
PUBLIC UTILITIES - OHIO

In re Application of Moraine Wind, L.L.C.

Supreme Court of Ohio - August 27, 2024 - N.E.3d - 2024 WL 3940615 - 2024-Ohio-3224

Renewable energy organization appealed order of Public Utilities Commission of Ohio (PUCO) approving applications of six out-of-state operators of wind farms for certification in Ohio.

PUCO moved to dismiss appeal.

The Supreme Court held that PUCO did not rule on organization's application for rehearing within 30 days, denying application as matter of law, and, thus, dismissal of appeal was not appropriate.

Public Utilities Commission of Ohio (PUCO) did not rule on renewable energy organization's application for rehearing within 30 days, denying application as matter of law, and, thus, dismissal of appeal from PUCO's order granting certification to six wind farm operators was not appropriate, although PUCO argued that its order granting rehearing for limited purpose of extending time to review application made it so application was still pending when organization appealed certification order; order extending PUCO's time to review application did not vacate prior certification order or reach any determination as to whether reconsideration of that order was warranted, and effect of order was to put off consideration of application under future date, such that order did not actually grant rehearing.

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