21 ALJ SEE: Ms. Nordstrom, any questions  
22 for this witness?

23 MS. NORDSTROM: No questions, your Honor.

24 ALJ SEE: Mr. Lindgren?

25 MR. LINDGREN: No questions, your Honor.

1 ALJ SEE: And the Bench doesn't have any  
2 questions for this witness either.

3 Off the record for just a second.

4 (Discussion off the record.)

5 ALJ SEE: Let's go back on the record.

6 Ms. Sanyal.

7 MS. SANYAL: Thank you, your Honor. In  
8 that case at this time if we could move the several  
9 exhibits identified and I can -- we'll start with  
10 Company Exhibit 1. I would like to move Company  
11 Exhibit 1 into the record.

12 ALJ SEE: Ms. Sanyal, did you want to  
13 move 1 now individually or were you --

14 MS. SANYAL: However you would like me to  
15 admit the exhibits in. Whatever your preference is,  
16 your Honor.

17 ALJ SEE: It's -- okay. We can take  
18 Exhibit 1, application. Are there any objections to  
19 the admission of Applicant Exhibit 1?

20 MS. CURTIS: No, your Honor.

21 MS. NORDSTROM: No, your Honor.

22 MR. LINDGREN: No objections.

23 ALJ SEE: With that Applicant's Exhibit 1  
24 is admitted into the record.

25 (EXHIBIT ADMITTED INTO EVIDENCE.)

1 MS. SANYAL: Okay. I would move for  
2 Company Exhibit 1-C which is the confidential portion  
3 of the application to be admitted into the record.

4 ALJ SEE: Are there any objections to the  
5 admission of Applicant Exhibit 1-C?

6 MS. NORDSTROM: No.

7 MS. CURTIS: No.

8 MR. LINDGREN: No.

9 ALJ SEE: Hearing none, Exhibit 1-C is  
10 admitted into the record.

11 (EXHIBIT ADMITTED INTO EVIDENCE.)

12 MS. SANYAL: And then perhaps to expedite  
13 this, your Honor, if Company -- I would like to move  
14 Company Exhibits 2, 3, 4, and 5 which are the notice  
15 of footprint modification, the proof of service of  
16 the application, various proofs of publication for  
17 the application, and the various responses to Staff  
18 Data Requests.

19 ALJ SEE: Are there any objections to the  
20 admission of Applicant's Exhibits 2 through 5?

21 MS. CURTIS: No, your Honor.

22 MS. NORDSTROM: No, your Honor.

23 MR. LINDGREN: No objection.

24 ALJ SEE: With that Applicant Exhibits 2  
25 through 5 are admitted into the record.

1 (EXHIBITS ADMITTED INTO EVIDENCE.)

2 MS. SANYAL: Thank you, your Honor. And  
3 then I would like to move Company Exhibits 6, 7, 8,  
4 and 9 which are the direct testimonies of  
5 Mr. Buckley, Mark Bonifas, John Woods, and Brooke  
6 Harrison into the record.

7 ALJ SEE: Are there any objections to the  
8 admission of Applicant Exhibits 6 through 9, the  
9 testimonies submitted on behalf of Blossom's  
10 witnesses?

11 MS. CURTIS: No, your Honor.

12 MR. LINDGREN: No objections.

13 MS. NORDSTROM: No.

14 ALJ SEE: With that Applicant Exhibits 6  
15 through 9 are admitted into the record.

16 (EXHIBITS ADMITTED INTO EVIDENCE.)

17 MS. SANYAL: Thank you, your Honor. And,  
18 lastly, Joint Exhibit 1, I would like to move for the  
19 admission of Joint Exhibit 1 which is the Joint  
20 Stipulation filed in this proceeding.

21 ALJ SEE: Are there any objections to the  
22 admission of Joint Exhibit 1?

23 MS. CURTIS: No, your Honor.

24 MS. NORDSTROM: No.

25 MR. LINDGREN: No objections.

1 ALJ SEE: Joint Exhibit 1, the  
2 Stipulation between the parties, is admitted into the  
3 record.

4 (EXHIBIT ADMITTED INTO EVIDENCE.)

5 ALJ SEE: Any -- Mr. Buckley, you may  
6 step down.

7 THE WITNESS: Thank you.

8 ALJ SEE: Mr. Lindgren.

9 MR. LINDGREN: Thank you, your Honor. I  
10 would like to note that the parties have agreed to  
11 stipulate to the admission of the prefiled testimony  
12 of James S. O'Dell as well as the Staff Report of  
13 Investigation. If the Bench has no preference, I  
14 would like to mark the Staff Report of Investigation  
15 as Staff Exhibit 1 and then the prefiled testimony of  
16 James O'Dell as Staff Exhibit 2.

17 ALJ SEE: The exhibits are so marked.

18 (EXHIBITS MARKED FOR IDENTIFICATION.)

19 ALJ SEE: The Bench is aware of the fact  
20 that the parties agreed to the admission of what has  
21 now been marked as Staff Exhibit 1 and Staff -- Staff  
22 Exhibit 2, the testimony of James O'Dell. Are there  
23 any objections to the admission of the Staff Report  
24 which is Staff Exhibit 1? I think I flipped that.  
25 Staff Exhibit 2 is the testimony of James O'Dell.



1 Staff Exhibit 1 is the Staff Report. Are there any  
2 objections to the admission of either?

3 MS. CURTIS: No objection.

4 MS. NORDSTROM: No, your Honor.

5 ALJ SEE: Hearing none, Staff Exhibits 1  
6 and 2 are admitted into the record.

7 (EXHIBITS ADMITTED INTO EVIDENCE.)

8 MR. LINDGREN: Thank you, your Honor. I  
9 have copies for the Bench and reporter, if you would  
10 like.

11 ALJ SEE: No need. The Bench has copies  
12 of both.

13 MR. LINDGREN: Thank you.

14 ALJ SEE: Is there anything further?

15 MS. SANYAL: No, your Honor.

16 MR. LINDGREN: No, your Honor.

17 MS. CURTIS: No.

18 MS. NORDSTROM: No.

19 ALJ SEE: With that the hearing is  
20 adjourned. Thank you all very much for your time.

21 (Thereupon, at 10:18 a.m., the hearing  
22 was adjourned.)

23 - - -

24

25

CERTIFICATE

I do hereby certify that the foregoing is  
a true and correct transcript of the proceedings  
taken by me in this matter on Tuesday, March 7, 2023,  
and carefully compared with my original stenographic  
notes.

\_\_\_\_\_  
Karen Sue Gibson, Registered  
Merit Reporter.

(KSG-7424)

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**This foregoing document was electronically filed with the Public Utilities  
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**in**

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

Summary: Transcript of Blossom Solar, LLC hearing held on 03/07/23.  
electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and  
Gibson, Karen Sue Mrs..