



## Ohio Administrative Code Rule 122:23-1-03 Construction reporting.

Effective: October 30, 2017

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(A) The applicant shall file with the director a construction progress report in the form and containing the substance required by the director from time to time. A construction progress report must be received by the director not later than the close of business on March first each year following any calendar year during which any construction or installation of the energy project occurred and was not completed by December thirty-first. A construction progress report will report on any construction activity on the energy project during the calendar year ending on December thirty-first prior to the reporting deadline. In each construction progress report, the applicant will provide information about the status of construction of the energy project during the reporting period, including among other things a general description of the construction work undertaken and work remaining at the end of the reporting period to complete the energy project. The work remaining as of December thirty-first of the reporting period shall be expressed as a percentage of the total project.

(B) The applicant shall file with the director a construction completion report within ninety days after the energy project is placed in service. The construction completion report shall be in the form and contain the substance required by the director from time to time. The applicant shall identify the date on which construction is completed and the energy project is placed in service.

(C) The construction completion report must include an appendix listing each item of tangible personal property of a qualified energy project to be exempt from taxation, the cost of each such item of tangible personal property, and the county in which the item of tangible personal property is located. For purposes of this provision, "cost" means the cost reflected on the applicant's books and records, including all expenses incurred to put the property in place and in use. The applicant shall also include in the appendix a final complete list of permanent parcel numbers for the parcels of real property on which any part of the qualified energy project is located and sufficient detail about the location of tangible personal property constituting the energy facility and the buildings, structures, improvements, or fixtures exclusively used to house, support, or stabilize the tangible personal property constituting the energy facility or that are otherwise necessary for the operation of that



property so that the county auditor can determine the boundaries of the real property that may be entitled to exemption from taxation consistent with the definition of energy facility in division (P) of section 5727.01 of the Revised Code.

(D) Along with the construction completion report, the applicant shall submit the following documentation:

(1) To evidence the date on which construction or installation of the energy facility begins, (a)(i) documentation from the power siting board (which may include a copy of a case docket) showing the date on which an application for a certificate under section 4906.20 of the Revised Code was filed for the project with the power siting board or, (ii) if such a certificate is not required by law, documentation showing the date on which an application for approval, consent, permit, or certificate for construction or operation of the project is first filed with any applicable authority, and (b), if the applicant has entered into a construction or installation contract on or before the application date, a copy of the contract for construction or installation of the energy facility (excluding any exhibits, appendices and attachments to the contract). Construction or installation of an energy facility begins on the earlier of the date of the application for a power siting board certificate or a construction permit, whichever applies, or the date of the construction or installation contract.

(2) To evidence applicant's compliance with all applicable regulations, a certification by an authorized representative of the applicant that all licenses, permits, and other approvals required for the construction and operation of the energy project have been obtained or will be obtained as and when required, a list of all licenses, permits, and other approvals required for the construction and operation of the energy project, and copies of each such license, permit, or other approval that has been obtained by the applicant as of the reporting date.

(3) A list of fire and emergency responders for each jurisdiction in which any part of the energy project is located and a certificate from such fire and emergency responders to the director confirming that the applicant has consulted with the fire and emergency responders in developing a training plan for response to emergency situations related to the energy project. If the applicant develops a joint training plan with multiple fire and emergency responders, one or more fire or emergency responders may be designated by the training plan to provide the certificate required by this paragraph.



(4) A certification of an authorized representative of the applicant that it has complied with the provisions of division (F)(8) of section 5727.75 of the Revised Code regarding offers to sell power or renewable energy credits from the energy project to electric distribution utilities or electric service companies subject to renewable energy resource requirements under section 4928.64 of the Revised Code. This requirement will not apply to any application for certification filed after the expiration of all requests for proposal issued by electric distribution utilities and electric service companies on or before December 31, 2010 to purchase power or renewable energy credits.

(5) For a qualified energy project with a nameplate capacity greater than two megawatts, evidence that the applicant has established a relationship with a member of the university system or person offering an apprenticeship program that complies with the provisions of division (F)(7) of section 5727.75 of the Revised Code to support workforce training. Such a relationship may be evidenced by an agreement with the institution or apprenticeship program or other written description of the relationship acknowledged by the institution or apprenticeship program.

(6) For a qualified energy project with a nameplate capacity greater than five megawatts, a certificate of the county engineer for each county in which any part of the energy project is located to the effect that the applicant has complied with, or has entered into an agreement with the county to comply with, the provisions of division (F)(4) of section 5727.75 of the Revised Code regarding the repair, rebuilding, and reinforcement of roads, bridges, and culverts. If the applicant has an agreement with the county engineer, the county engineer must also certify to the director that the applicant is not then in default of any of its obligations under such agreement. The applicant must also provide a copy of each agreement it has with any county engineer related to the energy project and a copy of any bond provided to a county engineer or required by the power siting board related to the repair, rebuilding, and reinforcement of roads, bridges, and culverts affected by the energy project.

(7) For a qualified energy project with a nameplate capacity greater than five megawatts, a certificate of fire and emergency responders for each jurisdiction in which any part of the energy project is located to the effect that the applicant has equipped, or has developed in consultation with such fire and emergency responders a plan for equipping, such fire and emergency responders with proper equipment as reasonably required to enable them to respond to emergency situations related to the energy project. If the applicant develops a plan for equipping multiple fire and emergency responders



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with shared equipment, one or more fire or emergency responders may be designated by the equipment plan to provide the certificate required by this paragraph.