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PRELIMINARY STATEMENT

Chuck Rawlins, Paul Etgen, Carol Holtrey, and Donald Holtrey are participating landowners in the Crossroads Solar Project (the “Project”). They have agreed to lease portions of their land for the Project and have intervened in this proceeding to defend their property rights. As the staff of the Ohio Public Utilities Commission (“Staff”) found in their initial Staff Report of Investigation (“Staff Report”), this Project clearly satisfies all the statutory criteria for approval pursuant to Ohio Rev. Code 4906.10(A). Notably, the Staff’s retroactive recommendation that the Board deny the Project is procedurally dubious, arbitrary, and overreactive as it fails to offer sufficient reasoning to substantiate their revised position that the Project no longer serves the public interest, convenience, and necessity within the statutory meaning. This Brief will focus on explaining why the Project serves the public interest, convenience, and necessity within the meaning of Ohio Rev. Code 4906.10(A)(6), focusing on the interests of Mr. Rawlins, Mr. Etgen, Mrs. Holtrey, and Mr. Holtrey.

The Project will generate much-needed electricity without significant adverse environmental impacts, while creating local jobs and boosting the local economy. Equally important, the conditions in the Joint Stipulation and Recommendation (the “Stipulation”) will preserve local agricultural land for future use as farmland, while providing new opportunities for sheep grazing during the life of the Project.

Additionally, at an individual level, Mr. Rawlins, Mr. Etgen, Mrs. Holtrey, and Mr. Holtrey and the other participating landowners should not be denied the opportunity to earn a lease income from a Project that patently satisfies all statutory criteria for approval.

For the reasons set forth in this Brief, the Ohio Power Siting Board (the “Board”) should approve the Stipulation and grant a Certificate of Environmental Compatibility and Public Need

(“Certificate”) for the Project.

BACKGROUND

Chuck Rawlins, Paul Etgen, Carol Holtrey, and Donald Holtrey submitted a petition to intervene in this proceeding on October 6, 2025, which was granted on December 4, 2025. On January 7, 2026, they filed written direct testimony. On January 15 and 16, 2026, they appeared at the evidentiary hearing in Columbus and subjected to cross-examination. This section summarizes their testimony and their personal story as to why they chose to support this project.

A. Chuck Rawlins

Chuck Rawlins, 62 years old, lives at the address 16326 County Road 144, Kenton, Ohio 43326. *See* Landowners Ex. 4 (Direct Testimony of Chuck Rawlins) at 2:2-3. Mr. Rawlins owns a 193-acres of land in the Village of Cardington which he has agreed to lease for the Project. *Id.* at 2:8-9. Mr. Rawlins’ parents lived on the participating property since 1951 and purchased the property in 1968. *Id.* at 2:13-14. He spent his youth assisting his father on the farm until he graduated college. *Id.* at 2:14. After the passing of his father in 2007 and his mother in 2015, Mr. Rawlins jointly acquired this property with three of his sisters: Mary Goddard, Ann Smith, and Marilyn Desjardin. *Id.* at 2:14-16.

In his testimony, Mr. Rawlins explained that after Open Roads offered to lease his land for the Project, he and his sisters decided to enter into the lease agreement, in part, because the lease payments would provide a “steady stream of income” as the siblings enter retirement. *Id.* at 3:1. Two of Mr. Rawlins’ sisters are already retired, and a third sister is retiring this year. *Id.* at 3:2. Thus, he testified, the Project will provide them with much-needed “economic security,” concluding that it is more profitable to lease the property for solar than for crop farming. *Id.* at

3:3-4. In addition, he noted that the use of sheep grazing would maintain the agricultural character of the property. *Id.* at 3:3-4.

Beyond these personal benefits, Mr. Rawlins noted that the community will benefit from this new source of energy generation. *Id.* at 3:8-10. Because this economic development will increase local revenues, he concluded that the Project is “a win-win for my family and the community alike.” *Id.* at 3:13.

B. Paul Etgen

Paul Etgen, 45 years old, lives at the address 2500 County Road 25, Cardington, Ohio 43315. *See* Landowners Ex. 2 (Direct Testimony of Paul Etgen) at 2:2-3. Mr. Etgen owns a 140-acre property in Lincoln Township that he has agreed to lease for the Project. *Id.* at 2:6. His father purchased the property being leased to Crossroads in 1976, and he assisted his father in farming the property until his passing in 2022. *Id.* at 2:10-11. In 2025, he formally acquired the property, and he continues to farm the land. *Id.* at 2:12.

In his testimony, Mr. Etgen revealed that he decided to enter into an agreement with the Applicant to lease this property for the Project because “agricultural markets are so unstable and unprofitable.” *Id.* at 2:15-16. With the addition of sheep grazing, he added, the Project will provide a “stable source of income while maintaining the agricultural character of the property.” *Id.* at 2:16-18.

If the Project is not developed, however, Mr. Etgen foresees that he could suffer potential financial hardship including accumulating debt and being forced to sell personal property. *Id.* at 2:16-18. Given these economic risks, Mr. Etgen looks at the Project as a “new way[] to stay afloat” and views opposition to the Project as “deeply shortsighted.” *Id.* at 3:8-10. He concludes by noting that farmers “should not attempt to tear each other down” because “[i]t threatens

[their] collective prosperity.” *Id.* at 3:8-10.

C. Carol Holtrey

Carol Holtrey, 70 years old, lives at the address 6480 County Road 76 Mount Gilead, Ohio 43338. *See* Landowners Ex. 3 (Direct Testimony of Carol Holtrey) at 2:2-3. Mrs. Holtrey has leased five parcels of land for the Project, totaling 186.5 acres of leased property. *Id.* at 2:6-7. The parcels span three different townships: Cardington, Lincoln, and Westfield. *Id.* at 2:7-8. Her family has been in Morrow County, Ohio for several generations. *Id.* She was born and raised here and graduated from Mount Gilead High School. *Id.* at 2:13-14. She now resides on the Holtrey farm outside of Mount Gilead. *Id.* at 2:15-16. Her aunt and uncle inherited the farm leased to Crossroads Solar in 1983 and lived on the property until Mr. and Mrs. Holtrey purchased it in 2009. *Id.* at 2:18-19. Mrs. Holtrey’s son and his family now reside on the farm, meaning the property has been in their family for over 40 years. *Id.* at 2:19-20.

In her testimony, Mrs. Holtrey expressed that “tenant farming has become an economically unreliable source of income.” *Id.* at 3:1. Moreover, the lease payments provide the Holtreys a stable source of retirement income, “while maintaining the fundamental agricultural character of the property.” *Id.* at 3:6. She is particularly supportive of grazing sheep on the property. *Id.* at 3:8-12. If the project is not approved, however, Mrs. Holtrey expressed that she would be “deeply concerned” about the future economic viability of her family farm. *Id.* at 3:14-15.

D. Donald Holtrey

Donald Holtrey, 69 years old, lives at the address 6480 County Road 76 Mount Gilead, Ohio 43338. *See* Landowners Ex. 1 (Direct Testimony of Donald Holtrey) at 2:2-3. Mr. Holtrey co-owns the five parcels of land noted above with Mrs. Holtrey. *Id.* at 2:6-7. In total, the Holtreys own about 300 acres of land in Morrow County. *Id.* at 2:18-19. Mr. Holtrey’s family has lived in Morrow County since the early 1800s, and he has lived in Morrow County his entire life. *Id.* at 2:14-15.

In his testimony, Mr. Holtrey summarized four main benefits of the Project: “(1) it provides a reliable source of income; (2) it allows for continued agricultural use through sheep grazing; (3) it will regenerate the land for future crops; and (4) it will help meet the energy needs of [the] community.” *Id.* at 2:14-15. On this basis, Mr. Holtrey concluded that the Project is a “no-brainer.” *Id.* at 2:12-15.

STANDARD OF REVIEW

The Board must review each application for a certificate of environmental compatibility and public need under eight statutory criteria outlined in Ohio Rev. Code 4906.10(A). Pursuant to R.C. 4906.10(A), “The board shall not grant a certificate for the construction, operation, and maintenance of a major utility facility, either as proposed or as modified by the board, unless it finds and determines all of the following:

- (1) The basis of the need for the facility if the facility is an electric transmission line or gas pipeline;
- (2) The nature of the probable environmental impact;
- (3) That the facility represents the minimum adverse environmental impact, considering the state of available technology and the nature and economics of the

various alternatives, and other pertinent considerations;

(4) In the case of an electric transmission line or generating facility, that the facility is consistent with regional plans for expansion of the electric power grid of the electric systems serving this state and interconnected utility systems and that the facility will serve the interests of electric system economy and reliability;

(5) That the facility will comply with Chapters 3704, 3734, and 6111 of the Revised Code and all rules and standards adopted under those chapters and under sections 1501.33, 1501.34, and 4561.32 of the Revised Code;

(6) That the facility will serve the public interest, convenience, and necessity;

(7) What its impact will be on the viability as agricultural land of any land in an existing agricultural district established under Chapter 929. of the Revised Code that is located within the site and alternative site of the proposed major utility facility;

(8) That the facility incorporates maximum feasible water conservation practices as determined by the board, considering available technology and the nature and economics of the various alternatives.

When parties enter a written stipulation, such as in this case, to resolve issues in a proceeding, it must meet three criteria for Board approval. *See* Ohio Adm. Code 4906-2-24 , *See also, e.g., In re Hardin Wind LLC*, Case No. 13-1177-EL-BGN (Mar. 17, 2014). The Board determines whether the agreement is reasonable and adopts settlements only if all three of the following criteria are satisfied:

(1) whether the settlement is a product of serious bargaining among capable, knowledgeable parties;

(2) whether the settlement, as a package, benefits ratepayers and the public interest; and

(3) whether the settlement package violates any important regulatory principle or practice.

Although not binding on the Board, pursuant to Ohio Adm.Code 4906-2- 24(D), the terms of such an agreement are accorded substantial weight. As stated earlier, this Project clearly satisfies all the statutory criteria for approval pursuant to Ohio Rev. Code 4906.10(A), and further, the Stipulation satisfies the Board’s criteria for analyzing such stipulations.

ARGUMENT

The Crossroads Solar Project serves the public interest, convenience and necessity because it will generate critical electricity for the State of Ohio, with no significant adverse environmental impacts. Further, the Project has been designed to balance the need for new sources of energy with the goal of maintaining continued agricultural production and protecting agricultural soils for future use. Finally, the Project will benefit the local economy, while delivering critical relief to landowners and residents.

I. The Project Will Help to Meet Growing Demand for Electricity, Without Causing Significant Adverse Environmental Impacts

Ohio needs new sources of electricity, such as this Project, to meet growing demand. As Craig Adair testified, the Project will help serve increasing electricity demand in Central Ohio, including peak summer load. *See* Company Ex. 8 (Direct Testimony of Craig Adair) at 38:4-5. Local electricity demand in Central Ohio is expected to double by 2030, in part due to rapid data center growth in the region, which now includes approximately 133 data centers. *Id.* at 38:5-8. In addition, PJM's 2025 Long-Term Forecast Report projects peak summer load growth of 3.1 percent over the next ten years and 2.0 percent over the next twenty years. *Id.* at 8-10. The Project is particularly well-suited to meet these needs. As Mr. Adair explained, peak electricity demand during the summer coincides with the highest production from solar facilities during sunny days. *Id.* at 11-13. Consequently, the operation of the Project will add a new source of critical energy generation to Central Ohio which will while markedly enhance overall grid resilience. *Id.* at 13-15.

Importantly, this Project will help meet growing demand without causing significant adverse environmental impacts. As the initial Staff Report concluded, the Project "is unlikely to

pose a significant adverse impact to existing land use, cultural resources, recreational resources, or wildlife.” Staff Ex. 1 (Staff Report) at 31. Remarkably, the Staff’s revised recommendation does not retract their finding that the Project will not cause significant environmental impacts.¹

Moreover, to ensure environmental protection during construction and operation, the Joint Stipulation includes multiple enforceable conditions designed to avoid or minimize environmental impacts. For example, Condition 29 of the Joint Stipulation requires the Applicant to have a ‘Staff-approved environmental specialist on site during construction activities that may affect sensitive areas,’ including “wetlands, streams, and locations of threatened or endangered species.” Joint Ex. 1 (Stipulation) at Condition 29. That specialist must be familiar with water quality protections and species concerns, has the authority to stop construction if unforeseen impacts arise, and must recommend procedures to resolve any such impacts. *Id.* Additional conditions provide targeted protections for sensitive species and habitats. For instance, Condition 42 requires the Applicant to avoid impacts to any newly identified listed plant or animal species or suitable habitat encountered prior to construction, with those locations incorporated into final engineering drawings and mapping. Stipulation, Condition 42.

To the extent that some residents may be concerned about visual impacts, the Stipulation requires the Applicant to “ensure that vegetative screening, designed by a landscape architect, be incorporated for any adjacent, non-participating parcel which contains a residence with a direct line of sight” of the facility. Stipulation, Condition 17. Further, the Stipulation requires the Applicant to “promptly replace any failed plantings so that, after five years, at least 90 percent of the vegetation has survived.” *Id.*

¹ The sole basis offered for the Staff’s change in recommendation is that a resolution opposing the project was adopted by Cardington Township *after* the Staff Report was filed. See Staff ex. 2 (Prefiled Testimony of Jess Stottsberry) 7:4-6.

Together, these conditions ensure that any potential environmental impacts will be carefully monitored and avoided as necessary. In short, the Project will provide much-needed electricity to a region facing increasing demand, while incorporating numerous safeguards to protect environmental resources.

II. The Project Balances Energy Needs With Ongoing Agricultural Production and Long-Term Agricultural Preservation

The Project is compatible with the goal of ongoing agricultural production and long-term agricultural preservation. Importantly, the Project has been designed to support continued agricultural use through on-site sheep grazing as the primary means of vegetation management. As Craig Adair explained, once the grazing operation is fully stocked—expected within five years of operations—an average of approximately 1,922 sheep could be grazed at the Project during a typical pasture year. Company Ex. 8 at 36:7–10. This stocking rate is expected to produce between 3,000 and 4,000 lambs annually, with an estimated value of \$450,000 to \$800,000. *Id.* at 36:10-12. These agricultural activities are projected to support approximately 2.5 full-time positions with annual wages between \$40,000 and \$60,000, in addition to the six positions associated with solar operations. *Id.*

The project area is particularly well suited for agrivoltaic use. As Mr. Fox testified, the site contains high-quality soils that have already been cultivated for years, and data from the Natural Resources Conservation Service indicates that these soil conditions are conducive to the growth of initial ground cover and, over time, high-quality pasture suitable for sheep grazing. *See* Company Ex. 9 (Direct Testimony of Lewis Fox) at 7: 11-17. Once permanent vegetation is fully established, the site is expected to provide sufficient forage for approximately 1,900 sheep

across the grazing season—about 3.5 sheep per acre—with a maximum of about 2,500 sheep at one time. *Id.* at 9:1-2.

Moreover, the Joint Stipulation includes detailed, enforceable conditions to ensure that the grazing operation is conducted in a manner that supports both agricultural productivity and animal welfare. For example, Condition 24 requires the Applicant to file an updated grazing plan at least 30 days prior to the preconstruction conference for Staff review and acceptance. Joint Ex. 1 at Condition 24. That plan must address herd management, stocking rates, water and nutrition needs, veterinary care, winter operations, and other operational details, ensuring a comprehensive approach to agrivoltaic use. *Id.*

Condition 62 further requires the Applicant to manage a grazing herd of up to 2,600 adult sheep on site and to maintain adequate water supplies, fencing, and contingency plans for extreme weather. Joint Ex. 1 at Condition 62. It also mandates the timely removal of deceased livestock and requires Staff approval before introducing any new grazing livestock. *Id.* In addition, Condition 63 requires the Applicant to ensure proper livestock care, including monitoring sheep health, providing water and shelter, and administering vaccinations under the supervision of a licensed Ohio veterinarian. *Id.* at Condition 63. That condition also requires the use of forage-type grasses suitable for grazing, rather than turf-type species, to support healthy pasture conditions. *Id.*

Together, these conditions ensure that the Project will continue to support active agricultural production throughout its operational life. By converting portions of the site from row-crop agriculture to managed pasture for sheep grazing, the Project will maintain the land in

agricultural use while establishing permanent vegetation that can improve soil conditions over time.

Notably, several of the Landowner-Intervenors are seasoned farmers. Mr. Rawlins, Mr. Etgen, and the Holtreys support the Project, in part, because it offers a steady source of income without compromising the farmland they have long nurtured and maintained. As Mr. Holtrey testified, “grazing will enrich the soil, improving future crop yields after the lease has expired.” Landowners Ex. 1 at 3:6-7. This Project, therefore, affords “opportunities to the next generation of farmers.” *Id.* at 3:9.

III. The Project Will Provide Significant Economic Benefits to the Community, as Well as Much-Needed Relief to Local Landowners

In addition to helping meet growing electricity demand and supporting ongoing agricultural use, the Project will deliver substantial economic benefits to the local community. Based on economic modeling performed for the Project, the facility is expected to generate significant direct and indirect economic impacts over its operational life. At 94 megawatts (MW), the Project is projected to generate approximately \$294,000 in average annual tax revenue for Morrow County, resulting in approximately \$11,757,000 in total tax revenues for county taxing jurisdictions over the Project’s approximately 40-year lifespan. Company Ex. 8 at 34: 20-23.

Importantly, this annual tax revenue is approximately seven times the revenue the County would receive if the Project Area remained in agricultural use alone. *Id.* at 34-35. Annual tax revenues are expected to range from approximately \$621,000 during the first year of operations to approximately \$178,000 during the thirtieth year, averaging about \$294,000 per year over the

life of the Project. *Id.* at 35:2-5. These funds will benefit numerous local entities, including Morrow County, Westfield Township, Lincoln Township, Cardington Township, the Cardington-Lincoln Local School District, and other local taxing jurisdictions. *Id.* at 35:5-8.

In addition to tax revenues, the Project will provide substantial direct financial support to local schools. The Applicant has committed to annual voluntary payments to the Cardington-Lincoln Local School District of \$100,000 in the first year of operations, increasing by 2.5 percent annually for the life of the Project. *Id.* at 35:5-8. Over the Project's expected 40-year life, these voluntary payments will total more than \$6.7 million. *Id.* at 35:9-13.

The Project will also create significant employment opportunities. During construction, the Applicant estimates that approximately 305 jobs will be created, resulting in roughly \$22 million in earnings. *Id.* at 35: 14-15. Once operational, the Project is expected to support six full-time jobs with annual earnings of approximately \$400,000, and to increase total annual economic output by approximately \$1 million. *Id.* at 35: 15-18. Participating landowner Rawlins effectively summarized the substantial community benefits. During the evidentiary hearing during cross-examination, Mr. Rawlins explained that in addition to the increased tax revenue resulting from the land no longer being under CAUV, the community would see a significant increase in people during the construction phase and beyond. *See* Transcript Vol IV at 770:11-23. Drawing upon his experience working in other Ohio communities, Mr. Rawlins testified:

“[t]hose people will eat in the community. They will purchase gas in the community. What I have seen in other areas where . . . I have worked, other communities, where economic development where economic development such as solar project -- not necessarily solar project but similar, it breed additional economic development and that means better roads, more restaurants, better hospitals, and better schools in those communities.” *Id.*

It is clear that the benefits will not end at the project property line, but the entire community.

On an individual level, the Project will also deliver significant relief to hardworking

landowners, residents, and farmers in Morrow County, including Mr. Rawlins, Mr. Etgen, and the Holtreys, who wish to participate in this Project by lawfully leasing out portions of their land for solar energy generation. Several of these landowners expressed serious concerns about their financial well-being if the Project is not approved. Most fundamentally, therefore, the Project simply offers rural landowners a new pathway to secure stable income. In other words, as Mr. Rawlins testified, the Project is a “win-win for [his] family and the community alike.”
Landowners Ex. 2 at 3:13.

CONCLUSION

For the foregoing reasons, the Board should approve the Stipulation and grant a Certificate for the Crossroads Solar Project.

Dated: February 9, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this filing will be electronically served via the Ohio Power Siting Board's e-filing system and via electronic mail on all parties referenced in the service list of the docket.

Dated: February 9, 2026

/s/ Trent Dougherty
Trent Dougherty