



Ohio Administrative Code Rule 4906-3-03 Public notification requirements.

Effective: May 30, 2024

(A) The applicant shall file a preapplication notification letter with the board at least twenty-one days prior to the date of any public informational meeting(s) held pursuant to paragraph (B) of this rule.

The preapplication notification letter shall include the following information:

(1) A basic description of the project that shall include information about the anticipated function, equipment size, approximate acreage, general location, schedule, and purpose of the project.

(2) The date, time, and location of the public informational meetings to be held pursuant to paragraph (B) of this rule.

(3) A list of any waivers of the board's rules that the applicant anticipates it will be requesting for the project.

(4) Confirmation that the applicant has prominently posted the information described in this section on its website prior to filing the preapplication notification letter.

(B) After satisfying any applicable meeting requirements under section 303.61 of the Revised Code, the applicant shall conduct at least two informational meetings open to the public to be held in the area in which the project is located prior to submitting a standard certificate application to the board. The first of these informational meetings should notify the public and solicit input on the scope of the project. The second of these informational meetings is to occur not more than ninety days prior to filing the application and is intended to present the project to the public in a manner consistent with what will be presented in the application. If substantial changes are made to the application after the second informational meeting, the executive director of the board may require that the applicant hold another informational meeting. If, under division (A)(2) of section 303.62 of the Revised Code, a county adopts a resolution limiting the boundaries of the proposed facility, the applicant shall reconduct any public informational meeting or meetings that it had conducted under this paragraph prior to the county's adoption of that resolution, to reflect the updated boundaries under the county's



resolution.

(1) The applicant will give at least one public notice of each of the informational meetings in newspapers of general circulation in the project area, to be published not more than twenty-one days or fewer than seven days before the date for the meeting. Each notice shall occupy not less than one-fourth of each newspaper's standard page, with letters not less than ten-point type, and shall bear the heading "Notice of Public Informational Meeting for Proposed Major Utility Facility" or "Notice of Public Informational Meeting for Proposed Economically Significant Wind Farm," as applicable, in bold letters not less than one-fourth inch high or thirty-point type. Each notice shall not be published in the legal notices section of the newspaper. Each notice provided shall address the purpose of the project, the project construction schedule, and proposed location of the facility. Proof of publication, including a copy of the public notice, shall be filed in the case record no later than thirty days from the date of publication.

(2) At least twenty-one days before each of the informational meetings, the applicant shall send a letter to each property owner and affected resident. Each letter shall briefly describe the certification process, including information on how to participate in the proceeding and how to request notification of the public hearing. Each letter shall include the applicant's and board's website and contact information. Each letter shall also include the date, time, and location of the informational meeting, a description of the project, and the purpose of the respective informational meeting. Notice of compliance with this requirement, including a copy of each of the form letters, shall be filed in the case record and a list of the names of each resident and property owner letter recipient shall be provided to staff. Inability or inadvertent failure to notify the persons described in this rule shall not constitute failure to give public notices, provided there is substantial compliance with these requirements. Each letter shall be sent to each property owner and affected resident:

(a) Within the planned site or along the proposed route options, where applicable, for the proposed facility.

(b) Contiguous to the planned site or proposed route of the proposed facility.

(c) Who may be approached by the applicant for any additional easement or land access necessary for the construction, operation, or maintenance of the facility.



(d) If the property owner's address is not the same as the address affected by the proposed facility, then the applicant shall also send a letter to each affected property.

(3) At least twenty-one days before each informational meeting, the applicant shall also display information required by B(1) and (2) of this rule in a prominent location on the applicant's website.

(4) If the location of the proposed facility changes after the second informational meeting, the applicant shall send a letter to any property owner and affected resident, as defined by paragraph (B)(2) of this rule. The letter shall be sent at least twenty-one days prior to the public hearing. The letter shall describe the certification process, including information on how to participate in the proceeding, and the date, time, and location of the public hearing. The letter shall also include a description of the project. The letter shall include the applicant's and board's website and contact information. Notice of compliance with this requirement shall be filed in the case record and a list of the names of each resident and property owner shall be provided to staff.

(5) At the public informational meetings, the applicant shall present maps showing the proposed facility, as well as mapping software with aerial imagery that contains layers representing facility components along with sensitive receptors and address search capabilities. The applicant maintains the right to protect from disclosure any facility information that is critical energy infrastructure information and other facility information that is confidentially protected from public disclosure. The applicant shall solicit written comments from the attendees. The applicant shall summarize in its certificate application how many and what types of comments were received and, after redacting any information as to each commenter's postal address, email address, and telephone number, file the written comments with its application.