

OPSB RESPONSE MEMORANDUM

To: Michael Bender
Business Advocate
Ohio Lieutenant Governor’s Common Sense Initiative Office

From: Jeffrey Jones
Legal Director
Public Utilities Commission of Ohio

Date: February 15, 2024

Re: OPSB Response for: Ohio Adm.Code Chapters 4906-1, 2, 3, 4, 5, 6, and 7

In Case No. 21-902-GE-BRO, the Ohio Power Siting Board (OPSB or Board) conducted its five-year review of the rules in Ohio Adm.Code Chapters 4906-1 through 4906-7.

On October 4 and October 8, 2021, the Board held three workshops to gather feedback from interested stakeholders and after review, the Board’s Staff provided proposed revisions for public comment on June 16, 2022. Comments were submitted by numerous stakeholders. In addition to the formal comments, over 400 public comments were reviewed. In response, further modifications were recommended by Staff in a January 19, 2023 Entry, and additional comments were submitted.

On July 20, 2023, the Board issued a Finding and Order adopting the rules, as amended. Thereafter, pursuant to R.C. 4903.10, applications for rehearing were filed by several stakeholders. The Board ultimately granted in part, and denied, in part, those applications pursuant to a December 21, 2023 Order on Rehearing, further modifying the rules. No additional applications for rehearing were submitted and the Board’s orders are now final.

On February 8, 2024, the Common Sense Initiative Office (CSI) replied to the Board, stating that CSI had no recommendations, and concluding that the Board should proceed



with formal filing of the rules package with the Joint Committee on Agency Rule Review (JCARR). In light of CSI's conclusion, the Board will proceed and file these rules with JCARR.

cc: Joseph Baker, Director, Common Sense Initiative Office
 Nicholas Walstra, Chief of OPSB, Legal Department, Public Utilities Commission of
 Ohio