

Re: Ohio Power Siting Board Rulemaking Review & the deferral of certificates

At the March 11 stakeholder's meeting, an important point was raised about the need for the OPSB to provide specific guidance in those cases where certificates have been deferred. Specifically, from the summary of that meeting, "It was advocated that OPSB should provide clear and consistent guidance on renewable projects, particularly in cases where there have been deferred projects."

Why is there a need for a rule covering certificate deferrals? Look at the recent deferral of the Certificate of Need for the Nestlewood Solar facility. At the October 17, 2019 OPSB meeting there were over a dozen objections raised. However, most, if not all of these issues had been previously addressed through the Staff Report of Investigation and the subsequent Joint Stipulation. The Board apparently felt the actions undertaken by Nestlewood were insufficient. However, the Board did not describe in what way existing agreements between Staff and Nestlewood needed to be changed, or what additional studies needed to be conducted. Nestlewood was left with a laundry list of complaints but no clear way to address them. Fortunately, Nestlewood was finally approved. However, the way the deferral was handled created unnecessary confusion and uncertainty.

As the Rules Review proceeds, I urge the inclusion of language such as, "The OPSB will provide clear and consistent guidance in cases where renewable facilities have been deferred."

Stephen Ploetz
sploetz6@gmail.com

The OPSB seeks comments regarding three main areas: (1) public awareness and participation in the evaluation of projects; (2) the application review and adjudication process; and, (3) certificate monitoring and enforcement. In combination with general input regarding these issues, the OPSB seeks comments regarding

Of course, the Board is not required to follow the recommendations of the Staff. But, has been operating in good faith and complied, at significant cost in many cases, to all requests by the Staff, it is unproductive to raise issues that

The Board did not offer any specific guidance about how to go forward.
Also, some

in which the Nestlewood Solar facility's certificate was deferred. Reviewing a webcast of that meeting shows that there were numerous objections raised. But, most if not all of these objections related to issues already addressed in the The Staff Report of Investigation and subsequent, legally binding Applicant S,,. At the October 17 meeting the Board offered no specific guidance about what they need to do. The applicant was in the position of having fully

complied with Staff requests and yet at the last minute were told there were problems. If acting good faith and completely following the directions of the OPSB Staff isn't enough to gain a certificate, what would be? How are they suppose to know what's wrong with the steps they have already taken?

I am writing to you because you will be participating in the May 11 meeting to review the Ohio Siting Board rulemaking process. I am a retired teacher and lifetime Ohio resident. I believe in the importance of adding carbon free energy to the grid. I was unable to attend the April where input was gathered from interested parties. However, I would like to bring your attention to an issue that was raised at that meeting. Namely, that if OPSB decides to defer a certificate for a solar project, the reasons should clear, consistent with OPSB policy and regulations, and presented as actionable steps that the applicant should take to get past the deferral.

The published summary quotes

Also, some of the objections appear to have already been specifically addressed. For example it was

I am, of course, aware that the Board is not required to follow recommendations of the Staff. However, if the deferral reasons aren't laid out clearly