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PRELIMINARY STATEMENT

Sean Rittinger, Leigh Miller, and Ruth Miller are participating landowners in the Carnation 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. In their Staff Report of Investigation (“Staff Report”), the staff of the Ohio Public Utilities Commission (“Staff”) concluded that the Project would not serve the public interest, convenience, and necessity. However, the Board should disregard Staff’s recommendation to deny the Project, as it fails to properly weigh the totality of public benefits afforded by the Project. 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 Sean Rittinger, Leigh Miller, and Ruth Miller.

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, Sean Rittinger, Leigh Miller, and Ruth Miller 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

Sean Rittinger, Leigh Miller, and Ruth Miller submitted a petition to intervene in this proceeding on July 25, 2025, which was granted on August 11, 2025. On January 20, 2026, they filed written direct testimony. On February 11, 2026, they appeared at the evidentiary hearing in Columbus and were subjected to cross-examination. This section summarizes their testimony and the reasons why they support this project.

A. Sean Rittinger

Sean Rittinger lives at 8040 Baker Road Southwest, Stoutsville, Ohio 43154. *See* Landowner Ex. 1 (Direct Testimony of Sean Rittinger) at 2:2-3. Mr. Rittinger is a fifth-generation farmer and first-generation landowner who owns and operates a family-based seed, precision agriculture, and nutrient business while actively farming approximately 900 acres of row crops. *Id.* at 2:3-5. He purchased the participating farm in Amanda Township in 2018, land that his family had farmed since 1970. *Id.* at 2:8-9. Mr. Rittinger was raised in Amanda Township and has lived in the Amanda-Clearcreek School District for 52 years. *Id.* at 2:14-15.

In his testimony, Mr. Rittinger explained that his decision to lease land for the Project was shaped by several economic challenges facing his farming operation. *Id.* at 3:4. These challenges included the loss of his father in 2021, severe drought conditions in 2024 that significantly reduced crop yields, and the ongoing pressure of low commodity prices and high input costs. *Id.* at 3:4-9. Mr. Rittinger testified that participation in the Project will provide economic stability while preserving the long-term viability of his family farm. *Id.* at 3:16-19. The lease payments will provide a stable source of income insulated from the volatility of agricultural markets, while allowing the land to remain vegetated and available for future agricultural use after the Project's operational life. *Id.* at 3-4. Moreover, the Project will help

ensure that his farm can remain within the next generation of his family. *Id.* at 4:4-8.

B. Leigh Miller

Leigh Miller lives at 4340 Sandhill Road, Amanda, Ohio 43102. *See* Landowner Ex. 3 (Direct Testimony of Leigh Miller) at 2:2. Mr. Miller is an active grain farmer with 56 years of farming experience. *Id.* at 2:2-3. He and his brother jointly own farmland in Fairfield County, including approximately 70 acres located on Westfall Road Southwest in Amanda, Ohio that the Applicant seeks to lease for the Project. *Id.* at 2:6-8. Mr. Miller explained that his family has farmed in Fairfield County for more than 50 years. *Id.* at 2:11-14. The family originally acquired the farm after the Columbus Parks System purchased their original farm in Franklin County. *Id.* Today, Mr. Miller and his brother own approximately 800 acres of farmland in Fairfield County. *Id.*

In his testimony, Mr. Miller stated that he chose to participate in the Project because it provides important financial stability for his family. *Id.* at 2:17-18. The lease payments offered by the Applicant will provide greater financial returns than could be achieved through agricultural production alone under current market conditions. *Id.* at 2:18-20. As he approaches retirement, Mr. Miller testified that the Project will provide a valuable source of economic security for his family. *Id.* at 20-21.

C. Ruth Miller

Ruth Antoinette Johnson Miller lives at 4340 Sandhill Road, Amanda, Ohio 43102. *See* Landowner Ex. 2 (Direct Testimony of Ruth Miller) 2:2-3. Mrs. Miller is a retired educator who taught at a local middle school for 30 years. *Id.* Her husband and brother-in-law own the

farmland that the Applicant has leased for the Project. *Id.* at 2:12-14.

In her testimony, Mrs. Miller stated that she and her husband carefully researched solar development before deciding to participate in the Project. *Id.* at 2:17-19. She was encouraged to learn that many solar projects integrate agricultural uses, including grazing sheep on project land. *Id.* at 2:19-20. Mrs. Miller testified that the lease payments will provide a stable source of income for the family as her husband approaches retirement and concluded that she has no reservations about the Project. *Id.* at 3:1-9.

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 6 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 Joint Stipulation and Recommendation (“the Stipulation”) satisfies the Board’s criteria for analyzing such stipulations.

ARGUMENT

The Carnation Solar Project serves the public interest, convenience and necessity because it will generate critical electricity for the State of Ohio, with comparatively few 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, including Mr. Rittinger, Mr. Miller, and Mrs. Miller.

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 the Applicant's representative, Anupama Janapareddy, notes in her direct testimony, "demand is growing much faster than the new generation is being added, which drives up the costs." *See* Company Ex. 10 (Anupama Janapareddy Direct Testimony) at 5:22-23. To provide an example of this disparity, Ms. Janapareddy cites a Base Residual Auction report published in July 2025, which projects an RTO increase in the forecasted load of 5446.1 MW from the previous year; however, new added generation only accounts for 2669 MW of additional unforced capacity. *Id.* at 6:3-4. The Carnation Solar Project will help alleviate this issue, increasing capacity and reducing prices for consumers.

Importantly, this Project will help meet growing demand without causing significant adverse environmental impacts. As the 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 33.

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 28 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 28. 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 46 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. *Id.* at Condition 46.

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 14. 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.* at Condition 14.

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 the Applicant's consultant, Mark Bonifas, testified, the Applicant can utilize rotational grazing to manage vegetation in the Project Area, building "soil health and quality over time." *See* Company Ex. 14 (Direct Testimony of Mark Bonifas) at 12:12-14. In addition, Barry Fagan, the Applicant's engineering consultant, clarified that any rotational sheep grazing or beekeeping at the Project likely will not contribute to existing impairments to local waterways. *See* Company Ex. 8 (Direct Testimony of Barry Fagan) at 15:14-16.

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 20 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 (Stipulation) at Condition 20. 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.*

Together, these provisions will help 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. Ritinger and the Millers support the Project, in part, because it offers a steady source of income without compromising the farmland they have long nurtured and maintained.

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

In addition to supporting Ohio's energy infrastructure, the Carnation Solar Project will generate substantial economic benefits through job creation, wages, and increased economic output. Using the Jobs and Economic Development Impacts ("JEDI") model, the Project's construction phase is expected to support approximately 757 full-time equivalent ("FTE") jobs across Ohio, including direct construction, supply chain, and induced employment. *See* Company Ex. 11 (Direct Testimony of Sean Hollowell) at 5:15-17. Construction activities are projected to generate approximately \$72.2 million in employment earnings and approximately \$160.4 million in total economic output statewide. *Id.* at 5: 10-11.

The Project will also generate ongoing economic activity once operational. Each year the facility operates, it is expected to support approximately 14 FTE jobs, including approximately three on-site positions, five supply chain positions, and six induced jobs generated through increased household spending. *Id.* at 5-6. These operational impacts are projected to generate approximately \$1.0 million in annual employment earnings and approximately \$3.0 million in total annual economic output within Ohio. *Id.* at 5:12-13.

The Project will further provide substantial revenue to local taxing jurisdictions through a payment-in-lieu-of-taxes ("PILOT") structure. The Socioeconomic Report assumes annual PILOT payments of \$9,000 per megawatt, which, based on the Facility's 142-MWAC capacity, results in approximately \$1,278,000 in annual payments to local taxing entities. *Id.* at 6:8-17. These payments are expected to continue for the Facility's 30–40 year lifespan and will benefit multiple public entities, including Fairfield County, Amanda Township, the Amanda-Clearcreek Local School District, the Teays Valley Local School District, the Eastland Joint Vocational School District, the local library district, and the parks district. *Id.* at 6:11-14.

On an individual level, the Project will also deliver significant relief to hardworking landowners, residents, and farmers in Fairfield County, including Mr. Rittinger and the Millers, who wish to participate in this Project by lawfully leasing out portions of their land for solar energy generation. As noted by Mr. Rittinger in his testimony, the Project provides the Landowners three principal benefits: “diversification and economic stability, farmland preservation, and generational continuity.” *See* Landowners Ex. 1 (Direct Testimony of Sean Rittinger) at 3:13-14. Several of these landowners expressed serious concerns about the financial impact of the Project not being approved. The Project offers these rural landowners a new pathway to secure stable income. In doing so, they will be able to preserve their farms for their family.

CONCLUSION

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

Dated: March 16, 2026

Respectfully submitted,

/s/ Trent Dougherty

Trent Dougherty (Bar No. 0079817)
HUBAY DOUGHERTY
4302 John Ave.
Cleveland, OH 44113
Telephone: (614) 330-6752
trent@hubaydougherty.com

*Counsel for Sean Rittinger, Leigh Miller, and
Ruth Miller*

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: March 16, 2026

/s/ Trent Dougherty
Trent Dougherty

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Summary: Brief Initial Post-Hearing Brief of Participating Landowners Sean Rittinger, Leigh Miller, and Ruth Miller in Support of the Joint Stipulation and Recommendation electronically filed by Mr. Trent A. Dougherty on behalf of Rittinger, Sean and Miller, Leigh and Miller, Ruth.